

STRONGER together



Equality and Fairness Analysis

A supplementary equalities template must be completed for all projects and reports

Report/ project/ policy title	Wheel Chair Accessible Vehicles (WAVs) in the Lewes DC Taxi and Private Hire Licensed Trade.
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Responsible Head of Service	Tim Whelan
Decision Makers	LDC Licensing Committee
Date signed off by equality officer	07/12/2020

If you're unsure which template to use or what information to include contact EqualitiesEmail@lewes-eastbourne.gov.uk as soon as possible.

An Equality and Fairness Analysis should be carried out when:

- developing or reviewing strategies, plans, policies and procedures;
- proposing changes to the services delivered or the way these are delivered
- proposing new services, functions, projects or initiatives.

Use this form to demonstrate the ways in which projects, policies and proposals may impact groups protected under the Equality Act 2010, along with any other communities who may be affected. This applies to residents, staff and service users. By thoroughly assessing what we do against the general duty we are able to make better decisions, leading to better outcomes for people who work for us and for people who access our services and facilities. Decision makers must give due regard to protected groups before the decision is taken.

We have various engagement groups who can review and provide feedback on your analysis. Contact EqualitiesEmail@lewes-eastbourne.gov.uk if you would like to engage with these groups ahead of completing your analysis.

Our legal obligations: The Public Sector Equality Duty (PSED)

The Council and its companies must, in the exercise of our functions and in our decision making, have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
2. Advance equality of opportunity between people who share a characteristic and those who do not share it;
3. Foster good relations between people who share a characteristic and those who do not share it.

The second aim (advancing equality of opportunity) involves, in particular, having due regard to the need to:

- Remove or minimise disadvantages experienced by people because of their protected characteristics.
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

It describes the third aim (fostering good relations) as tackling prejudice and promoting understanding between people who share protected characteristics and those who do not. Compliance with the general equality duty may involve treating some people more favourably than others, providing this is within the law.

Assessing and identifying impact

When completing this form, identify and explore any positive or negative impacts relating to the three general duties listed above.

You need to think about the protected characteristics below as defined in the [Equality Act 2010](#)

- **Age**
- **Disability**
- **Gender reassignment**
- **Marriage and civil partnership**
- **Pregnancy and maternity**
- **Race and ethnicity**
- **Religion, belief and culture**
- **Sex**
- **Sexual orientation**

The Council's Equality and Fairness Policy states that 'we also recognise that **socio-economic status** can be a significant barrier to equality of opportunity'.

Information on key demographic data and an Area Profile covering Equalities can be found on the [East Sussex in Figures' website.](#)

Question 1)

What is your proposal and what will change as a result?

Please give an overview of your proposals. What decisions are you seeking?

That the Licensing Committee consider the options put forward for new conditions to form part of the Lewes District Council Hackney Carriage and Private Hire Licensing Guidance. Below are the options suggested to raise wheelchair accessible vehicle (WAVs) numbers in Lewes:

- a) Applications for a new licensed hackney carriage vehicle will not be considered unless the vehicle is wheelchair Accessible. This does not apply to existing licence holders of hackney carriage vehicles who apply to change their vehicles.
- b) With effect from 1st June 2022 (or a date to be agreed) all applications for new and replacement Hackney Vehicle Licences will only be granted to those vehicles that are wheelchair Accessible.
- c) Maintain the current situation and allow the WAV vehicle fleet to evolve naturally with no direction from the Council.

The committee are to make a decision as to which proposal to accept , and subsequently include in the guidance document.

		Positive	Negative	Neutral
What will be the impact? Consider who the policy/ decision is intending to benefit and what the expected outcomes are. Assess each characteristic and indicate what impact you anticipate for each group in the space on the next page.	Age	X	X	
	Disability	X		
	Gender reassignment			X
	Marriage and civil partnership			X
	Maternity and pregnancy			X
	Race			X
	Religion or beliefs			X
	Sex			X
	Sexual orientation			X
Which parts of the Public Sector Equality Duty are most relevant to the policy?	1. Eliminate discrimination, harassment and victimisation	X		
	2. Advance equality of opportunity	X		

	3. Foster good relations	X		
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Question 2)

- a. Who will be affected by the changes and how? Thinking about groups protected under the Equality Act, what impact do you anticipate for these groups? *Explain your answer on the next page***

Use this space to explain your answer to 2) a. and expand on either the positive or negative impact you have identified for each group, and how the 3 aims may or may not be met.

Based on the Committee opting for a course of action which would increase the numbers of WAVs:

Potential negative impact on elderly people

Following feedback from a previous public consultation, it was reported that requiring all Hackney Carriages (HC) to be wheelchair accessible vehicles (WAVs) would potentially be a negative impact on both the trade (i.e drivers) and those with either disabilities not necessitating a wheelchair and the elderly. A number of residents in the upper age bracket responded that due to other mobility issues, they would find it difficult to ingress /egress the larger vehicles generally used as WAVs.

The over 65s now represent a quarter of the county's population and are projected to make up nearly a third of all people by 2031. All elderly age groups are expected to increase in size, with the number of very elderly people aged 85 and over expected to increase by 63%, from around 21,700 in 2016 to 35,300 in 2031.¹

Potential positive impact upon those with a disability

Currently there is a lack of wheelchair accessible vehicles licensed within the district, by increasing this number there is likely to be improved access for wheelchair users particularly. Taking pro-active measures to increase the number of WAVs would support the council to meet its obligations under the PSED, with particular regard to advancing equality of opportunity. The Equality Act states that meeting different needs involves taking steps to take account of disabled people's disabilities.

19.5% of the population in Lewes have a long-term health problem or disability (with 44% of these recording their day-to-day activities as being limited a lot), compared to 17.9% nationally and 20.3% in East Sussex.²

¹ Health & Social Care profile of older people in East Sussex, JSNA 2018

² East Sussex in Figures

b. What mitigations have you identified for each negatively impacted group? If you cannot identify any please explain e.g. a replacement service does not exist/ there is no resource. (There is a space for action planning at the end of this document)

Consider any additional steps the Council could take to enhance (where positive or neutral) or mitigate any negative impacts. Mitigations may include the expansion of one service to cover the restriction of another/ ensuring promotional material is designed with target audience in mind / etc.

The council licenses over 400 Private Hire vehicles which includes saloons, estates or mini buses. The elderly and those with other disabilities / mobility issues may tend to favour pre-bookable private hire companies due to the types of vehicles.

This policy will not be looking to make any changes to the way Private Hire vehicles operate, as the legislation does not currently allow for this. However, the Council holds and maintains a list of WAVs which includes the operator details. This is publicly available on our website via the link <https://www.lewes-eastbourne.gov.uk/licensing-and-registrations/taxi-licensing/information-on-taxis/> .

c. If you believe there are additional groups who may be impacted (e.g people from disadvantaged backgrounds, carers, homeless people, people living in remote locations) please record this here, along with any mitigations you have identified.

Potential positive impact on carers

Compared to East Sussex Lewes is slightly higher for people providing one hour or more of unpaid care per week but significantly lower for unpaid carers providing 20 hours or more care per week, working age people claiming Carers Allowance, carers known to adult social care and those receiving self-direct support.³

Often carers care for disabled people, older people or children. By improving accessibility to Hackney Carriages carers might be able to access more services with the people they care for, without always needing to pre book journeys.

Question 3)

What information have you used to assess the above anticipated impacts on different groups?

Include any consultation, engagement or research. Explain any data (internal and external), academic research, theories, models you have considered.

- East Sussex in Figures
- East Sussex Joint strategic Needs Assessment

³ Lewes District JSNAA Scorecard, 2017

- The Equality Analysis was sent to Local Access, Seniors and Carers Groups, no comment was received. It is recommended that if this topic goes to a consultation that all groups are invited to comment again.

Next steps: Send your draft to EqualitiesEmail@lewes-eastbourne.gov.uk 5 days ahead of the report deadline. Once signed off the equality officer can send the analysis to the Equality panels, one of which is made up of external representatives and the other is an internal panel. Please indicate if your report is sensitive or confidential.

Question 5)

a. Set out below any comments from members of the Equality Panels

b. Response to feedback. *Describe any changes you have made to your policy / proposals as a result of the feedback. If you are not proposing changes in response to any of the feedback, please explain why.*

Record any actions in the table at the end of this document.

Executive Summary

Paste this summary into the Equality Analysis section of your report. Give a brief overview of impacts and include any comments received from the Equality Panels.

An Equality & Fairness Analysis has been undertaken on these proposals. Former consultation on the topic indicated that although an increase in WAVs in the district is most likely to positively impact wheelchair users and their carers, WAVs can be difficult for people with mobility difficulties who are not wheelchair users.

Taking pro-active measures to increase the number of WAVs would support the council to meet its obligations under the PSED, with particular regard to advancing equality of opportunity. The Equality Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It is recommended that consultation is undertaken in the district to ensure people's views are heard.

Action Planning

Issue identified	Action to be completed	Lead Officer	Required Resources	Target Date	Measure of Success

Approval	
I confirm I have approved this Analysis and will review the action plan to ensure it is completed within the dates identified	<i>To be signed and dated by Head of Service</i>

Please now send this report to EqualitiesEmail@lewes-eastbourne.gov.uk .