

Community Impact Assessment

(Incorporating equality analysis and health considerations)

V2.0

Name of Matter Assessed:

Overview and Scrutiny Review – Effectiveness of Enforcement of Licensing Policy in respect to Taxis and Private Hire

Who will make the decision:
(e.g. Cabinet/Board etc.)

Overview and Scrutiny will produce a report with its evidence, findings and recommendations and the Chair of the Overview and Scrutiny Committee will present this report to Cabinet for its consideration.

Who has been involved in developing the matter:

Director: Julie Seddon, Director of Customers and Communities
Lead Officer: Tracy Tiff, Scrutiny Officer
Chair of the Scrutiny Panel: Councillor Gareth Eales

What is it:

A Community Impact Assessment (CIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making. This document can also be used to consider health and narrowing health inequalities (Health and Care Act 2012)

When to assess:

A CIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Due Regard:

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

In relation to health, we need to consider the potential short term and long term implication of for decisions that we take to support the Health and Wellbeing agendas.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics and also need to consider this information before and as decisions are being made. This will help us to reduce or remove unhelpful impacts and inequalities

Proposal Name:

Overview and Scrutiny Review – Effectiveness of Enforcement of Licensing Policy in respect to Taxis and Private Hire

Aims/Objectives and purpose of the policy/service/function

Aims and objectives:

Purpose/Objectives of the Review

- To investigate the effectiveness of enforcement of licensing, for taxis and private hire vehicles

Key lines of Inquiry:

- To review the enforcement of policies and strategies for taxi and private hire vehicle licensing
- To assess the effectiveness of the legislation for taxi and private hire vehicle licensing
- To raise awareness of the licensing framework around the regulation of private hire and taxi licensing
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders.
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

Key actions:

Overview and Scrutiny (O&S) is a means of providing non-Executive Councillors the opportunity to inform policy development and critical friend challenge to the Council's Executive policy makers and decision makers (Cabinet). It also has a strong role in promoting the engagement of non-Executive Councillors in a diverse range of policy development activities, including performance improvement at the Council. Scrutiny aims to engage the community in its work either by attendance at meetings, public addresses to meetings, witness evidence, or co-optees to Scrutiny Reviews.

This Review will hear from a number of key stakeholders to ensure that a wide range of evidence is obtained to inform the Panel's information base.

The projected outcome of this Scrutiny Review is:

To put forward informed recommendations to all relevant parties on the enforcement of Licensing Policy.

All Scrutiny Reviews link to the Council's Corporate Plan. Details of which are evidenced within the final report. In particular, this Scrutiny Review links to corporate priority 2 – Invest in safer, cleaner neighbourhoods.

Expected outcomes:

To put forward informed recommendations to all relevant parties on Licensing Policy.

Who will be affected and how:

Overview and Scrutiny ensures that it adheres to the Council's statutory duty to provide the public with access to Scrutiny reports/agendas/minutes and other such documents. Meetings of the Overview and Scrutiny Committee/Scrutiny Panels are widely publicised,

i.e.: on the Council's website, copies issues to the local media and paper copies available in the Council's One Stop Shop and local libraries.

This Scrutiny Review will investigate the effectiveness of enforcement of licensing, for taxis and private hire vehicles.

The Scrutiny Panel, in having regard to the general equality duty, will be mindful of the protected characteristics when undertaking this scrutiny activity; so that any recommendations that it made could identify disproportionate and unintended potential positive and negative impacts on any particular sector of the community, including any potential mitigation required. This will be borne in mind as the Scrutiny Panel progresses with the review and evidence is gathered.

In order that the Scrutiny Panel obtains a wide range of views, a number of key witnesses will provide evidence :

Internal

- Cabinet Member for Environment, Northampton Borough Council (NBC)
- Cabinet Member for Community Safety, NBC
- Senior Licensing Officer, Northampton Borough Council

External

- Licensing Sergeant, Northants Police
- Chair, Taxi and Private Hire Association
- Chair, Northampton BID
- Private Hire Operators

Any recommendations that explore ways of working, training and employment opportunities enabling income inequality to be addressed will consider impact and potential mitigation as appropriate and relevant across all protected characteristics. Impact assessments will be integral to any reports including actions plans.

