

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

7 Year Age Limitation for Private Hire Cars

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 and determine policy on taxi and private hire car licences.

In June 2006 the Licensing and Regulatory Committee (the “**Committee**”) approved (1) a policy relative to the introduction of an age limit of 7 years on vehicles to be licensed as private hire cars; (2) the proposed amendment to standard condition 5 of a private hire car licence; and (3) the transitional arrangements affecting vehicles currently licensed as private hire cars as detailed within a report to Committee dated 7 June 2006.

During the Covid 19 pandemic the 7 year age limitation policy for private hire cars was temporarily relaxed. This relaxation was to help private hire car licence holders during the pandemic as they were experiencing difficulty in sourcing newer vehicles and also loss of income which made it financially difficult for them to purchase newer vehicles.

Following consideration of a report at its meeting on 23 November 2023 on whether or not to reintroduce the 7 year age policy for private hire cars, the Committee agreed (a) not to reintroduce the 7 year age limitation policy for private hire cars at this time; and (b) instructed the Director of Legal and Administration to undertake a review of the said policy with a view to the upper age limit being increased.

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

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 Policy.

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

Gillian McNaught 8.9.23

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>Following consideration of a report at its meeting on 23 November 2023 on whether or not to reintroduce the 7 year age policy for private hire cars, the Committee agreed (a) not to reintroduce the 7 year age limitation policy for private hire cars at this time; and (b) instructed the Director of Legal and Administration to undertake a review of the said policy with a view to the upper age limit being increased.</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,

<p>A public consultation was published seeking views on the 7 year age policy for private hire cars. The consultation was available on the Council’s online consultation hub from 15 June 2023 to 11 August 2023 (both dates inclusive). In addition, the online link to the consultation was emailed to the taxi and private hire trade group on 16 June 2023.</p> <p>The consultation sought views on the following questions:</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 there should be a change to the 7 year Age Limitation Policy? Respondents who disagreed where asked to provide reasons for their answer. 3. If the 7 year Age Limitation Policy were to be increased by the Licensing and Regulatory Committee, what age do you think would be appropriate? Respondents were asked to provide 		<p>licensed private hire car operator in Glasgow or other? The majority of respondents completed the consultation as a member of the public (56.9%), the next highest being a licensed private hire car driver in Glasgow (31.6%).</p> <ol style="list-style-type: none"> 2. To what extent do you agree or disagree that there should be a change to the 7 year Age Limitation Policy? Respondents who disagreed where asked to provide reasons for their answer. 67.4% of respondents who answered this question agreed that there should be a change to the 7 year Age Limitation Policy. 28.7 % (84 respondents) of respondents who answered this question disagreed with there being a change to the current Policy. Only 14 out of 84 respondents provided a reason for disagreeing that there should be a change to Policy. The reasons provided were: <ol style="list-style-type: none"> a. Cars need to be fit for
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<p>the main reasons for their answer to this question.</p> <p>4. Please provide any other comments you wish the Licensing and Regulatory Committee to take into account when reviewing the 7 year Age Limitation Policy.</p>		<p>the road and reliable;</p> <p>b. Older the car, the more problems it can have; and</p> <p>c. Safety, private hire cars were not intended to do the mileage that they would do if they were allowed on the road longer than 7 years.</p> <p>3. If the 7 year Age Limitation Policy were to be increased by the Licensing and Regulatory Committee, what age do you think would be appropriate? Respondents were asked to provide the main reasons for their answer to this question.</p>																		
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		<p>* answers provided were a mixture of 5 years, unlimited, 15 years, 30 years and mileage of 250,000 miles.</p> <p>The main reasons provided by respondents to this question, for seeking a 10 year age policy were as follows:</p> <ul style="list-style-type: none">○ Decision to limit cars to 7 years old was taken in mid 00s and since then car safety standards have increased significantly. At the time the limit was put in place the average lifespan of a vehicle was less than it is today.○ Prices have increased for replacement cars significantly and making the rule change to 10 years will make plate holders replace the old stock cars to newer ones and keep them on the road longer;○ Ten years would be a massive boost to the industry as private hire drivers make money from
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		<p>their business after finance on a car is finished, and most drivers can only afford a car 3 to 4 years old now because car prices have doubled. Ruins the glass and reduces visibility;</p> <ul style="list-style-type: none">○ Cars are very reliable these days;○ Economic hardship could lead to drivers having to work more hours to be able to justify higher costs to keep afloat this could impact on both driver and public safety○ Vehicle purchase price on used cars is at an all time high. Operators may start looking to purchase more basic models of vehicles with less safety features;○ 7 year was acceptable with historic trends however purchase prices are hugely inflated now meaning 7 years will prove uneconomical; and○ Since 7 year policy was introduced, vehicle safety features have been
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developed and released: lane departure warning system; pop up bonnet designed to lower risk of injury in the event of a pedestrian being hit; blind spot monitoring; fatigue detection; autonomous braking systems; pedestrian detection; barrier detection; night time impact detection and active cruise with steering. Cars of 2006 are not like cars of 2023.

There were 5 answers given for a 5 year age policy, under "other" by respondents however no explanation for this view was provided.

4. Please provide any other comments you wish the Licensing and Regulatory Committee to take into account when reviewing the 7 year Age Limitation Policy.

In general, no other comments were provided that were different to the above.

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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	<p>If the Policy is increased to 10 years, which the majority of respondents, detailed to be an appropriate age, it could have the following impact:</p> <ul style="list-style-type: none"> • Licence holders may not have to spend as much money as they currently replacing their vehicles; • Licence holders, where finance agreements are in place, could make more of their own money once the agreement has been paid off and vehicle can remain in use as licensed private 	<p>If the Policy is amended to 10 years, it could have the following negative impacts:</p> <p>Lead to more expense that currently re more regular inspections for older cars; and Less customers using vehicles as they are older models.</p>	<p>For 10 years:</p> <p>Could potentially be more economical for current licence holders as they would not have to change their vehicle as regularly as the current position (7 years).</p>

		<p>hire car; and</p> <ul style="list-style-type: none"> • Could encourage more people to apply for a private hire car licence as they could use a vehicle for longer (subject to passing relevant inspections). 		
	Men	As above, it could be said that in general the majority of current private hire car driver 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.</i>	Mixed or Multiple Ethnic Groups	As above	As above	
	Asian	As above	As above	
	African	As above	As above	

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<i>For example Asian includes Chinese, Pakistani and Indian etc</i>	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 +)	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 – increasing the 7 year age policy to 10 years may provide the family with more income if financial agreement finished while still able	As above.	

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		to use the vehicle as a private hire car.		
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.

** 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 policy.

Summary of Socio Economic Impacts

Could result in a better financial position that at present for licence holders.

Summary of Human Rights Impacts

The Committee would ensure that all responses provided as part of the consultation on the 7 year age limitation 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 impact on licence holders.</p>	<p>Licensing Legal Manager</p>	<p>1 Year from Committee decision.</p>

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 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.