

<b>Equality Analysis - Hackney Carriage and Private Hire Policy</b>		
<b>Outcome of Summary Statement :</b> Medium Impact	<b>Date of EqA:</b> 19/9/13	<b>Review Date:</b> 30/09/13
<b>EqA Lead Officer:</b> Nigel Marston	<b>Purpose:</b> Why are you creating the EqA? Change to policy	
<b>What are the main purposes and aims of the policy, strategy and service area?</b>		
<p>This document sets out South Somerset District Council's (SSDC) taxi licensing policy in recognition of its role and functions as the relevant licensing authority for Hackney Carriage and Private Hire Vehicles, drivers and operators.</p> <p>The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, together with a variety of other statutes provide the legislative framework throughout England &amp; Wales (excluding London) for regulating the provision and activities of hackney carriages (commonly referred to as 'taxis') and private hire vehicles.</p> <p>This Policy sets out the guidelines and arrangements that the licensing authority will normally apply and consider in carrying out its taxi licensing functions and responsibilities. The Policy will therefore be used to inform and direct our decision making, particularly when making decisions on relevant licence applications, other authorisations and/or exemptions. It acts as a guide to the considerations and standards to be applied in our licensing work together with the roles and responsibilities of those to whom it applies.</p> <p>Under this legislation, SSDC along with other authorities is responsible for the licensing of Hackney Carriages and/or private hire vehicles, their drivers and operators. We are also responsible for a range of other taxi-related matters, for example Hackney Carriage fares.</p> <p>The policy seeks to improve the availability of Wheelchair Accessible Vehicles (WAVs) from the current 6% of the Hackney Carriage Fleet (the lowest % in Somerset) SSDC currently have 11 WAVs out of a hackney carriage fleet of 170 vehicles. The national average is currently 58% for WAVs as a percentage of the fleet.</p> <p><b>Effect on protected characteristic:</b></p> <p><b>Disability</b></p>		

Full consultation in relation to this policy will be undertaken with South Somerset Disability Forum (SSDF) According to the Disabled Persons Transport Advisory Committee (DPTAC) people with disabilities use Hackney Carriage and private hire services 67% more than those without disabilities. The International Transport Forum note that people with Disabilities use private and public transport far less and travel greater distances by taxi. This issue is even more pertinent to those living within a rural area.

This Policy is available on the internet and in other formats upon request - e.g. larger font size etc. Licensing consultation rooms are located on the ground floor, which are fully accessible to all persons, should they be needed. Following consultation, Hackney Carriage Vehicle Plates have been produced to be accessible and easy to read, with larger print and fluorescent colouring for improved access at night.

Some drivers have been unaware of their responsibilities and duties under the Equality Act 2010 in relation to passengers with disabilities. All Taxi staff should be trained in Disability Awareness. This applies not just to taxi drivers but to other staff as well, for example call-takers at dispatch centres. Training needs to cover all disabilities - sensory and cognitive as well as physical. Staff should learn how best to assist people with any disability, how to use any equipment on the vehicle and how to ensure that the passenger is carried safely in the taxi. This will be included in the Disability Awareness training through a Service Level Agreement (SLA) with South Somerset Disability Forum (funded by driver's License fee).

The policy seeks to improve the availability of Wheelchair Accessible Vehicles (WAVs) from the current 6% of the Hackney Carriage Fleet (The lowest % in Somerset) as defined by Department for Transport statistical reports. The national average is currently 58% for WAVs. The proposal will ensure that there are more readily available Hackney Carriage vehicles for those with disabilities. It is proposed that all new Hackney Carriage licenses to be issued from the date of the inception of the policy will be to WAVs only.

### **Age**

No upper age limits on those wishing to apply for a driver's licence.

Applications are not accepted from persons under the age of 18 years. A medical certificate is required on all applicants on initial application. Upon reaching the age of 50 years, a medical certificate must be provided every five years. On reaching the age of 65 years a medical certificate is required annually.

An increase in the number of purpose built, wheelchair accessible taxis will have a positive impact on older population and children. This is due to this type of vehicle having a low chassis and grab rails for the ease of entry and exit of the vehicle.

### **Various characteristics**

SSDC currently has a healthy mix of Black and Minority Ethnic (BME) drivers and both male and female drivers. The Policy may encourage more BME and women applicants to become taxi drivers due to the safer nature of the passenger driver separation in the proposed purpose built vehicles.

Language barriers may be an issue for applicants with dyslexia, literacy or other needs. It must be noted however, that applicants for taxi badges must have a basic command of the English language in order that they can converse with their customers, provide assistance, understand road signs and instruction and successfully complete the Council's knowledge test. (This must be passed before a badge can be issued). Knowledge Test to be developed to include English comprehension, basic numeracy, taxi law, routes and directions and the Highway Code. Signposting to education support providers. The policy will be available on our website which through the use of Rok talk will enable it to be translated to other languages.