Approximately how many people will be affected:

The impact of the Scrutiny report cannot be assessed until, at the earliest, an outline of a report has been developed. Therefore, within the Scrutiny Panel's report it could suggest that any impact on the nine protected characteristics be taken into account.

However, any potential recommendations could have an effect on the community of the borough of Northampton, including:

- All residents
- Community Groups
- Key Partners

Expected date of decision:

It is anticipated that the report of the Scrutiny Panel will be concluded in March 2016, presented to the Overview and Scrutiny Committee in March 2016 and to Cabinet in approximately July 2016. Cabinet will then become responsible for delivering the recommendations that it accepts.

Scope/focus of the assessment:

Please outline the scope and focus of the assessment:

The Scrutiny Panel is mindful of the nine protected characteristics when undertaking scrutiny activity so that any recommendations that it makes can identify potential positive and negative impacts on any particular sector of the community. This will be borne in mind as the Scrutiny Review progresses and evidence is gathered. The final report of the Scrutiny Panel has a standard section entitled Community Impact Assessment and details the findings

Any potential recommendations proposed by the Scrutiny Panel may have perceived adverse and beneficial effects for all diversity groups.

Evidence gathered from the key witnesses will be analysed and contained within the Scrutiny Panel's final report. The comments of the key witnesses will be minuted and published publicly within the [Council's meeting management system](#).

Should the Scrutiny Panel conclude the need for recommendations for change; the expected impact of these changes will be detailed within the Scrutiny Panel's final report.

The Scrutiny Panel's report, after it has been endorsed by the Overview and Scrutiny Committee, will be forwarded to the Council's Cabinet for consideration; Cabinet will then become responsible for delivering the recommendations that it accepts.

This Scrutiny Review will investigate the effectiveness of enforcement of licensing, for taxis and private hire vehicles.

The Scrutiny Panel, in having regard to the general equality duty, will be mindful of the protected characteristics when undertaking this scrutiny activity; so that any recommendations that it made could identify disproportionate and unintended potential positive and negative impacts on any particular sector of the community, including any potential mitigation required. This will be borne in mind as the Scrutiny Panel progresses with the review and evidence is gathered.

In order that the Scrutiny Panel obtains a wide range of views, a number of key witnesses will provide evidence.

Any recommendations that explore ways of looking at Licensing Policy will consider impact and potential mitigation as appropriate and relevant across all protected characteristics. Impact assessments will be integral to any reports including actions plans.

Community Screening Outcome

Will the proposal:	Yes/No
Eliminate discrimination, harassment or victimisation	Yes
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	Yes
Contribute towards health improvements or inequalities	Yes

Relevant data and/or research

Outline the information and research that has informed the decision:

The number of public attending the Scrutiny Panel meetings is recorded.

Any feedback received from the above is taken into consideration and used to formulate recommendations to improve the Service.

Background data will be provided to the Panel including:

- Presentation to set the scene: “Licensing Policy in the Borough”
- Relevant national and other background research papers, such as:
 - [Department for Transport – Taxi statistics \(2013\)](#)
 - [House of Commons Library – Taxi and Private Hire Vehicles \(2014\)](#)
 - Department of Transport Best Practice Guidance on Vehicle Licensing
<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>
- Relevant Legislation:
- Statistical data, such as the number of hackney carriage and private hire licences in the borough, number of taxi ranks in the borough and spaces on each rank

Details of Best practice and successful initiatives in Northampton and comparable Local Authorities will help to inform the evidence base.

