

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 – Private Hire Cars 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.

At present, condition 7 of a private hire car licence states that “*no notice, advertisement, printed bill or other thing shall be displayed on the outside or inside of a private hire car without the consent of the Licensing Authority*”. In addition, condition 10 of a private hire car licence states “*the holder of a private hire car licence shall not display on his vehicle any signs for the purpose of advertising its services as a private hire car other than those approved by 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 private hire car, the interior of a private hire car and also the process for dealing with any requests for consent and/or approval for such advertising. This is known as the “**Advertising on Licensed Vehicles – Private Hire Cars 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 – Private Hire Cars 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.

Please name any research, data, consultation or studies referred to for this assessment:	Please state if this reference refers to one or more of the protected characteristics: <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, 	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.
<ul style="list-style-type: none"> • 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 – Private Hire Cars Policy (<i>and separately the current Advertising on Licensed Vehicles – Taxis Policy</i>), by way of a 	<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 operator in Glasgow or other?

<p>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. 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 - Private Hire Cars Policy, by way of a public consultation (<i>and separately the Advertising on Licensed Vehicles - Taxis Policy</i>), by way of a consultation, and to report back to Committee with the findings of each review.</p> <ul style="list-style-type: none"> Two separate public consultations, one on the Advertising on Licensed Vehicles – Private Hire Cars Policy (and one on the Advertising on Licensed Vehicles – Taxis Policy), were published seeking views on several matters related to each Policy, including whether each Policy remained appropriate. Each consultation was available on the 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 		<p>The majority of respondents were members of the public (55%).</p> <p>2. To what extent do you agree or disagree that the Advertising on Licensed Vehicles - Private Hire Cars Policy remains appropriate?</p> <p>63% of the respondents agreed that the Policy remained appropriate, and 33% of respondents were of the view that the current Policy was not appropriate.</p> <p>The main reasons respondents, who wished to explain their answer, provided for disagreeing with the current Policy, were as follows:</p> <ul style="list-style-type: none"> Operators should have the option to display livery on their vehicles if they wish to do so; Removal of the words “<i>the Licensing and Regulatory Committee does not favour the display of advertising on the exterior of a private hire car.</i>”; People need to be safe and not get into an unknown car; It is time to bring private hire car advertising in line with “Hackney” cabs advertising; and Rear stickers on a private hire car
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<p>private hire trade group in February 2024.</p> <ul style="list-style-type: none"> • The Advertising on Licensed Vehicles – Private Hire Cars Policy consultation sought views on the following matters: <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 - Private Hire Cars Policy remains appropriate? 3. To what extent to you agree or disagree that advertising should continue to be permitted internally in private hire cars? 4. The current Advertising on Licensed Vehicles – Private Hire Cars Policy states that <i>“although each case requires to be considered on its own merits, in general, due to legal and security considerations, the Licensing and Regulatory Committee does not favour the display of advertising on</i> 		<p>have several advantages. It can serve as a clear identification marker for passengers, making it easier for them to locate their designated ride, especially in busy or crowded areas.</p> <p>The main reasons respondents, who wished to explain their answer, provided for agreeing with the current Policy were as follows:</p> <ul style="list-style-type: none"> • Current policy covers the necessary points; • If you change it [<i>the Policy</i>] to allow adverts or livery on private hire vehicles, the public will be confused with what is an actual taxi and this will encourage illegal street pickups from private hire or indeed non licensed private hire vehicles. If a private hire customer books with any private hire company, all the dispatch systems for private hire give out SMS, notifications etc with the actual vehicle registration details and in many cases a photo of the driver. Making private hire vehicles look like taxis will be dangerous. <p>3. To what extent to you agree or disagree that advertising should</p>
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<p><i>the exterior of a private hire car”, to what extent to you agree or disagree that advertising should be permitted externally on private cars?</i></p> <p>5. If a respondent agreed with 4 above, the respondent was asked to choose where the external advertising should be.</p> <p>6. In addition to the advertisements not permitted* under the current Advertising on Licensed Vehicles – Private Hire Cars Policy, are there any other categories that should not be permitted? * Advertisements not permitted are those <i>which 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>continue to be permitted internally in private hire cars?</p> <p>Of the respondents who answered this question 49% agreed that advertising should continue to be permitted in private hire cars. There were 31% of respondents who answered this question that disagreed with the current position, taking the view that advertising should no longer continue to be permitted internally in private hire cars.</p> <p>Of the respondents who answered and disagreed with internal advertising continuing to be permitted in private hire cars, they were asked to explain their answer. Of these respondents, who explained their answer, the main reasons provided for disagreeing were as follows:</p> <ul style="list-style-type: none"> • No room for advertising in private hire vehicles as there is hardly any space for passengers; • It will lead to confusion and people will be open to abuse from illegal drivers; • Make cars look untidy; • Advertising on the inside of private hire cars should only be to identify
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<p>7. Please provide any other comments on the current Advertising on Licensed Vehicles – Private Hire Cars Policy.</p>		<p>the operator of the “Dispatch System”; and</p> <ul style="list-style-type: none">• Will make private hire cars look like taxis. <p><i>On Licensed Vehicles – Private Hire Cars Policy permits advertising internally within private hire cars for artwork which has been approved by the Licensing Authority. Internal advertising currently does not just relate to booking office details.</i></p> <p>4. The current Advertising on Licensed Vehicles – Private Hire Cars Policy states that “<i>although each case requires to be considered on its own merits, in general, due to legal and security considerations, the Licensing and Regulatory Committee does not favour the display of advertising on the exterior of a private hire car</i>”, to what extent to you agree or disagree that advertising should be permitted externally on private cars?</p> <p>The respondents who answered this question, 36% provided an explanation for their answer. The main reasons respondents, who wished to explain their answer, provided for agreeing</p>
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		<p>that external advertisement should be permitted on private hire cars were as follows:</p> <ul style="list-style-type: none">• Drivers may prefer to have operator branding;• Private hire car operators should be permitted to display external advertising on private hire cars if they so wish. Allowing advertising in this way could open up additional revenue for private hire car operators, which over the lifespan of a private hire car's operation, could seriously help to mitigate the increased costs of running private hire cars, costs that we have seen ramp up over the past few years. Additionally, such a move could arguably, increase standards in the trade as policies like this could attract people into the trade that are more business orientate. It is unfair to private hire car operators that they cannot affix adverts to their vehicles while public hire taxi operators can do so. Nothing in the 1982 Act that outright prohibits advertising on private hire cars; and• Operator company advertising should be permitted. <p>The main reasons respondents, who wished to explain their answer,</p>
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		<p>provided for disagreeing that external advertisement should be permitted on private hire cars was because it could cause confusion for members of the public between taxis and private hire cars.</p> <p>5. If a respondent agreed with 4 above, the respondent was asked to choose where the external advertising should be.</p> <table border="1" data-bbox="1547 687 2031 1287"><thead><tr><th>External Location</th><th>Respondents</th></tr></thead><tbody><tr><td>Door Advertising</td><td>68%</td></tr><tr><td>Full Livery Advertising</td><td>50%</td></tr><tr><td>Any advertising on the bodywork of the vehicle other than that which can be accommodated on single or double door advertising.</td><td>73%</td></tr></tbody></table> <p>6. In addition to the advertisements not permitted* under the current</p>	External Location	Respondents	Door Advertising	68%	Full Livery Advertising	50%	Any advertising on the bodywork of the vehicle other than that which can be accommodated on single or double door advertising.	73%
External Location	Respondents									
Door Advertising	68%									
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Any advertising on the bodywork of the vehicle other than that which can be accommodated on single or double door advertising.	73%									

