

EQUALITY IMPACT ASSESSMENT (EQIA): SCREENING FORM

Introduction to the EQIA screening process

A successful EQIA screening will look at 5 key areas:

1. Identify the Policy, Project, Service Reform or Budget Option to be assessed

A clear definition of what is being screened and its aims

2. Gathering Evidence & Stakeholder Engagement

Collect data to evidence the type of barriers people face to accessing services (research, consultations, complaints and/or consult with equality groups)

3. Assessment & Differential Impacts

Reaching an informed decision on whether or not there is a differential impact on equality groups, and at what level

4. Outcomes, Action & Public Reporting

Develop an action plan to make changes where a negative impact has been assessed. Ensure that both the assessment outcomes and the actions taken to address negative impacts are publically reported

5. Monitoring, Evaluation & Review

Stating how you will monitor and evaluate the **Policy, Project, Service Reform or Budget Option** to ensure that you are continuing to achieve the expected outcomes for all groups.

1. IDENTIFY THE POLICY, PROJECT, SERVICE REFORM OR BUDGET OPTION:

a) Name of the Policy, Project, Service Reform or Budget Option to be screened

Unmet Demand of Taxis and Overprovision of Private Hire Vehicles

b) Reason for Change in Policy or Policy Development

The change in policy in relation to the overprovision of private hire car vehicles is as a result of the enactment of section 63 of the Air Weapons and Licensing (Scotland) Act 2015 which introduced sections 10 (3A), (3B) and (3C) into the Civic Government (Scotland) Act 1982 ("**1982 Act**").

Section 63 of the 2015 Act introduced Sections 10 (3A), (3B) and (3C) into the 1982 Act which enables a Licensing Authority to refuse to grant an application for a private hire car licence on the grounds that it is satisfied that there already exists, or would exist if the licence was granted, an overprovision of private hire cars in the locality or localities in which the private hire car was to operate. For a Licensing Authority to be satisfied that there is overprovision in the locality it must have regard to the number of private hire cars operating in the locality and the demand for private hire car licences in the locality.

The change in policy in relation to unmet demand of taxis is under Section 10(3) of the 1982 Act. Under Section 10(3) the Licensing Authority may refuse the grant of a taxi licence for if they are satisfied that there is no significant unmet demand for the services of taxis in their area. Unlike overprovision, section 10(3) is not a new section of the 1982 Act. Since the early 90s, the number of licences necessary to meet the demand of taxis is 1428 and until the figure falls below 1418 there would be no unmet demand.

Glasgow City Council's Licensing and Regulatory Committee, as Licensing Authority under the 1982 Act agreed that an assessment of demand for the services of either taxis or private hire cars could not be properly made in isolation of the other and decided that the assessment of the demand for the services of taxis in its area should be carried out once the provisions for private hire came into force. When section 63 of the Air Weapons and Licensing (Scotland) Act 2015 came into effect, the process for undertaking an independent assessment of these services began.

c) List main outcome focus and supporting activities of the Policy, Project, Service Reform or Budget Option

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The main outcome focus is to ensure Glasgow City Council's Licensing and Regulatory Committee, as Licensing Authority under the Civic Government (Scotland) Act 1982, complies with section 10(3) of the Civic Government (Scotland) Act 1982 for taxis and section 10 (3A), (3B) and (3C) of the Civic Government (Scotland) Act 1982 for private hire vehicles.

d) Name of officer completing assessment (signed and date)

Gillian McNaught 12.4.19

e) Assessment Verified by (signed and date)

Mairi Millar 12.4.19

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2. GATHERING EVIDENCE & STAKEHOLDER ENGAGEMENT

The best approach to find out if a policy, etc is likely to impact positively or negatively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those groups. You should list below any data, consultations (previous relevant or future planned), or any relevant research or analysis that supports the Policy, Project, Service Reform or Budget Option being undertaken.

<p>Please name any research, data, consultation or studies referred to for this assessment:</p>	<p>Please state if this reference refers to one or more of the protected characteristics:</p> <ul style="list-style-type: none"> ➤ age ➤ disability, ➤ race and/or ethnicity, ➤ religion or belief (including lack of belief), ➤ gender, ➤ gender reassignment, ➤ sexual orientation ➤ marriage and civil partnership, ➤ pregnancy and maternity, 	<p>Do you intend to set up your own consultation? If so, please list the main issues that you wish to address if the consultation is planned; or if consultation has been completed, please note the outcome(s) of consultation.</p>
<p>Independent Assessment undertaken by Local Transport Projects Ltd which consisted of the following:</p> <p>Taxi Rank Surveys: Results from the observational surveys carried out at 10 taxi ranks in Glasgow over a continuous 76-hour period. The taxi ranks were:</p> <ul style="list-style-type: none"> • Buchanan Bus Station; • Scottish Event Campus Station; • Byers Road; 	<p>Yes, it refers to all of the above.</p>	<p>No, the independent assessment included a consultation by Local Transport Projects Ltd as detailed in the first column.</p> <p>The consultation undertaken concludes that the number of licences to meet the provision of services of private hire cars in Glasgow is 3759. It also concludes that until the figure falls below 3195 there would be no overprovision of private hire cars in Glasgow. At present in Glasgow</p>

<ul style="list-style-type: none"> • Union Street; • Gordon Street; • George Square; • Holland Street; • Merkland Street; • Renfield Street; and • Stockwell Street <p>Public Attitude Survey: Results from the public attitudinal surveys undertaken at various locations to obtain public opinion and perceptions regarding taxi and private hire car operations within the Glasgow area. The survey and locations were as follows:</p> <ul style="list-style-type: none"> • Central City (Union Street/Buchanan Street) (190 Surveys); • Hillhead (B808 Byres Road) (64 Surveys); • Partick (Dumbarton Road) (63 Surveys); and • Easterhouse centre (63 Surveys). <p>Stakeholder Consultation: Summary of feedback received from relevant stakeholder groups. These groups were:</p> <p><u>Trade Representatives / Associated Groups</u></p> <ul style="list-style-type: none"> • Unite the Union • Scottish Taxi Federation • Glasgow Taxi Association • Taxi Rank Marshall <p><u>Police Scotland</u></p> <p><u>Healthcare / Social Care Providers / Social Groups</u></p>		<p>there are 3759 private hire car licences. If an overprovision policy was introduced using these figures, applications for private hire car licences could still be lodged but given the policy would be in place it would be likely the application would be refused by the Licensing and Regulatory Committee unless exceptional circumstances could be shown by the applicant to justify the Committee making an exception to its policy.</p> <p>The consultation undertaken concludes that the number of licences considered necessary to meet the demand of services for taxis in Glasgow is 1420. Until the figure falls below 1278 there would be no unmet demand. At present the number of licences necessary to meet the demand of taxis is 1428 and until the figure falls below 1418 there would be no unmet demand. At present the number of licensed taxi licences is 1420. If the figures in the assessment for unmet demand of taxis are introduced in a new policy the applications for taxi licences could still be lodged but given the policy would be in place it would be likely the application would be refused by the Licensing and Regulatory Committee unless exceptional circumstances could be shown by the applicant to justify the Committee making an exception to its policy.</p>
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<ul style="list-style-type: none"> • Carerstrust Glasgow • BEMIS • Glasgow Access Panel • NHS Great Glasgow & Clyde • PEEK Youth Project • The Senior Centre • Glasgow Disability Alliance • Glasgow Women’s Aid • Glasgow Association for Mental Health <p><u>Public Transport Providers</u></p> <ul style="list-style-type: none"> • First Greater Glasgow • ScotRail • Strathclyde Partnership for Transport • Glasgow City Bus/West Coast Motors <p><u>Business / Educational Organisations</u></p> <ul style="list-style-type: none"> • Glasgow Chamber of Commerce • University of Glasgow • City of Glasgow College • University of Strathclyde <p><u>Entertainment / Hospitality / Services Sector</u></p> <ul style="list-style-type: none"> • Kelvingrove Art Gallery & Museum • SEC • IBROX Rangers Football Stadium • Celtic Football Club • Glasgow Restaurant Association • Various <p>Hotels/Restaurants/Pubs/Clubs/Supermarkets</p> <p>Operator Consultation: Summary of feedback received through consultation with licenced taxi and private hire car operators within the Glasgow area;</p>		
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<p>Evaluation of Unmet Demand for Taxis: Using results from both the observational and public attitude interview surveys together with an assessment of the Index of Significant Unmet Demand (ISUD) as an accepted industry standard for this type of evaluation; and</p> <p>Private Hire Overprovision Assessment: Consideration of information and analysis provided through the public attitude interview surveys, stakeholder and taxi/private hire car operator consultation and private hire car operator bookings data to investigate whether a private hire car overprovision exists within the Glasgow area.</p>		

3. ASSESSMENT & DIFFERENTIAL IMPACTS

Use the table below to provide some **narrative** where you think the **Policy, Project, Service Reform or Budget Option** has either a positive impact (contributes to promoting equality or improving relations within an equality group) or a negative impact (could disadvantage them) and note the reason for the change in policy or the reason for policy development, based on the evidence you have collated.

