

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Public Protection (Licensing)		
Name of the proposal :	New Hackney Carriage Licences		
Lead officer:	Matt Boxall		
Date assessment completed:	22/05/22		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Iain MacDonald	Proprietor	LVSA (Licensed Vehicle Surveys and Assessment)	Consultation – including taxi users
David Cowley	Taxi Licensing Manager	City of York Council	Taxi Licensing

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<i>In response to a survey into ‘unmet demand for taxis’ in York undertaken in October/November 2021, officers are recommending the issue of nine new hackney carriage vehicle licences (this includes the two vehicle licences that are currently available) bringing the total number of licensed hackney carriage vehicles in the City to 190. The recommendation is that the new licences be issued to wheelchair accessible vehicles, which are also fully electric or plug in electric hybrid, and black in colour. This is to help meet unmet demand for hackney carriage vehicles, particularly from users with a disability, as well as providing a more readily identifiable and environmentally friendly hackney carriage fleet to benefit those with other protected characteristics.</i>

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p><i>Under Section 16 of the Transport Act 1985, Local Authorities may set quantity restrictions on the number of hackney carriage licences they issue, but only if it is satisfied that there is no significant ‘unmet demand’ in its area. City of York Council, like many others in the surrounding region, currently restricts the number of hackney carriage vehicle licences it issues. At the current time, the council has provision for 183 licences, with 181 in place i.e. two have not been renewed. Some 45 (24%) of the city’s hackney carriages have to be wheelchair accessible by condition of licence. The two licences which are potentially available are not required to be wheelchair accessible vehicles by condition of licence.</i></p> <p><i>Before new licences are issued, the Taxi Licensing Policy states:</i></p> <p style="padding-left: 40px;"><i>23.7 ‘The types of vehicles that new hackney carriage vehicle licences will be issued to will be determined by the Executive, if/when the Council determines to issue new licences.’</i></p> <p><i>The Licensing and Regulatory Committee considered a report on vehicle specifications for taxis on 25 September 2020, and recommended that the Executive determine specifications similar to what is the recommended option in this report for the two available hackney carriage licences. However, the Executive asked for additional consultation to be undertaken before determining the type of vehicle that should be licensed. That additional consultation has been undertaken as part of the unmet demand survey which is the subject of this report.</i></p> <p><i>Please note, there is currently no provision in law to restrict the number of private hire vehicle licences issued or the ability to specify that they are wheelchair accessible. There are currently 472 licensed private hire vehicle, 49 (10%) of which are wheelchair accessible.</i></p>

1.3

Who are the stakeholders and what are their interests?

Taxi passengers – residents and visitors to York including passengers with a disability who often rely on the ‘door to door’ service for everyday transportation that taxis provide. Residents and visitors also rely on taxis for leisure purposes, to get to hospital/medical appointments and to take people to/from work and school amongst other things. Passengers with a disability have expressed particular concern in the unmet demand consultation about i) the availability of suitable taxis and ii) the drivers’ understanding of their needs.

Businesses – rely on taxis to transport their staff and customers

Taxi drivers – Hackney carriage and private hire. Some are owners of the vehicles, some rent them from vehicle owners and there are other arrangements. Some drivers have already invested in wheelchair accessible vehicles, and there are two vehicles of the type recommended already in the hackney carriage fleet. They are likely to find more competition for their vehicles. Additionally some hackney carriage drivers have paid significant sums (thought to be as much as £50k) for a licensed hackney carriage and any increase in the availability of licences, particularly in significant numbers, may potentially decrease the value of their investment. There has been a reduction in the number of drivers following the covid pandemic, although a recent recruitment campaign is seeing increasing numbers of people apply for licences. Twenty drivers have passed the Knowledge and Safeguarding test – the pre-cursor to the application – in the two months prior to writing.

People on the waiting list for a hackney carriage licence. These are predominantly, but not all, existing taxi drivers. Increasing the number of hackney carriage drivers may simply switch people from renting a hackney carriage to owning one, or move drivers from private hire into hackney carriages. However, it may also entice new people into the trade (either directly to take up a new hackney carriage or to backfill).

Private Hire operators – those who operate private hire companies and arrange pre-booked journeys for their customers. There is likely to be increased competition if the number of hackney carriage licences is increased particularly if it is to cleaner, greener and more accessible vehicles.

Other vulnerable members of the public – poor air quality is associated with a number of adverse health conditions which disproportionately affects some of the most vulnerable members of society, particularly those with chronic breathing difficulty. Vehicle emissions are a major source of air pollution (particularly NO₂). While air quality in the city is generally improving and is within legal targets in most places, there are still three areas in the Air Quality Management Area (around the Inner Ring Road) in breach. The taxi drivers themselves are some of those most exposed to poor air quality.

Step 2 – Gathering the information and feedback

<p>2.1</p>	<p>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
<p>Source of data/supporting evidence</p>	<p>Reason for using</p>
<p><i>Unmet demand survey, for City of York Council, February 2022 (LVSA)</i></p>	<p><i>This survey included consultation with taxi users and in particular passengers with a disability. The survey also profiled respondents in terms of gender, age and ethnicity.</i></p>
<p><i>Draft Air Quality Status Report 2021 and monitoring review (Report for Decision Session Executive Member for Environment and Climate Change, 8 June 2022)</i></p>	<p><i>Report on air quality around the City of York, including the air quality management area (around the inner ring road).</i></p>

<p><i>'FS13- Future of Transport – Equalities and Access to opportunity, rapid evidence review' for the Department of Transport by Mott MacDonald Ltd, 28 September 2020</i></p>	<p><i>A 'rapid review' of reports and literature to provide 'insight into the risks and opportunity that future transport technologies and services could prevent for different sections of society... to inform the Future of Transport Regulatory Review'</i></p>
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Step 3 – Gaps in data and knowledge

3.1	<p>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</p>		
Gaps in data or knowledge		Action to deal with this	
<p><i>The unmet demand survey was a snapshot of views in time.</i></p>		<p><i>On-line research, including the 'FS13 report,' has been undertaken to help identify any impacts which were not identified in the consultation</i></p>	

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
<p>Equality Groups and Human Rights.</p>	<p>Key Findings/Impacts</p>	<p>Positive (+) Negative (-) Neutral (0)</p>	<p>High (H) Medium (M) Low (L)</p>

<p>Age</p>	<p><i>Public transport, including taxis, play a crucial role in helping people to stay connected and maintain independence when they are unable to drive, and are therefore of particular significance to what the FS13 report identifies as ‘older people’ (over 65) and younger people (16-24).</i></p> <p><i>The report also identifies that ‘older people’ are more likely to have a disability or longer term health problem which sees this group facing many of the similar needs of people with a disability – see below. It also highlights that those in rural areas, which often have a higher proportions of older people, are often dependant on car journeys to travel when they want/need to. Furthermore, that aging is linked with a reduction in personal car use (and people being more reliant on taxis and ‘lifts’).</i></p> <p><i>The FS13 report identifies that although there are more younger people learning to drive, vehicle ownership tends to be lower in this group. This group relies on all forms of public transport, including taxis, for access education, training, employment as well as recreation. Children generally lack the ability to travel independently due to their age, and some rely on taxis to get to school/nursery. For them, the availability of public transport is also highlighted in the F13 report as important for extracurricular activities if parents do not have a car. The impact of pollutants from cars may also have a disproportionate impact on children because of their height, and those in pushchairs are even closer to emission sources.</i></p>	<p><i>Positive</i></p>	<p><i>High</i></p>
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	<i>Reducing unmet demand by increasing the number of hackney carriages which are cleaner and low emission may benefit older and younger people in particular.</i>		
Disability	<p><i>As noted, taxis are a particularly important method of transport for people with a disability because of the door to door nature of the service. Just over one fifth of respondents (21.8%) in the unmet demand survey said that they or someone they travelled with had a mobility/visual impairment or travelled in a wheelchair. Furthermore, just under half of these respondents (48.1%) said that that this had caused difficulty when travelling. In order of decreasing popularity, the difficulties related to the following circumstances:</i></p> <ul style="list-style-type: none"> <i>• Lack of availability of wheelchair accessible vehicle</i> <i>• Cannot see if vehicle has arrived (visually impaired)</i> <i>• Vehicle cannot fit wheeled walker</i> <i>• Taxis cannot access all destinations, so need to walk further to reach the destination.</i> <p><i>The solutions were identified as a mix of more accessible taxis and improved driver awareness.</i></p> <p><i>The recommendation to increase the number of wheelchair accessible vehicles is intended to help in relation to the former (the latter being addressed through the compulsory driver refresher training).</i></p>	<i>Positive</i>	<i>High</i>

<p>Gender</p>	<p><i>Taxis provide a safe method of transport for males and females alike. However, the FS13 report identifies that ‘as women are more likely than men to live on low incomes, work part-time and undertake paid work in the home and in the community, such as being carers for dependent relatives, poor quality unreliable and expensive transport has a far bigger impact on the lives of women’. The report also identified that women may not have access to a car during the day as they ‘either cannot afford one or the family car is being used by a partner’.</i></p> <p><i>The F13 report also identifies that women make greater use of taxis than men, increasing with age, where women over 70+ make double the amount of trips than men (14 trips per person per year compared to 7 trips per person per year).</i></p> <p><i>Reducing unmet demand is particularly important for female passengers who may otherwise use less safe methods such as walking alone late at night or using unlicensed vehicles. Increasing the number of easily recognisable (black) hackney carriages is aimed at having a positive impact in this regard.</i></p>	<p><i>Positive</i></p>	<p><i>High</i></p>
<p>Gender Reassignment</p>	<p><i>The FS13 report highlights how discrimination is part of daily life for trans people and generates ‘behaviours of avoidance’, particularly to using public transport. This can potentially reduce this group’s pool of wider employment, educational, health and recreational opportunities. Reducing unmet demand with more licensed taxis may improve confidence in travelling safely.</i></p>	<p><i>Positive</i></p>	<p><i>High</i></p>

