

Appendix 3

**Cherwell District Council and Oxfordshire County Council
Equality and Climate Impact Assessment**

January 2023

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Section 1: Summary details

Directorate and Service Area	Regulatory Services and Community Safety; Licensing
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	Cherwell District Council Taxi and Private Hire Licensing Policy
Is this a new or existing function or policy?	Existing policy – proposals for revision.
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	<p>The policy sets out how the Council will ensure that licensed vehicles are fit for purpose and that licensed drivers are 'fit and proper' in accordance with the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.</p> <p>The review of the policy has taken in to account the guidance issued by central government (Department for Transport) and other regulatory bodies to ensure it is consistent with those nationally and within Oxfordshire.</p> <p>The revised policy will ensure that the Council achieves its aim to carry out its Taxi and Private Hire licensing function to protect and promote public safety, along with ensuring it complies with associated legislation and guidance. The revisions also ensure that the council meets its obligations and duties under the Equality Act 2010.</p> <p>The Equality and Climate Impact assessment on the proposed policy revisions identifies no negative impacts that need to be mitigated. It identifies positive impacts on the environment and in relation to accessibility of taxis and private hire vehicles.</p>
Completed By	Richard Rockall
Authorised By	Richard Webb
Date of Assessment	January 2023

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>The Department for Transport recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a ‘fit and proper’ person test, licence conditions and vehicle standards. When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated. This was highlighted in Serious Case Review published in 2015 following the investigation into Child Sexual Exploitation in Oxfordshire (Operation Bullfinch).</p> <p>The Council’s primary aim in carrying out its taxi and private hire licensing function is to protect and promote public safety. The Council must ensure that licensed vehicles are fit for purpose and that licensed drivers are ‘fit and proper’ in accordance with the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.</p> <p>The legislation above provides a broad framework for the licensing of drivers, vehicles and operators, but the detail of how this is done, including standards and conditions, is the responsibility of individual district and unitary councils (‘licensing authorities’). There are a number of other Acts which also have an impact; for example the Equalities Act 2010, which places a duty on councils to take steps to meet the needs of disabled people where these are different from the needs of other people, and enables regulations to improve disabled access to taxis.</p> <p>Under the guidance we should review our policy every five years and make such revisions as it considers appropriate at other times.</p>
<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>It is a statutory requirement that the Council has a taxi licensing policy. The current policy needs updating to reflect new national standards and to reflect the use of the National Register of Taxi Licence Revocations and Refusals (‘the NR3 Policy’). Further amendments are also being proposed to improve the clarity of the policy and address issues of interpretation identified by the Licensing Team.</p> <p>New taxi vehicle emission standards will be included within the new policy to support carbon emissions reduction at district/county level and in recognition of the Council’s Climate Action Plan.</p>

Evidence / Intelligence

List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.

The proposed policy revisions mainly reflect the requirements of the new national standards which the council is expected to implement in full unless there is clear justification not to.

In addition, the proposed policy revisions reflect the ambitions of the Council's Climate Action Framework. In 2020 the Council introduced a Climate Action Framework following the declaration of a climate emergency. In doing so the Council committed to "do its part to achieve a net zero carbon district by 2030". Emissions from taxis and private hire vehicles contribute to vehicle emissions in the district and therefore the Climate Action Framework included a commitment to facilitate and encourage electric taxis. Research has been carried out to understand how other local authorities have included emissions standards in their licensing policies. Whilst most local authorities appear to have some emissions requirements in their policies, there is no consistent approach or consistency in standards being applied.

A public consultation was carried out on the proposed policy revisions. Consultees include the trade and key stakeholders such as the Police and County Council. In particular, two licensing forum meetings were held to allow the trade to meet with Licensing Team members to discuss the proposals so that they could provide formal responses in the consultation process. The outcomes of the consultation have been reflected in the final policy proposals presented to the Executive and Full Council. A consultation report has also been prepared.

Three equality impacts were identified in the consultation. These were:

- The Policy requires applicants to pass an English language test which could be a barrier to persons for whom English is not their first language. However, DfT guidance states that drivers should have reasonable standards of written and spoken English. The ability to understand English is a safeguarding measure.
- Applications are required through the Council's on-line application form. This could be a barrier to some applications. As a result of this feedback the policy has been amended to be clear that the Council will make reasonable adjustments to the application process so that this is not a barrier to someone applying for a licence.
- The proposed emissions standards could result in fewer wheelchair accessible vehicles being licensed. As a result of this feedback the policy has been amended to ensure that the higher emissions standards are reviewed prior to coming into force to ensure that suitable wheelchair accessible vehicles are available to the trade.

<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>It is considered necessary to update the council's existing policy in consideration of the new national standards and to improve clarity of the policy. It is a requirement to have a Taxi and Private Hire Vehicle Licensing Policy which reflects the DfT standards unless there is clear justification for variation from those standards. The Licensing Team are not aware of any justification for not following the DfT standards in full and has adjusted the proposed policy based on the feedback received during the consultation.</p> <p>The Council could choose not to implement emissions standards in the new policy. However, the proposed policy revisions reflect the ambitions of the Climate Action Framework that has been adopted by the Council and it would be inconsistent with that framework not to seek to reduce the carbon emissions of the licensed taxi fleet.</p>
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Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The policy includes provisions to ensure taxis are accessible for people with disabilities.	The policy will be reviewed in 5 years to ensure that the new emissions standards do not result in fewer wheelchair accessible vehicles being licensed.	Licensing Manager	
Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Armed Forces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Areas of deprivation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Other Council Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Social Value ¹	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Positive impact on Climate change and positive impact on public health within our communities due to reduced carbon emissions.</p> <p>More effective and more thorough processes in place with the new policy therefore there will be a positive impact on public safety.</p>			

¹ If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

Section 3: Impact Assessment - Climate Change Impacts

OCC and CDC aim to be carbon neutral by 2030. How will your proposal affect our ability to reduce carbon emissions related to

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (* Job Title, Organisation)	Timescale and monitoring arrangements
Energy use in our buildings or highways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Our fleet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Staff travel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Purchased services and products (including construction)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Maintained schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

We are also committed to enable Cherwell to become carbon neutral by 2030 and Oxfordshire by 2050. How will your proposal affect our ability to:

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Enable carbon emissions reduction at district/county level?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Proposed policy includes changes which are consistent with local and national climate priorities and objectives.			

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	N/A
Person Responsible for Review	N/A
Authorised By	N/A