		<p>Advertising on Licensed Vehicles – Private Hire Cars Policy, are there any other categories that should not be permitted? * Advertisements not permitted are those <i>which 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>Only 27% of respondents answered this question. Of these respondents, the majority agreed with the current advertisements not permitted. One respondent also suggested inclusion of booking offices not licensed in Glasgow.</p> <p>7. Please provide any other</p>
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		<p>comments on the current Advertising on Licensed Vehicles – Private Hire Cars Policy.</p> <p>27% of the total number of respondents to the consultation, who provided further comments. A comment that was expressed that was not previously mentioned in response to other questions within the consultation was advertising should stay permitted, if someone wants to advertise then the Council should be aware of wordings and graphics.</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	If external advertising is permitted, it could give private hire car licence holders more income, from the business advert; and If internal advertising continues, this could also provide income for private hire car licence holder, from the business advert.	More competition from the trade as more licence holders able to advertise externally* (previous just taxis unless an exception to policy was made for private hire cars) *this is not something the Licensing Authority can take into account under the 1982 Act in relation to its decision making).	Could result in more income for licence holders as there is the possibility that advertising “brands” would pay licence holders to have advertising on their vehicles. There could also be a cost to licence holders in applying for consent to have external/internal advertising.

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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 private hire car 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</i>	Sensory Impairment	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
<i>disability under the Equality Act 2010 is available here.</i>	(sight, hearing,)			
	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 +)	As above	As above	
	Younger People (16-25)	As above	As above	
	Children (0-16)	Applicants/licence holders 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 – allowing external advertising may provide the family with more income.	Applicants/licence holders 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 – allowing external advertising may reduce the income of the family as there could be more licence holders for a advertising brand to select from, to advertise its products.	
MARRIAGE & CIVIL	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
PARTNERSHIP				
	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.

** 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 on the review of the Advertising on Licensed Vehicles – Private Hire Cars Policy.

Summary of Socio Economic Impacts

Could result in more income 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 – Private Hire Cars 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 private hire car 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.