Rationale for change

What will you do if/when changes are agreed/introduced:

The purpose of this Scrutiny Review is

- To investigate the effectiveness of enforcement of licensing, for taxis and private hire vehicles

Key lines of Inquiry:

- To review the enforcement of policies and strategies for taxi and private hire vehicle licensing
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- To assess the provision and usage of taxi ranks in the borough

Identification of affected groups/individuals

List the groups/individuals that may be affected by the proposal:

Any potential recommendations could have an effect on the community of the borough of Northampton, including:

- All residents
- Community Groups
- Key Partners

Assess and/or undertake Consultation

Has there been specific consultation on this decision (if not, state why not and/or when this may happen):

As part of the evidence gathering for this Scrutiny Review, a number of expert advisers will be consulted.

What were the results of the consultation?

Consultation with various expert advisers will take place over a series of scheduled meetings, the outcomes of which will inform the evidence base of the Scrutiny Review, which will inform the findings, conclusions and recommendations of the Scrutiny Panel.

Across the protected characteristics, what difference in views did analysis of the consultation reveal:

Evidence gathered from all sources will be analysed and contained within the Scrutiny Panel's final report.

What conclusions have been drawn from the analysis on how the decision will affect people with different protected characteristics?

The Scrutiny Panel will, after completion of its evidence gathering, formulate conclusions and recommendations as appropriate, which will have the intended purpose of recommending a system of community participation and involvement with other Agencies and interested parties. Recommendations will link to SMART (Specific, Measurable, Achievable, Realistic and Time) objectives. Should the recommendations be accepted by the Council's Cabinet, they will then be implemented and necessary actions drawn up.

Assessment of impact on staff

Please give details of impact on staff, including staffing profile if/as appropriate:

The Scrutiny Panel will, after completion of its evidence gathering, formulate conclusions and recommendations as appropriate, which will have the intended purpose of recommending a system of community participation and involvement with other Agencies and interested parties. Recommendations will link to SMART (Specific, Measurable, Achievable, Realistic and Time) objectives. Should the recommendations be accepted by the Council's Cabinet, they will then be implemented and necessary actions drawn up.

Assessment of impact on wider community

Please give details of any impacts to the community as a whole:

The Scrutiny Panel will, after completion of its evidence gathering, formulate conclusions and recommendations as appropriate, which will have the intended purpose of recommending a system of community participation and involvement with other Agencies and interested parties. Recommendations will link to SMART (Specific, Measurable, Achievable, Realistic and Time) objectives. Should the recommendations be accepted by the Council's Cabinet, they will then be implemented and necessary actions drawn up.

Analysis of impact by protected characteristics

Any issues around the findings which may impact on the 9 protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual Orientation
- Other socially excluded groups

Will be addressed as part of the report and recommendations of the Scrutiny Panel.

Mitigation of adverse impact on staff/service/people

Where any negative impact has been identified, please outline the measures taken to mitigate against it:

N/A

Publication of results

This Impact Assessment will be published on the Council's website

Monitoring and review

Please give details of how the changes will be monitored, and when the next review is due:

Recommendations contained within the report of the Scrutiny Panel will link to SMART (Specific, Measurable, Achievable, Realistic and Time) objectives. Should the recommendations be accepted by the Council's Cabinet, they will then be implemented and necessary actions drawn up.

The Scrutiny Panel's report, after it has been endorsed by the Overview and Scrutiny Committee, will be forwarded to the Council's Cabinet for consideration; Cabinet will then become responsible for delivering the recommendations that it accepts.

The impact of the accepted recommendations contained with the final report of the Scrutiny Panel will be monitored six months after they have been accepted by Cabinet.

Conclusion

There should be no unlawful discrimination arising from the decision.

Please state how "Due regard" has been taken to the equality duty and public health considerations:

The impact of the Scrutiny report cannot be assessed until, at the earliest, an outline of a report has been developed. Therefore, with the report of the Scrutiny Panel it could suggest that any impact on the nine protected characteristics be taken into account.

Please advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact:

The impact of the Scrutiny report cannot be assessed until, at the earliest, an outline of a report has been developed. Therefore, with the report of the Scrutiny Panel it could suggest that any impact on the nine protected characteristics be taken into account.

Signed:

Date: