

**NORTHAMPTON BOROUGH COUNCIL**

**Licensing Committee**

Your attendance is requested at a meeting to be held at The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE. on Friday, 2 October 2015 at 10:00 am.

**D Kennedy  
Chief Executive**

**AGENDA**

1. Apologies
2. Minutes  
(Copy herewith)
3. Deputations / Public Addresses
4. Declarations of Interest
5. Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered
6. Review of Hackney and Private Hire Driver Fees  
(Copy herewith)
7. Exclusion of Public and Press  
The Chair to Move:  
“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

**Public Participation**

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

## NORTHAMPTON BOROUGH COUNCIL

### LICENSING COMMITTEE

Tuesday, 15 September 2015

**PRESENT:** Councillor Sargeant (Chair); Councillors Choudary, Culbard, Duffy, Eales and Malpas

#### 1. APOLOGIES

Apologies were received from Councillor Hill and Councillor Walker.

#### 2. MINUTES

The minutes of the meetings held on the 17<sup>th</sup> March 2015, 7<sup>th</sup> April 2015, and 12<sup>th</sup> June 2015 were agreed and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

None.

#### 4. DECLARATIONS OF INTEREST

None.

#### 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

None.

#### 6. DRAFT STATEMENT OF GAMBLING PRINCIPLES

The Senior Licensing Officer outlined the circumstances as set out in the report. Members were recommended to consider the statement of principles and approve for consultation with the intention of returning to this Committee in early December for approval prior to adoption by Full Council on 25<sup>th</sup> January 2016. A six week consultation is required at the end of which all comments will be assessed and incorporated where necessary.

In response to a question from Councillor Eales regarding the difference between the new and old policy the Senior Licensing Officer advised social responsibility would be a factor and the Committee would have the authority to make objections under planning. The three licensing objectives outlined in 3.1.2 in the report would remain the same.

The Senior Licensing Officer commented that the government have rejected maximum stake and maximum fees on FOBTs (Fixed Odds Betting Terminals) and the Committee have no ability to change it. Councillor Eales confirmed that in the absence of legislation the Committee have no capacity to make amendments. The introduction of a by law could allow this amendment to be possible. The Licensing Solicitor agreed to research and report back to Committee.

Councillor Malpas commented that electronic gambling machines are reducing the number of employees needed at betting shops and are more cost effective. He posed the question to the Committee whether any evidence suggests a correlation between periods of austerity and an increase in betting shops.

In response to a question from Councillor Choudary regarding the revocation of licences the

Senior Licensing Officer confirmed that all independent betting shops have closed except one in the Semilong area. We have also seen three large bookmaker offices close down in the last 12 months.

Councillor Culbard and Councillor Malpas suggested that all registered mainstream religions should be added to the list of Consultees on the Statement of Principles Annex 3. The Senior Licensing Officer advised this could be considered during the consultation period.

**RESOLVED:**

That the statement of gambling principles be considered and approved for consultation.

**7. DRAFT STATEMENT OF LICENSING POLICY**

The Senior Licensing Officer submitted the report as set out in the agenda. The report recommended that the Committee approve that the draft statement of Licensing Policy be subject of a full consultation, reporting back to this Committee in December or early January 2016 with the intention to recommend the adoption of it by the Full Council on 25<sup>th</sup> January 2016. In accordance with Section 5 Licensing Act 2003, the Licensing Authority is required to adopt a Statement of Licensing Policy every five years. The Council's current Statement of Licensing Policy was adopted in January 2011 and requires fresh adoption prior to February 2016.

The Senior Licensing Officer advised that failure to review, consult and publish the Statement of Licensing Policy every five years would be unlawful and that the Authority must consult fully with a wide range of stakeholders for a period of 12 weeks. The report stated that if the Committee approve the consultation it will commence the following day 16<sup>th</sup> September, ending 9<sup>th</sup> December.

The Senior Licensing Officer commented that Council in conjunction with Planning, Building control and Town Centre policy need to determine what premises are required but concrete justifications must be given. The policy document will not state where the Council cannot have premises as there is insufficient evidence to justify it.

In response to a question from Councillor Malpas regarding premises with outside areas in close proximity to residential areas the Senior Licensing Officer advised it would not be in the blanket policy. The Licensing Solicitor commented that the policy cannot state premises with outside areas must close by a certain time however the policy can state that the Licensing authority will pay close attention to such areas.

In response to a question from Councillor Culbard regarding license refusals for premises with outside areas the Senior Licensing Officer advised only if the licensing objectives are undermined then can this be considered.

**RESOLVED:**

That the committee considered the proposed Statement of Licensing Policy and approved it for the purpose of consultation.

