

FULL COMMUNITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	To consider the introduction of a three year hackney carriage and private hire driver's licence	
Lead Officer Name(s):	Tracy Brzozowski	
Job Title & Location:	Licensing and Enforcement Manager	
Department/Service Area:	Legal and Democratic/Licensing	
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Date Assessment:	Commenced: 25 th May 2012	Completed: 25 th May 2012

We carry out Community Impact Assessments to analyse the effects of our decisions, policies or practices. The CIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.

1. OVERVIEW

The main aims/objectives of this policy¹ are:
<p>The aim of this policy decision is to determine whether the Council should continue with the current annual renewal system or to introduce a three year renewal system for hackney carriage and private hire drivers.</p> <p>The Rossendale Taxi Association has requested that the licence be issued for a period of three years. The Licensing Committee of the 28th February, 2012, requested CIA reports for one, two and three year licences.</p> <p>The current practice, since a decision by an Extraordinary Meeting of the Council in 2007, is to issue hackney carriage and private hire driver's licences for a period of one year. On renewal, the applicant produces their DVLA driving licence and a statutory declaration to say they have no further criminal convictions. Every three years a CRB enhanced disclosure is also submitted with the application.</p>

(Refer to "**CIA Guidance**" for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing x

The main intended people or groups that will be most affected by this policy are:
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¹ Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

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1. The licensed hackney carriage and private hire drivers
2. The members of the public travelling in the vehicles.
3. Council staff involved in the processing of applications.

(Refer to "**CIA Guidance**" for details)

2. FINDINGS / EVIDENCE

FINDINGS/EVIDENCE: The following information/data has been considered in developing this policy/decision (including any consultation or engagement):	
Information/data obtained and/or Consultation/engagement carried out (please state who with)	What does this tell us? / What does it say?
The current annual licence reflects the fact that a period of three years without a check on criminal convictions or traffic offences is too long. In April 2007, a random check of 25 DVLA records for current hackney carriage drivers showed that 7 had convictions within the previous 3 years.	A three year period without any checks puts the safety of the public at risk.
Best practice guidelines issued by the Department of Transport in February 2010 suggests that 'it is not necessarily good practice to require licences to be renewed annually' and goes on to say that 'three years is the legal maximum period and is in general the best approach'.	A licence issued for three years would reduce administrative burdens on the licensing and Enforcement Unit (LEU) and drivers significantly and would place a large measure of responsibility and trust on the shoulders of the drivers to inform the licensing authority of motoring and criminal convictions that would affect their continuing to drive.
The cost of a licence, currently £120 for a new driver and £85 annually to renew would have to remain the same if the licence extended for a three year period.	Annual income for the Council would reduce by two thirds in respect of hackney carriage and private hire driver's fees. We currently have 385 drivers licensed with this Authority. Legislation provides that only the cost of issue and administration can be recovered and the current fee is set at £85 for renewal.
A system whereby drivers obtained a three year licence but had to submit their drivers licence and a statutory	The administration of such a system is more cumbersome and time consuming than the issue of an annual licences. Drivers who failed to submit the necessary documentation may be

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declaration annually has been considered.	suspended but, in practical terms, may avoid contact with the LEU and allege that they were unaware of the suspension and thus physically retain their driver's badge.
The Licensing Committee wished to consider licences issued for a period of one, two or three years. The significant difference amongst those time periods is the length of time between physical checks of the applicant's driving licence.	Public safety is the reason that the licensing of drivers is regulated. A period of one year without a check is acceptable but two or three years extends the time in which a driver with criminal or motoring convictions may avoid detection to an unacceptable level, potentially putting a unnecessary risk on public safety,
An alternative to be considered is to have a three year licence but instigate an annual check of driving licences from the DVLA. There would be an additional cost to recover the administrative burden of two checks over the three year period which may be around £20 in total.	Potentially, there would be an increased workload in tracing and contacting drivers who reside outside the Borough and who showed convictions. This would increase the risk that drivers outside of the Borough may not make themselves readily available.
Consultation by the Law Commission to reform taxi and private hire legislation commenced on the 10 th May 2012 and will run until the 10 th August 2012. The Commission expects to produce a draft Bill by November 2013.	Although the aim is to simplify the law, there are some far reaching proposals in the consultation document and a clear aim to impose some national standards on what is now determined locally within regulatory framework. Given the time frame involved, any decisions to alter the length of licences might be soon superseded by legislation.

Add more/delete rows as required - See **CIA Guidance**

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3. EQUALITY IMPACT

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact from an Equalities perspective on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified.** See CIA Guidance

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
Age	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Disability	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender Reassignment	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Pregnancy and Maternity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Race (Ethnicity or Nationality)	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Belief or Religion		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Gender	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Sexual Orientation	Lesbian women , gay men and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Marriage and Civil Partnership (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to equality of opportunity		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Human Rights http://intranet/site/scripts/documents_info.php?categoryID=86&documentID=251		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

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4. OUTCOME OF CIA – COURSE OF ACTION TO BE TAKEN

What course of action does this CIA suggest you take? More than one of the following may apply	Please indicate
Outcome 1: No major change required. The CIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	<input checked="" type="checkbox"/>
Outcome 2: Adjust the policy to remove barriers identified by the CIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? If there is a negative impact identified, you must consider (and evidence/record) what mitigating actions you have or will put in place to reduce the negative impact where/if possible, and to enhance the positive impact. This might include any partnership discussions/working that needs to be undertaken. Complete CIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 3: Continue the policy despite potential for negative impact or missed opportunities to promote equality identified. You will need to ensure that the CIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. This might include any partnership discussions/working that needs to be undertaken. Complete CIA Action Plan as appropriate.	<input type="checkbox"/>
Outcome 4: Stop and rethink the policy when the CIA shows actual or potential unlawful discrimination or significant negative impact that can not be justified or mitigated against. <u>You must speak to Liz Sandiford (2452) or Emma Hussain (2451) immediately.</u>	<input type="checkbox"/>

If a negative impact as been identified and there are no sufficient mitigating actions in place or planned. Please see the guidance and you must speak to/ see advice from your Head of Service or Head of People and Policy.

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5 . CIA ACTION PLAN & REVIEW

Based on the impact assessment, findings/evidence and outcomes identified above, please complete the Action Plan below – these should be actions arising as a result of undertaking the CIA.

The Action Plan should address (not exhaustively):-

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential affects.
- How you will address any gaps.
- What practical changes/action will help reduce any negative impacts that you have identified.
- What practical changes/action will help enhance any positive contributions to equality.

Further Actions Required: Yes No

CIA Action Plan

Issue	Action required	Lead officer	Timescale
Based on the information provided the Licensing Committee should determine the length of the licence.	Licensing Committee 12 th July 2012	TB	

Please add more rows if required.

Actions arising from the Impact assessment should form part of the business planning process for service areas and be reflected within the Council's Corporate Equality Action Plan on Covalent.

Monitoring & Reviewing the Effect of the Policy

Please state how you will monitor the impact and effect of this policy and where this will be reported:

This policy decision will be reviewed as new information / feedback comes to the Council's attention and/or when legislation requires. Effects of the final policy decision will be recorded and monitored within the Licensing and Enforcement Unit.

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INTERNAL ONLY

MANAGEMENT ACTION REQUIRED (to be completed by the Head of P&P following Management Team review)

- Outcome of CIA agreed/approved by Management Team : Yes No
- Referred back to Assessor for amendment : (date)
- Published/made publicly available on: (date)

Signed:..... (Head of P&P) Date:

Date of Review²:

[To be completed by the lead officer]

² This date will be set on an annual basis as default for review unless otherwise specified by you.

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