Protected Characteristic	Specific Characteristics	Positive Impact (it could benefit an equality group)	Negative Impact – (it could disadvantage an equality group)	Socio Economic / Human Rights Impacts
SEX/ GENDER	Women	<p>If an overprovision policy is introduced it is anticipated that it may result in:</p> <ul style="list-style-type: none"> • current licence holders receiving more work and in effect more money. • less pollution resulting in healthier air quality; • more people exercising – not relying on private hire cars. <p>If the unmet demand</p>	<p>If an overprovision policy was introduced it could have a negative impact on:</p> <ul style="list-style-type: none"> • Customers trying to receive a service from private hire cars as it may make it harder for customers to obtain a hire through a booking (longer wait) at certain times of the week; • Could potentially limit the employment opportunities available for private hire car drivers; • Could increase the amount charged for fares as cars would be more in demand; • Individuals may have to travel further for a private hire car licence (other local authorities) and work further afield; • Could be an increase in pirating (picking up 	<p>Could result in more money being made by current licence holders but could also impact on the employment opportunities available for drivers, leading to less money being made.</p>

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		<p>figures for taxis was lowered it could result in:</p> <ul style="list-style-type: none"> • current licence holders receiving more work and in effect more money. • anticipate it may result in less pollution resulting in healthier air quality • could result in more people exercising – not relying on taxis. 	<p>without having a licence);</p> <p>If the unmet demand figure for taxis was lowered it could have a negative impact on:</p> <ul style="list-style-type: none"> • Customers trying to receive a service from taxis as it may make it harder for customers to obtain a taxi at a taxi rank or over the phone (longer wait) at certain times of the week. • Could potentially limit the employment opportunities available for taxi drivers as there would be less vehicles licensed. • Individuals may have to travel further for a taxi licence (other local authorities) and work further afield. 	
	<p>Men</p>	<p>As above</p>	<p>As above, it could be said that in general the majority of Private Hire Car licence holders and applicants to date are male so by introducing a limit on these licences, it could negatively impact the job opportunities for males in the city.</p>	

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	Transgender	As above	As above	
RACE*	White	As above	As above	
<i>Further information on the breakdown below each of these headings, as per census, is available here. For example Asian includes Chinese, Pakistani and Indian etc</i>	Mixed or Multiple Ethnic Groups	As above	As above	
	Asian	As above	As above	
	African	As above	As above	
	Caribbean or Black	As above	As above	
	Other Ethnic Group	As above	As above	
DISABILITY	Physical disability	As above	As above	
<i>A definition of disability under the Equality Act 2010 is available here.</i>	Sensory Impairment (sight, hearing,)	As above	As above	
	Mental Health	As above	As above	
	Learning Disability	As above	As above	
LGBT	Lesbians	As above	As above	
	Gay Men	As above	As above	
	Bisexual	As above	As above	
AGE	Older People (60 +)		Although there is no direct evidence, the limit could impact older individuals who want to earn some money as Private Hire Car licence holder /Taxi Licence holder after	

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			retirement from another employment.	
	Younger People (16-25)	As above		
	Children (0-16)	Applicants have to be above this age to apply for a licence. The impact may however be if a family member who the child is dependent upon may receive more money, if a licence holder at present, as the vehicle may be more in demand.	Applicants have to be above this age to apply for a licence. The impact may however, be if a family member who provides for a child wished to apply to become a licence holder but a licence is not granted because of the limit. This may impact on the child.	
MARRIAGE & CIVIL PARTNERSHIP	Women	As above	As above	
	Men	As above	As above	
	Lesbians	As above	As above	
	Gay Men	As above	As above	
PREGNANCY & MATERNITY	Women	As above	As above	
RELIGION & BELIEF** A list of religions used in the census is available here .	See note	As above	As above	

For reasons of brevity race is not an exhaustive list, and therefore please feel free to augment the list above where appropriate; to reflect the complexity of other racial identities.

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** There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts. A list of religions used in the census is available [here](#).

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Summary of Protected Characteristics Most Impacted

All protected characteristics would be impacted by the policy. At present the Licensing Authority does not collect data on an applicant's race or gender so it cannot make a determination on that however, anecdotally it could be said that there are more male drivers that could be impacted on the policy change.

Summary of Socio Economic Impacts

Could potentially lead to more money being made by current licence holders as vehicles would be more in demand. Could also limit the employment opportunities for drivers, which could result in them making less money.

Summary of Human Rights Impacts

If a policy for overprovision of private hire car licences is introduced and the current figure for unmet demand of taxis is lowered, when either of these applications are received they would be referred to the Licensing and Regulatory Committee for determination. The Committee would ensure that the right to a fair hearing was given to all applicants who apply for either a private hire car licence or a taxi licence.

4. OUTCOMES, ACTION & PUBLIC REPORTING

Screening Outcome	Yes /No Or / Not At This Stage
Was a significant level of negative impact arising from the project, policy or strategy identified?	Not at this stage.
Does the project, policy or strategy require to be amended to have a positive impact?	Not at this stage.
Does a Full Impact Assessment need to be undertaken?	Not at this stage.

<p style="text-align: center;">Actions: Next Steps</p> <p style="text-align: center;">(i.e. is there a strategic group that can monitor any future actions)</p>		
Further Action Required/ Action To Be Undertaken	Lead Officer and/or Lead Strategic Group	Timescale for Resolution of Negative Impact (s) / Delivery of Positive Impact (s)
<p>The Licensing Department, will ensure that Neighbourhoods and Sustainability review the unmet demand for taxis continually so when an application is received the Licensing & Regulatory Committee can assess if the unmet demand figures are up to date. This complies with case law.</p>	<p>John Donoghue</p>	<p>This would be undertaken prior to an application being presented to Committee by assessing taxi rank wait times in Glasgow.</p>
<p>In relation to the overprovision limit, the assessment undertaken in relation to this is extremely complex and costly and cannot be assessed by Council officers, similar to taxis. There is also no Scottish Government guidance published to</p>	<p>Head of Licensing and Democratic Services.</p>	<p>As per the independent report, a review would be undertaken in three years, unless there was a significant change as detailed in column one.</p>

<p>assist licensing Authorities on how to assess overprovision. The report which was instructed confirms that unless there is a significant change (for instance a music venue similar to the hydro built in Glasgow or if guidance is issued from the Scottish Government which is at odds with the method used by Local Transport Projects Ltd to assess overprovision) then the figures will remain effective for a period of three years.</p>		
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Public Reporting

All completed EQIA Screenings are required to be publically available on the [Council EQIA Webpage](#) once they have been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. (See [EQIA Guidance](#): Pgs. 11-12)

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5. MONITORING OUTCOMES, EVALUATION & REVIEW

The Equalities Impact Assessment (EQIA) screening is not an end in itself but the start of a continuous monitoring and review process. The relevant Strategic, Policy, or Operational Group responsible for the delivery of the Policy, Project, Service Reform or Budget Option, is also responsible for monitoring and reviewing the EQIA Screening and any actions that may have been take to mitigate impacts.

Individual services are responsible for conducting the impact assessment for their area, staff from **Corporate Strategic Policy and Planning** will be available to provide support and guidance.

Legislation**Equality Act (2010) - the Equality Act 2010 (Specific Duties) Scotland Regulations 2012**

The 2010 Act consolidated previous equalities legislation to protect people from discrimination on grounds of:

- race
- sex
- being a transsexual person (transsexuality is where someone has changed, is changing or has proposed changing their sex – called ‘gender reassignment’ in law)
- sexual orientation (whether being lesbian, gay, bisexual or heterosexual)
- disability (or because of something connected with their disability)
- religion or belief
- having just had a baby or being pregnant
- being married or in a civil partnership, and
- age.

Further information: [Equality Act Guidance](#)

As noted the Equality Act 2010 simplifies the current laws and puts them all together in one piece of legislation. In addition the **Specific Duties (Scotland Regulations 2012)** require local authorities to do the following to enable better performance of the general equality duty:

- report progress on mainstreaming the general equality duty
- publish equality outcomes and report progress in meeting those
- impact assess new or revised policies and practices as well as making arrangements to review existing policies and practices
- gather, use and publish employee information
- publish gender pay gap information and an equal pay statement
- consider adding equality award criteria and contract conditions in public procurement exercises.

Further information: [Understanding Scottish Specific Public Sector Equality Duties](#)

Fairer Scotland Duty

Authorities should also consider Socio-Economic Impacts where appropriate. Further information: [Fairer Scotland Duty Interim Guidance](#)

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in

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respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

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