< >

The meeting concluded at 18.36

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Appendices**

- A. Proposed fees**
- B. Projected Income**
- C. Income & Expenditure**
- D. EIA**



## LICENSING COMMITTEE REPORT

<b>Report Title</b>	<b>Review of Hackney and Private Hire Driver Fees</b>
---------------------	---

**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	<b>2<sup>nd</sup> October 2015</b>
<b>Policy Document:</b>	<b>Hackney/Private Hire Drivers Licence Fees</b>
<b>Directorate:</b>	<b>Customers and Communities</b>

### 1. Purpose

---

1.1 To consider a revised fee structure for the Taxi and Private Hire Drivers Licences due to the implementation of the Deregulation Act 2015 that will amend the duration of licences.

### 2. Recommendations

---

2.1 That a new fee structure is approved with immediate effect.

### 3. Issues and Choices

---

#### 3.1 Report Background

3.1.1 The Deregulation Act 2015 received Royal Assent on the 26<sup>th</sup> March 2015 and amends two sections of the Local Government (Miscellaneous Provisions) Act 1976 that deal with the granting of licences to Hackney Carriage and Private Hire Drivers and Operators Licences. The new legislation affecting the Taxi and Private Hire Trade will come into force on the 1<sup>st</sup> October 2015.

3.1.2 Section 55 (2) and 56 (3) changes the law in such a way as to establish a standard duration of three years for Hackney Carriage and Private Hire Drivers Licences and five years for an Operator's Licence, or for a lesser period in the particular circumstances of an individuals case.

3.1.3 The Deregulation Act 2015 is silent as to how fees should be collected in line with the new standard licence duration for drivers and operators.

- 3.1.4 This report is concerned with amending the current fee structure for the Hackney Carriage and Private Hire Drivers, in order to take into consideration that driver licences **must** now be issued for the statutory three year period, unless in circumstances of an individual case.
- 3.1.5 Operators Licences will be dealt with in a later separate report.
- 3.1.6 A cost exercise has been undertaken in order to ascertain the level of fee that should be set for a New/Renewal application for a Private Hire/Hackney/Combined Drivers Licence. This exercise has been carried out using a toolkit recommended by the Institute of Licensing for the calculation of licensing fees.
- 3.1.7 There is minimal difference in the functions for a one year licence and a three year licence and therefore the proposed fee remains the same for licences of both durations. The proposed fee structure is detailed in **Appendix A**
- 3.1.8 The fees that may be charged for licences are governed by legislation which requires that the Council sets fees intended to recover up to its reasonable costs and does not charge a fee which is intended to make a profit. The Council may therefore seek to charge less than cost, but not seek to charge more than cost.
- 3.1.9 It would not be logical under the proposed fees for any driver to apply for a 1 Year Licence and the Committee may wish to consider individual circumstances where a 1 Year Licence at a lower fee may be appropriate. The following has been identified as circumstances that may fall into this category.
- **Approaching Retirement** – Drivers may wish to retire during the period of the 3 year licence and therefore may choose to apply for the one year licence. This will only apply to drivers who will become aged 65 years or older during the duration of a 3 year licence.
  - **Exceptional Circumstances** – There may be individual exceptional circumstances that the local authority may wish to take into consideration.
- 3.1.10 If a different fee is agreed for all licences, then there may be a loss of income, or there may be a surplus. This will very much depend on the level of fee set and how many applicants will qualify for a 1 Year or 3 Year Licence.
- 3.1.11 The local authority will regularly monitor the income/expenditure of this service for any surplus/deficit of income and make the necessary recommendations for adjustments accordingly.
- 3.1.12 The Disclosure and Barring Service (DBS) fee has been reduced to the sum recharged by the DBS service; the local authority administration fee for processing these applications has now been included within the cost exercise undertaken.
- 3.1.13 It has been highlighted that a 3 yearly licence will impact upon the current system for checking the status of a driver, for example this may include verifying their DBS certificate, medical, driving licence etc. At present the

driver will not be issued with a new licence if they fail to complete and/or provide the necessary documents and the changes in legislation will impact upon this robust process.

3.1.14 In future the dates of these checks will not necessarily coincide with the time of renewal and therefore it is foreseen that there will be additional monitoring and compliance that will need to be undertaken to ensure that drivers complete the necessary checks and action may need to be taken against drivers who fail to comply.

3.1.15 This will increase compliance and monitoring costs in the future and the impact will need to be reviewed and monitored and due consideration given to any strategic changes that may assist in the administration of these procedures and reduce any unnecessary burden and costs passed onto the licence holders.

3.1.16 Currently New Drivers entering the trade are charged a fee of £370.00 which includes the costs of the initial appointment, the administration of the application, the grant of the licence and a one day induction course. It is proposed that these charges are segregated and a cost exercise has also been undertaken to set the appropriate fee that should be levied for the different components of the process.

