

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

Review of Advertising of Licensed Vehicles – Taxis Policy.

b) Reason for Change in Policy or Policy Development

The licensing authority regulates the licensing of taxi and private hire cars under the Civic Government (Scotland) Act 1982 (“the **Act**”). As part of this process the licensing authority can impose conditions on taxi and private hire car licences for drivers.

In relation to taxis, at present, condition 5 of a taxi licence states that “...*the taxi shall be coloured black or any other colour approved by the Licensing Authority.*” In addition to this, condition 7 of a taxi licence states “...*No notice, advertisement, printed bill or other thing shall be displayed on the outside or inside of a taxi, except for the name of the licence holder and the taxi licence number on the outside, without the previous consent of the Licensing Authority.*”

In terms of the conditions referred to above, the Licensing Authority has a historic policy setting out its position on the display of advertising on the exterior of a taxi, interior and the process for seeking consent and/or approval from the Licensing Authority for such advertising on a taxi and any fees associated with this. This is known as the “**Advertising on Licensed Vehicles – Taxis Policy.**”

While there is no statutory obligation under the 1982 Act for the Licensing and Regulatory Committee (“Committee”) to review policies, it has recognised that as a matter of good practice, policies should be reviewed from time to time to ensure they remain necessary and appropriate in terms of ensuring public safety.

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 the Committee, as Licensing Authority under the 1982 Act, complies with the 1982 Act while taking into account any views expressed relating to the review of the current Advertising on Licensed Vehicles – Taxis Policy.

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

Gillian McNaught 26.7.24

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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>1. At a meeting of the Committee on 8 November 2023, it considered a report by the Director of Legal and Administration in relation to reviewing the current Advertising on Licensing Vehicles – Taxis Policy (<i>and separately the current Advertising on Licensed Vehicles – Private Hire Cars</i>)</p>	<ul style="list-style-type: none"> • Yes, it refers to all of the above. 	<p>In response to the consultation questions asked the responses can be summarised below:</p> <ol style="list-style-type: none"> 1. Are you completing the consultation as a member of the public, licensed taxi driver in Glasgow, licensed private hire car driver in Glasgow, licensed taxi operator in Glasgow, licensed private hire car