Marriage and civil partnership	<i>There may not be a readily identifiable specific benefit to this protected characteristic, but reducing unmet demand with more licensed taxis should make transportation safer for all.</i>	<i>Neutral</i>	<i>Low</i>
Pregnancy and maternity	<i>Taxis are a common form of transport used to attend appointments relating to childbirth. Furthermore, the FS13 report identifies how public transport plays a vital role in supporting social inclusion for many parents with young children. Taxis can be a preferred choice of travel for parents of children under three because of the ability to use a car seat. Exposure to poor air quality is also reported to have the potential to impact foetal development, and the impact on children in pushchairs has been identified above.</i> <i>Reducing unmet demand by increasing the number of hackney carriages which are cleaner and low emission may benefit this group.</i>	<i>Positive</i>	<i>High</i>
Race	<i>The FS13 report identifies that ‘people from a BAME background are less likely to have access to a private vehicle, be more reliant on public transport to access employment, and live in densely populated urban areas – increasing their exposure to air pollution’. Furthermore, ‘for many people from a BAME background having regular, affordable, clean and efficient transport is essential’. Fear of safety, from racially motivated attacks, is also reported to be a barrier to using public transport networks. Reducing the unmet demand for taxis by making more hackney carriages available may assist.</i>	<i>Positive</i>	<i>High</i>
Religion and belief	<i>The FS13 report identifies that certain groups of people, particularly Muslims, face an increasing risk of being victims</i>	<i>Positive</i>	<i>High</i>

	<i>of religious hate crime. For people who have a marked religious identity through clothing there is a heightened risk for harassment or discrimination. It is reported that this is particularly true for women who are already more vulnerable regardless of the way they dress. Taxis also transport some children to attend particular schools which accord to their religion or belief. Reducing the unmet demand for taxis by making more hackney carriages available may assist in this regard.</i>		
Sexual orientation	<i>The FS13 report identifies that as with religious and faith protected groups, safety and security (and perceptions of them) are key for lesbian, gay and bisexual people and may influence how they choose/prefer to travel. It also says that a 2018 LGBT survey pointed to public transport as the most common place where respondents avoided being open about their sexual orientation and that it may even be avoided altogether. Reducing the unmet demand for taxis by making more hackney carriages available may assist here.</i>	<i>Positive</i>	<i>High</i>
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<i>How those caring for others with protected characteristics may be affected by this proposal are dealt with above. Reducing the unmet demand for taxis by making more accessible and recognisable hackney carriages available is likely to assist carers.</i>	<i>Positive</i>	<i>High</i>
Low income groups	<i>The unmet demand survey identified that taxis in York are more expensive than many other places (22nd most expensive) and that a price increase (of 10%) is likely to</i>	<i>Neutral</i>	<i>Medium</i>

	<i>reduce their taxi use. This report does not propose an increase in fares, although this is open to the committee to consider an adjustment in fares in future (as always). The fact that two electric London type taxis are now in use would indicate that these are a viable option at current fare rates.</i>		
Veterans, Armed Forces Community	<i>As noted, reducing unmet demand with more licensed taxis will make transportation safer for all although there may not be a particular benefit to this specific group.</i>	<i>Neutral</i>	<i>Low</i>
Other	<i>The proposal that the new hackney carriage licences be issued to fully electric/plug in electric hybrid vehicles is likely to reduce the local air quality impact of having more vehicles on the road. Whilst the Air Quality Status report identifies that air quality is generally improving (excluding the results of 2020 which was an atypical year) there are still a limited number of areas around the inner ring road where levels breach air quality targets. Poor air quality has a detrimental health impact on vulnerable people including those with chronic breathing difficulties like asthma amongst other conditions.</i>	<i>Positive</i>	<i>High</i>
Impact on human rights:			
List any human rights impacted.	<i>No negative impacts on human rights have been identified.</i>		

Use the following guidance to inform your responses:

Indicate:

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- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p><i>As noted above, only positive impacts have been identified in this assessment. In addition to providing safer methods of transport for all, there are opportunities to improve the availability of suitable vehicles to passengers with protected characteristics, it will help improve local air quality (or at least not add to existing pollution levels). This is also consistent with the Council's declaration of a climate emergency.</i></p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	<i>As noted throughout, the recommendation to increase the number of hackney carriage licences will have a positive impact on equality with no negative impacts having been identified.</i>

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
<i>N/a</i>			

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p><i>An unmet demand survey is conducted at least every three years whereupon the impact of the decision taken by Members can be evaluated. Furthermore, Members of the Committee are asked to review various aspects of the taxi licensing policy from time to time, and which always involves consultation with the public on any changes proposed.</i></p>