

Equality and Human Rights Impact Assessment - the Form

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **proposal** refers to policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring.

STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Paul Connolly	Solicitor	Legal & Democratic Services	Corporate Governance

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

Licensing Committee (Litigation and Licensing officers)

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. **Please return to this question after completing the EHRIA.**

The Committee is considering whether or not to approve rank recommendations set out in the report CG-12-23.

The Equality Act 2010 promotes positive action to advance equality of opportunity. Positive action means action which enables or encourages persons who share a protected characteristic (e.g. disability) to overcome or minimise that disadvantage and participate in the activity by meeting their needs.

Transportation, Strategy and Programmes officers investigated the possibility of introducing a disabled bay at Back Wynd. It was not possible due to a lack of space at that location.

Hadden Street was also considered for improvements for easier wheelchair access. This location features large concrete planters which may inhibit wheelchair movements.

Union Square was also identified as it has no dedicated taxi stance and therefore is not easily accessible to wheelchair users or persons with reduced mobility who wish to access it by taxi. It was suggested that a rank could be provided at Palmerston Road. However, the access to this rank would be by steps. It is private ground, therefore Aberdeen City Council has no power to require Union Square's owners to introduce wheelchair access to the rank.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick all that apply.

- Para 9 of EHRIA will be published in committee report in Section 6 "Impact"
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

The main proposal is to improve, revoke or introduce taxi ranks throughout the city to generally improve taxi rank provision.

12. Who will benefit most from the proposal?

Members of the public and taxi drivers.

13. Tell us if and how the proposal will increase equality of opportunity by permitting positive action to redress disadvantage?

It appears that the recommendation will be neutral in terms of their impact. However, it is noted that there were proposed actions, which may have addressed potential problems in relation to taxi ranks for people with a disabilities (wheelchair users and persons with reduced mobility).

The Survey gathered evidence through consultation. It suggested that disabled persons in general had difficulty walking on cobbled streets and some popular busy ranks are located on cobbled streets (e.g. Back Wynd and Hadden Street).

It was also noted that side loading ranks (Back Wynd and Hadden Street) may be less accessible for wheelchair users. This is because many wheelchair accessible taxi vehicles are rear loading.

Due to restrictions in terms of other Council policies, cost and space it has not been possible to change the layout of the existing ranks at Back Wynd and Hadden Street. However, it is proposed that taxi ranks be kept under review and that any future ranks should be assessed for accessibility at the initial design stage.

14. What impact will the proposal have on promoting good relations and wider community cohesion?

The policy promotes good relations between the taxi trade and wheelchair users. It also promotes equality in terms of access to taxi transport between wheelchair users and other persons who do not share their protected characteristic.

STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other?

The consultants undertook a Survey, which included consultation with groups representative of disabled persons. For example, Aberdeen Access Panel, individual users and Aberdeen Action on Disability.

In relation to access to taxis from taxi ranks the consultees advised that disabled passengers often prefer to engage taxis through pre-booking as this permits a greater level of certainty of engaging a suitable taxi rather than hiring on the street. They expressed the view that taxi engagement at rank and by hailing was usually possible. Albeit there were individual stories of difficulty in engaging taxis at a rank, with reference to unsupportive driver approach, and exemptions for some drivers from the requirement to carry a wheelchair passenger in a Wheelchair Accessible Vehicles.

The Disability Advisory Group was given the opportunity to comment at its meeting on 28 March 2012. DAG's representatives made comments regarding separate areas of taxi licence policy.

Transportation, Strategy and Programmes officer knowledge in relation to road management and engineering was also taken into account. Grampian Police (City Centre Policing Unit) and Aberdeen City Council Community Safety were also given the opportunity to comment.

Transportation, Strategy and Programmes officers and the Police were supportive in principle to making amendments to facilitate easier access to taxis at ranks for wheelchair users

The Environment Planning and Infrastructure officers who managed the THI Green Streetscape project (which includes Hadden Street) advised that: "The planters form part of the agreed works for the THI Green Streetscape project. If we were to unilaterally remove the planters without the agreement of the THI Board they may choose to recover the substantial contribution that they have made to the overall cost of the Green Streetscape works. This contribution significantly exceeds the cost of the construction works in Hadden Street. Without knowing the THI Board's reaction to such a proposal it is difficult to identify the true cost of removing the planters.

Officers would have a serious concern with regard to any proposals to widen the footway on Hadden Street since this would have a detrimental safety impact on the operation of the taxi rank. At present the taxi rank in effect forms two sides of a "U" and taxis perform a u turn to switch between the two sides. If the carriageway was narrowed taxis would no longer be able to perform a u turn and would instead have to perform a more complicated turn. Such a manoeuvre would be significantly less safe than the u turn currently performed."

STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger Older	0	Disability	0	Gender Reassignment*	0
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	0
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	0				

Notes:

- * Gender Reassignment includes Transgender
- ** Race includes Gypsies/Travellers
- *** Sex (gender) i.e. men, women
- **** Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
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STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance

18. Does this proposal/policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer "no", go straight to question 22.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

Not applicable.

Legality

19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

Not applicable

Legitimate aim

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

Not applicable

Proportionality

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

Not applicable

STEP 6: Monitor and review

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

Not applicable

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

Officers will advise accordingly when new ranks are to be considered. Disability access will be considered at the initial stages in considering implementation of a new rank.

STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature
Paul Connolly		

Quality check: document has been checked by

Name	Date	Signature
Alyson Mollison		

Head of Service (Sign-off)

Name	Date	Signature
Jane MacEachran		

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Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk