

Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	Hackney carriage and private hire vehicle policies and inspection standards.
Directorate and Service Area	Neighbourhoods and Communities, Regulatory Services
Name of Lead Officer	Nick Carter, Regulatory Services Manager

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

A hackney carriage demand survey was undertaken after a request was made at a meeting of the Full Council on 16 September 2014 by the Bristol Branch of the National Taxi Association (BNTA), whose membership covers about a third of drivers working in the hackney carriage trade. The BNTA presented a public forum statement requesting a review on a number of matters regarding how the hackney carriage trade is administered by the Council, as well the reintroduction of a restriction (cap) on the granting of any new hackney carriage licences.

Following consultation with the hackney carriage and private hire trade through the taxi forum meeting it is proposed that a number of changes are made to the councils hackney carriage and private hire vehicle policies, these include:

- Implement a cap of 795 hackney carriage licences
- Agree that any “additional” hackney carriage licences that may be issued (i.e. new licences that can be issued before the cap of 795 is reached) only be issued in respect of Ultra Low Emission Vehicles, which are purpose built wheelchair accessible vehicles and benefit from

European Community Whole Vehicle Type Approval.

- All vehicles presented for licensing on the first occasion must be less than three and a half years old and EURO 6.
- Any hackney carriage vehicle first registered before 1st January 2006 will not be licensed beyond 31 March 2018.
- Any hackney carriage vehicle that does not comply with European Community Whole Vehicle Type Approval (ECWVTA) will not be licensed past 31 March 2018.
- Any hackney carriage vehicle first registered between 1st January 2006 and 31st December 2010 will not be licensed after 10 years from the date of first registration or beyond 31st March 2018.
- Any hackney carriage vehicle first registered between 1st January 2011 and 31st August 2015 can be relicensed until 10 years from date of first registration.
- Any hackney carriage or private hire vehicle written off may be replaced with another vehicle provided it is not older than the written off vehicle.
- Hackney carriage vehicles are permitted to have full body wrap advertising
- All wheelchair accessible private hire vehicles must benefit from ECWVTA.
- Any private hire vehicle (PHV) first registered between 31st March 2008 and 31st December 2010 will not be licensed after 10 years from the date of first registration.
- Any PHV first registered between 1st January 2011 and 31st August 2015 can be relicensed until 10 years from date of first registration.
- Any vehicle (PHV or Hackney Carriage) first registered after 1st September 2015 can be licensed until 12 years from the date of first registration.
- Any PHV vehicle presented to licensing on the first occasion shall be petrol or an Ultra-Low Emission Vehicle (with the provision that exceptions to this may be granted for wheelchair accessible vehicles and executive vehicles)
- The rear side windows and rear windows of hackney carriages and private hire vehicles must allow at least 65% of light to be transmitted through them.

Implement a cap of 795 hackney carriage licences– Currently there is no restriction on the number of hackney carriage vehicle licences issued by the Council. An unmet demand survey has been carried out and concluded there was no significant unmet demand at the time of the survey. At that time there

were 795 hackney carriage vehicles licensed. Members could determine it appropriate to set a cap of 795 hackney carriage licences. In this instance a further unmet demand survey would need to be carried out at least every three years. There is no budget provision to cover the cost of future surveys (which would cost around £15,000) however this cost can be passed on to the trade via the hackney carriage licence fee. The impact of a survey costing £15,000 would result in an increase of approximately £19 on the annual Hackney Carriage licence fee (if all 795 licences are issued) or the costs could be recovered over a three year period.

Additional hackney carriage licences to only be issued in respect of Ultra Low Emission Vehicles – The Department for Transport Best Practice Guidance acknowledges that vehicle licensing policies should support local environmental policies and acknowledges that this is significant in designated Air Quality Management Areas. Hackney carriages are a significant source of air pollution and carbon emissions in the city, particularly the city centre (an Air Quality Management Area). Many of the hackney carriages in Bristol's fleet are older diesel-based vehicles compared to the average age of private hire vehicles in the city. In many cases a single diesel car can produce more Nitrogen Oxides (NOx) and Particulate Matter (PM) than a modern lorry or bus as modern larger vehicles are fitted with a wide range of equipment such as filters, and use fuel additives such as Ad-Blue. The annual objective for nitrogen dioxide is exceeded throughout wide areas of Bristol close to the busiest roads in the centre and along the main arterial routes. There are also a number of locations where the short term objective for nitrogen dioxide is exceeded.

The benefits of requiring any additional hackney carriages to be ULEVs include:

- a) Reducing carbon emissions
- b) Improving air quality and public health
- c) Making the city more attractive
- d) Supporting the economy of the region
- e) Supporting innovation and transformation

All vehicles presented for licensing on the first occasion must be less than three and a half years old – Currently hackney carriages when first licensed must be brand new. This places an unnecessary financial burden on the trade.

Any hackney carriage vehicle first registered before 1st January 2006 will not be licensed beyond 31 March 2018 – This change will allow a number of

existing hackney carriage proprietors to keep their vehicles licensed to 31 March 2018 (previously May 2017). The impact of this change is that vehicles which are EURO 3 (the highest polluting vehicles on the fleet) will come off the fleet in 2018. This change enables existing proprietors time to purchase a suitable replacement vehicle before 1 April 2018.

Any hackney carriage vehicle that does not comply with European Community Whole Vehicle Type Approval (ECWVTA) will not be licensed past 31 March 2018 -

The impact of this is that those proprietors (whose vehicle do not have ECWVTA) with grandfather rights will be able to keep their current vehicles for an additional 11 months. This provides existing proprietors time to purchase a suitable replacement vehicle before 1 April 2018 and will ensure that all licensed hackney carriages have been tested to the highest possible safety standards as vehicles without ECWVTA will no longer be licensed.

Any hackney carriage vehicle first registered between 1st January 2006 and 31st December 2010 will not be licensed after 10 years from the date of first registration or beyond 31st March 2018 - This change will remove Euro 4 vehicles when they are 10 years old or those vehicles already over 10 years of age on 31st March 2018. The impact of this is limited on the trade as this revision reflects the same provisions of the current policy.

This will ensure the fleet is upgraded as newer vehicles will be licensed which will be of a higher Euro standard.

Any hackney carriage vehicle first registered between 1st January 2011 and 31st August 2015 can be relicensed until 10 years from date of first registration - This change will remove EURO 5 vehicles when they are 10 years old. The impact of this is limited on the trade as this revision reflects the same provisions of the current policy.

This will ensure the fleet is upgraded as newer vehicles will be licensed which will be of a higher Euro standard.

Any hackney carriage vehicle first registered after 1st September 2015 can be licensed until 12 years from the date of first registration - This change will extend Euro 6 or above vehicles from a 10 year age limit to 12 year age limit.

Any hackney carriage or private hire vehicle written off may be replaced with another vehicle provided it is not older than the written off vehicle - This change will relax the requirements for written off vehicles reducing the financial burden on the trade.

The replacement vehicle will be of the same or better standard than the written off vehicle so there is no negative impact on the standard of the licensed fleet.

Hackney carriage vehicles are permitted to have full body wrap advertising – This relaxes the current advertising provisions allowing all over advertising wrap which will enable the trade to maximise income through displaying advertising.

All wheelchair accessible private hire vehicles must benefit from ECWVTA - This improves the safety of the travelling public. Vehicles benefitting from ECWVTA have undergone more rigorous safety checks

Any private hire vehicle first registered between 31st March 2008 and 31st December 2010 will not be licensed after 10 years from the date of first registration. - This change will remove Euro 4 vehicles when they are 10 years old. The impact of this is limited on the trade as this revision reflects the same provisions of the current policy.

This will ensure the fleet is upgraded as newer vehicles will be licensed which will be of a higher Euro standard.

Any vehicle first registered between 1st January 2011 and 31st August 2015 can be relicensed until 10 years from date of first registration - This change will remove EURO 5 vehicles when they are 10 years old. The impact of this is limited on the trade as this revision reflects the same provisions of the current policy.

This will ensure the fleet is upgraded as newer vehicles will be licensed which will be of a higher Euro standard.

Any vehicle first registered after 1st September 2015 can be licensed until 12 years from the date of first registration- This change will extend Euro 6 or above vehicles from a 10 year age limit to 12 year age limit as per the hackney

carriage vehicle policy

The rear side windows and rear windows of hackney carriages and private hire vehicles must allow at least 65% of light to be transmitted through them.

This relaxes the previous provisions for rear windows from 70% to 65%. This enables the trade to purchase a greater selection of vehicles and has limited impact on the public as the additional 5% will not inhibit the view in to or out of the vehicle.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

Based on the demographics of the City of Bristol the majority of citizens which are potential taxi customers:

- 77.9% are White British compared to 80.5% the national average
- 16.7% have a Limiting Long-term Illness or Disability which is lower than the national average of 17.9%
- 50% are women which is in line with the national average,
- 15.7% are aged between 16-24, 38% aged between 25-49, 14.5% aged between 50-64, 13.2% aged over 65.

Disability

The Office for Disability Issues has updated Department for Work and Pensions estimates which show there are 11.2 million disabled people in Great Britain, of whom 5.2 million are adults of working age, 5.2 million are over state pension age and 0.8 million are children (Disability prevalence estimates 2010/11) .

DPTAC research in 2002 found that disabled people were more satisfied with taxis and minicabs services compared to other forms of transport which was partly attributed to the level of personal service provided by drivers of these

vehicles (Attitudes of Disabled People to Public Transport; research study conducted for Disabled Persons Transport Advisory Committee). Taxis and minicabs are vital for many disabled and older people and for some the only accessible transport mode (Beuret, 1995).

Disabled persons are reported to travel approximately a third less often than those who are not disabled, but disabled people use taxis and private hire vehicles approximately 67% more than people who are not disabled. (Disabled Persons Transport Advisory Committee, *Attitudes of Disabled People to Public Transport – a research study conducted for the Disabled Persons Transport Advisory Committee* (November 2001).)

Licence holders

In Bristol there are currently 1865 licensed hackney carriage drivers and private hire drivers in total. We currently hold equalities information for nearly one third of hackney carriage drivers (29%) of which 19% are White British, 81% BME .