<p><i>Policy</i>), by way of a public consultation. While there is no statutory obligation under the 1982 Act for Committee to review policies, it recognised that as a matter of good practice, policies should be reviewed from time to time to ensure they remain necessary and appropriate in terms of ensuring public safety.</p> <p>2. After consideration, the Committee agreed at this meeting, to instruct the Director of Legal and Administration to carry out a review of the Advertising on Licensed Vehicles – Taxis Policy, by way of a public consultation (<i>and separately the Advertising on Licensed Vehicles – Private Hire Cars Policy</i>), by way of a consultation, and to report back to Committee with the findings of each review.</p> <p>3. Two separate public consultations, one on the Advertising on Licensed Vehicles – Taxis Policy (<i>and one on the Advertising on Licensed Vehicles –Private Hire Cars Policy</i>), were published seeking views on several matters related to each Policy, including whether each Policy remained appropriate. Each consultation was available on the</p>		<p>operator in Glasgow or other?</p> <p>The majority of respondents were either members of the public (38%) or a licensed taxi driver in Glasgow (38%).</p> <p>2. To what extent do you agree or disagree that the Advertising on Licensed Vehicles – Taxis Policy remains appropriate?</p> <p>All respondents answered this question. 72% of respondents agreed that the Policy remains appropriate. 8 % of respondents were of the view that the current Advertising on Licensed Vehicles Taxis Policy is not appropriate.</p> <p>3. To what extent to you agree or disagree that advertising should continue to be permitted internally in Taxis?</p> <p>Of the respondents who answered this question 91% agreed that advertising should continue to be permitted internally in taxis. No respondents disagreed and 9% of respondents neither agreed</p>
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<p>Council’s online consultation hub from 1 February 2024 to 15 March 2024 (both dates inclusive). In addition, the online link to the consultation was emailed to the taxi and private hire trade group in February 2024.</p> <p>The Advertising on Licensed Vehicles – Taxis Policy consultation sought views on the following matters:</p> <ol style="list-style-type: none"> 1. Are you completing the consultation as a member of the public, licensed taxi driver in Glasgow, licensed private hire car driver in Glasgow, licensed taxi operator in Glasgow, licensed private hire car operator in Glasgow or other? 2. To what extent do you agree or disagree that the Advertising on Licensed Vehicles – Taxis Policy remains appropriate? 3. To what extent to you agree or disagree that advertising should continue to be permitted internally in Taxis? 4. To what extent to you agree or disagree that advertising should continue to be permitted externally on taxis? 5. In addition to the advertisements not permitted* under the current Advertising on Licensed Vehicles – Taxis Policy, are 		<p>nor disagreed/had no opinion.</p> <ol style="list-style-type: none"> 4. To what extent to you agree or disagree that advertising should continue to be permitted externally on taxis? <p>Of the respondents who answered this question, 91% agreed that external advertising should continue. 9% of respondents had no opinion.</p> <ol style="list-style-type: none"> 5. In addition to the advertisements not permitted* under the current Advertising on Licensed Vehicles – Taxis Policy, are there any other categories that should not be permitted? * Advertisements not permitted are those which <i>advertise or promote the sale of alcohol or tobacco products; nor if they contain political, ethnic, religious, sectarian, sexual or controversial text; display nude or semi-nude figures; or are likely to offend public taste; depict men, women or children as sexual objects; depict direct and immediate violence to anyone shown in the advertisement or observing it;</i>
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<p>there any other categories that should not be permitted? * Advertisements not permitted are those which <i>advertise or promote the sale of alcohol or tobacco products; nor if they contain political, ethnic, religious, sectarian, sexual or controversial text; display nude or semi-nude figures; or are likely to offend public taste; depict men, women or children as sexual objects; depict direct and immediate violence to anyone shown in the advertisement or observing it; advertise any racist group or organisation which intends to promote such a group or such organisation which intends to promote such a group or organisation and/or any of its activities.</i></p> <p>6. Please provide any other comments on the current Advertising on Licensed Vehicles –Taxi Policy.</p>		<p><i>advertise any racist group or organisation which intends to promote such a group or such organisation which intends to promote such a group or organisation and/or any of its activities.</i></p> <p>Only 21% of respondents answered this question. Of these respondents the majority agreed with the current advertisements not permitted.</p> <p>6. Please provide any other comments on the current Advertising on Licensed Vehicles –Taxi Policy.</p> <p>Only 13% of respondents provided other comments. These comments can be summarised as follows:</p> <ul style="list-style-type: none">• In relation to the length of time for which a variation is granted I feel it is unnecessary to restrict this to 1 year. It would be more appropriate to have a 3 year period to coincide with renewal. All changes of livery within that period would require further variations if required. The
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inclusion of reference to tip seat adverts being 'encapsulated in clear non-flammable plastic' could be considered redundant. New taxis no longer provide this ability without drilling into passenger seats which is undesirable. The wording could reflect that they are 'securely fixed.';

- Taxis need every income stream they can get when cabs are costing upwards of 65 k if the cab body work is good there should not be an age limit; and
- The requirement for tip seat adverts to be 'encapsulated in clear non-flammable plastic', is no longer relevant. Securely affixed should suffice, provided the material and adhesive is non-flammable.

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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	<ul style="list-style-type: none"> Continuing to allow external and internal advertising in/on taxis would result in less change for taxi licence holders; Licence holders could continue to receive income from advertising “brands”; and Allowing advertising to be displayed for 3 years would result in less financial costs to a licence holder (currently have to apply every year). 	-	<p>Could result in less financial expenditure by licence holders who wish to have advertising on/in their taxi vehicles. The proposal is that advertising, if consent/approval is given by the Licensing Authority for it to be displayed on the vehicle, for this to be for a period of up to three years (to tie in with the licence expiry date). This differs to the current position where licence holders have to “apply” every year for advertising to be displayed.</p>

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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
	Men	As above, it could be said that in general the majority of current taxi licence holders are male so it could have a more positive impact as detailed above for males in the city.	As above.	
	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	

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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
	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 +)	As above	As above	
	Younger People (16-25)	As above	As above	
	Children (0-16)	N/A Applicants/licence holders have to be above this age to apply for a licence.	N/A Applicants/licence holders have to be above this age to apply for a licence.	
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	

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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
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.

** 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 (other than 0-16 years) would be impacted on the review of the Advertising on Licensed Vehicles –Taxis Policy.

Summary of Socio Economic Impacts

Could result in less expenditure for licence holders.

Summary of Human Rights Impacts

The Committee would ensure that all responses provided as part of the consultation on the current “Advertising on Licensed Vehicles –Taxis Policy”, are considered when reviewing it.

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 review the decision made by Committee in relation to the number of approval/consent requests from taxi licence holders.</p>	<p>Licensing Legal Manager</p>	<p>1 Year from Committee decision.</p>

Public Reporting

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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 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.