**Gender Reassignment**

**Sexual Orientation**

**Religion & Belief**

} No issues identified. Consultation may reveal that these particular groups will feel safer in newer vehicles

**Various characteristics**

The Policy could potentially impact upon those vehicle owners whose vehicles do not currently fit within the limits of the new proposals. It will require those vehicle owners and new applicants to purchase new WAVs if they wish to continue to trade. Further evidence needs to be gathered through consultation to identify the extent of any impact on protected characteristic groups and to identify any measures to mitigate. One possible option to include in the consultation could be to gradually introduce the Policy over a set period of time, Licensing Committee to oversee.

**Evidence:**

<p>SSDC Enforcement and compliance policy and SSDC Guidance notes for applicants                  SSDC Vehicle specification                  The following individuals, bodies and organisations have been consulted:                  All licensed hackney carriage drivers                  All licensed hackney carriage proprietors                  All licensed private hire drivers                  All licensed private hire operators                  All licensed private hire vehicle proprietors                  Somerset County Council - Transport Service</p>	<p>SSDC Community Safety                  SSDC Environmental Protection                  SSDC Legal Services                  SSDC Planning Services                  Stagecoach South Western Trains Limited                  National Private Hire &amp; Taxi Association                  Cab Direct                  SSDC Environmental Health (Food, Health &amp; Safety)                  SSDC Transportation Strategy Officer                  South Somerset Disability Forum                  Devon &amp; Somerset Trading Standards &amp; Consumer Protection</p>
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Somerset County Council Highways Equalities Steering Group Avon & Somerset Constabulary: Licensing Officer	Avon & Somerset Constabulary: Roads Policing Unit Sedgemoor Deaf Club
<b>Supporting Documentation/ Links:</b>	
<a href="#">taxi-private-hire-statistics-2013.pdf</a>	
<a href="http://www.southsomerset.gov.uk/communities/equality-and-diversity/equalities-profile/">http://www.southsomerset.gov.uk/communities/equality-and-diversity/equalities-profile/</a>	
<a href="#">making-transport-more-accessible-to-all</a>	
<a href="#">07TaxisE[1].pdf</a>	
<a href="#">index.htm</a>	
<b>Effect on protected characteristic:</b>	
<b>Disability</b>	
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**Please comment/ explain how you will meet the General Equality Duty (GED)**

Those who provide transport services with Hackney Carriages and Private Hire Vehicles are deemed to be providers of services to the public under the equality Act 2010. The policy sets out the duties and responsibilities of taxi drivers. In carrying out its regulatory functions, the council will have regard to legislation, case law, national guidance and this Policy. Taking positive action permits proportionate action to overcome disadvantage particularly in relation to Disability, Equality Act 2010. Full consultation with user groups including Hackney Carriage and Private Hire drivers, proprietors and operators, South Somerset Disability Forum and the Equalities Steering Group.

**Conclusion:** Consultation to be carried out to gather additional evidence on whether issues raised will impact on protected characteristics. **Date:** 27/09/13

**Sign Off:**

**Officer:** Nigel Marston                      **Approval:** Work ongoing                      **Date:** 19/9/13

**Equality Steering Group Sign Off** **Date:** 15/10/13

**Comments:**

**Equalities Officer Approval**

**Date and Comments:** 27/09/13    Work ongoing

**Hackney Carriage and Private Hire Policy Action Plan**

Ref	Protected Characteristic	Impacts/ Issues	Action Required	By When?	Lead	Resource	Outcome	Performance Measure
1	Positive Impact Disability	Some drivers lack understanding regarding statutory requirements for customers with disabilities	Disability Awareness Training	Sat-31-Jan-15	Nigel Marston	Service Level Agreement (SLA) with South Somerset Disability Forum	All new and existing drivers aware of their responsibilities and duties under the Equality Act 2010 in relation to passengers with disabilities.	Number of drivers trained. Guidance produced
2	Positive Impact Disability	Low number of WAVs	All Hackney Carriage licenses will be issued to WAV's only	To be confirmed	Nigel Marston		Increase in the number of WAVs	% WAVs
3	Various Characteristics	Review accessibility of required information for drivers	Review and develop Knowledge Test	Fri-14-Feb-14	Nigel Marston	Officer time	Improved access to required information	% of applicants successfully passing Knowledge Test
4	Various Characteristics	Service complaints process requires review and improvement	Complaints procedure to be developed that records and monitors complaints according to protected characteristic	Fri-14-Feb-14	Nigel Marston	Officer time	Complaints recorded, information analysed, actions taken to minimise adverse impacts upon protected characteristic groups	Complaints process produced Complaints monitored according to protected characteristic report produced annually
5	Various Characteristics	Further evidence required to assess the impact of mandatory WAVs	Consultation	Tue-31-Dec-13	Nigel Marston	Officer time SSDF	Potential issues identified, measures to mitigate considered	Consultation completed