2.2 Who is missing? Are there any gaps in the data?

We do not currently have equalities data on the profile of the majority of licenced taxi/private hire drivers. Measures have been implemented in order for equality information to be collected for licence holders.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The hackney carriage and private hire trade have been consulted with via the taxi forum meetings held monthly.

A variety of other groups have also been consulted with as set out below:

Bristol Physical Access Chain (BPAC) – views were sought at a meeting on 8 November 2016.

RNIB - views sought via correspondence sent December 2016

The above groups were not supportive of a move away from a fully accessible fleet. The RNIB commented that it did not make sense to encourage more taxis onto the roads that wheelchair users could not access. They stated that as the long term goal would presumably be to have an entirely low-emission

fleet wheelchair access would be a must. The RNIB also stated that they considered it important that ULEVs should make a noise whilst being driven. Tints were seen as a positive to some but negative to others as they reduce glare but can be difficult for others as they reduce visibility.

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Age

No negative impact anticipated

Disability

If members agree to introduce a restriction policy on the number of vehicles this could impact on the availability of vehicles which could have a detrimental effect on disabled people who rely on this form of public transport as they are not able to access alternatives.

Officers are aware that some wheelchair users currently have difficulties obtaining a suitable wheelchair accessible vehicle due to the different sizes of wheelchairs and design of the vehicles. Other disabled people prefer to use private hire vehicles as when booking they can request a saloon type vehicle which may offer easier access and egress.

This proposal is not intended to resolve this issue but it recognises that this is why some disabled may prefer to use private hire.

Ethnicity

A significant proportion of licensed drivers are members of the BME community. Therefore the recommendations from members could impact on this community. For example, if a restriction policy was implemented in respect of hackney carriage vehicles this would restrict opportunities for members of the BME community to become hackney carriage proprietors.

Also if members agreed to carry out an unmet demand survey the costs would

most likely be recovered through increasing fees which could negatively impact the BME community.

Gender

No negative impact anticipated. Approximately 98% of licensed drivers are male.

Pregnancy and Maternity

No negative impact anticipated.

Religion & belief

No negative impact anticipated.

Sexual orientation

No negative impact anticipated.

Transgender

No negative impact anticipated.

Any other relevant specific groups

No negative impact anticipated.

3.2 Can these impacts be mitigated or justified? If so, how?

Age and Disability

The unmet demand survey does not anticipate any unmet demand. All vehicles are wheelchair accessible and all new vehicles will be wheelchair accessible. Subsequent surveys to identify unmet demand have been factored into these proposals to monitor the situation. Future surveys will involve older people and disabled people views.

Ethnicity

The BNTA have been supportive of a restriction in the number of hackney carriages licences. An argument for a restriction is that without one too many hackney carriage licences are issued for the amount of available work. This results in a drop in income for the trade and a lower standard of living. A restriction in numbers may safeguard the income of the existing hackney carriage proprietors, a high percentage of which are members of the BME community.

Therefore although a restriction in the numbers of vehicles could impact on BME groups by stopping potential taxi drivers obtaining licenses this potential impact is of less importance to the issue of ensuring that taxi drivers in general can have a decent level of income and this is why the BNTA are in favour of the proposals.

3.3 Does the proposal create any benefits for people with protected characteristics?

The improvement in air pollution is of benefit to the whole city including those with protected characteristics.

Age of new hackney carriages - The current hackney carriage vehicle policy requires new vehicles to have only delivery mileage therefore the current barrier to trade in terms of the cost of new vehicles is likely to be reduced as the trade would be able to purchase a vehicle up to three and a half years of age.

Advertising – The trade will be able to maximise their income as all over advertising wraps would be permitted.

Write offs – rather than written off vehicle replacements having to be brand new, the trade would be able to replace their vehicle with a vehicle up to the age of the written off vehicle. This represents a significant saving due to the depreciation in value of licensed vehicles.

Age of licensed vehicles (Hackney Carriages) – The proposals allow the trade to keep certain vehicles for an additional 11 months before being replaced. Euro 6 vehicles (Hackney Carriage and Private Hire) will now also have a maximum age of 12 years from date of registration rather than the current 10 year age limit.

New wheelchair accessible private hire vehicles to benefit from ECWVTA – this increases public safety as ECWVTA vehicles are tested to a more rigorous standard and lower approval standards.

3.4 Can they be maximised? If so, how?

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Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?
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Initial consultation with the trade resulted in calls for non-wheelchair accessible vehicles to be permitted as hackney carriages. Feedback from consultation with other parties was not supportive of this idea and as a result the proposal was dropped.
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4.2 What actions have been identified going forward?
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Following feedback to the proposals a report will be drafted to be placed before the council's Public Safety and Protection Committee.
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4.3 How will the impact of your proposal and actions be measured moving forward?
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The next stage is for a report to be presented to committee recommending that members should consider the current issues in respect of hackney carriage and private hire vehicle policies.
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Service Director Sign-Off:	Equalities Officer Sign Off: Wanda Knight
Date:	Date: 13/2/17