3.1.17 For information new drivers will still be required to obtain a medical, a DBS certificate, and a DVSA taxi/private hire test certificate, the cost of these services are paid to the external organisations and total in the region of £200 - £250.

3.1.18 It has also been noted that the last financial income/expenditure figures included a sum for fees charged in respect of the Safety Awareness Course. The recent cost exercise undertaken for setting the fees does not include officer's time and on costs etc. for dealing with the enforcement of licences and therefore the safety awareness course income/expenditure has been excluded from the projected figures.

## **3.2 Consultation**

3.2.1 Although not required by law a consultation has been undertaken to find out views from the drivers and operators on these proposals.

3.2.2 The informal consultation started 26 August 2015 and ran for 4 weeks, closing on 23 September 2015.

3.2.3 Over 600 emails and 350 letters were sent to Drivers and Operators inviting them to engage with the consultation either via the Northampton Borough Council website, or by written communication.

3.2.4 A total of 459 visited the consultation page during the consultation period.

### 3.2.5 Results

3.2.6 A total of 18 responses were received via the webpage and 1 written response. A summary of the responses is detailed in **3.2.7**

### 3.2.7 Findings

Out of the 19 comments received, 8 were negative comments, 5 were positive comments and 6 were neutral

#### **A key summary of the issues raised by those with negative comments regarding the proposed fees:-**

- Proposed fees too high and comments suggested that fees should range between £100 - £120 for a 3 Year Licence and £50 for a 1 Year Licence.
- The cost should **not** be same for a one year licence as for a 3 year licence
- No extra cost for issuing a licence for 3 years. The local authority is making a huge saving in man hours not having to administer annual renewal and cannot justify charging £140 for a 3 year renewal, a £10 discount over 3 years is derisory
- Can NBC consider staggering the DBS & Medicals, it will be expensive to pay a 3 year renewal if the DBS & Medical are due in the same year.

#### **A key summary of the issues raised by those with a positive comment regarding the proposed fees:-**

- The new fees seem fair enough and not a big amount for 3 years.
- Happy with the proposals and will save time not having to renew every year

### 3.3 Choices (Options)

3.2.1 **Allow fees to remain unchanged.** This would not allow for a fee structure that supports the requirement to issue 3 or 5 yearly licences in accordance with the Deregulation Act 2015 and will result in a loss of income to the local authority as detailed in **Appendix B**

3.2.2 **Agree the proposed fee structure detailed in Appendix A.** This would allow the local authority to continue to collect fees to maintain the service.

3.2.3 **Agree a different lower fee to those proposed.** The committee may wish to consider setting a lower fee for the different types and/or duration of licences. If a different fee is set for the 1 year licence, the committee will need to agree the criteria as suggested at 3.1.9, in order that officers may determine who is eligible under the individual circumstances for the 1 year licence.



## **4. Implications (including financial implications)**

---

### **4.1 Policy (Hackney and Private Hire Licensing)**

Update Northampton Hackney and Private Hire Policy to reflect three year and five year licences as appropriate.

### **4.2 Resources and Risk**

4.2.1 If no action is taken there is a risk that the authority will receive less income from the Hackney and Private Hire Trade and the service will be subsidised by the tax payer. Figures detailing the expected shortfall are detailed in **Appendix B**

4.2.2 Any delay with implementing the new fee will result in a loss of income.

4.2.3 A recent income/expenditure analysis carried out by the finance department shows that the service is subsidised at this time. **Appendix C**

### **4.3 Legal**

4.3.1 The Local Government (Miscellaneous Provisions) Act 1976, S53 (2) allows the Local Authority to set fees in respect of drivers licences for both Hackney Carriages and Private Hire Vehicles.

4.3.2 The cost of a licence has to be related to the cost of the licensing scheme itself, and can be set to be subsidised by the Council but cannot be set to make a surplus.

### **4.4 Equality**

4.1.1 An equality impact assessment has been undertaken and the key equalities factor was identified as being a negative financial impact on the trade if the proposed fee is introduced. **Appendix D**

### **4.4 Consultees (Internal and External)**

Legal  
Finance.

### **4.5 Background Papers**

Deregulation Act 2015

Local Government (Miscellaneous Provisions) Act 1976. (Relating to Hackney and Private Hire fees).

Institute of Licensing – Fee Setting

Report Author: Louise Faulkner .  
Senior Licensing Officer  
x 8393

**APPENDIX A – Proposed Amended Fees with effect 3<sup>rd</sup> October 2015**

	<b>2014/15</b>	<b>2015/16</b>
Private Hire/Taxi Driver Renewal (1 Year)	50.00	140.00
Private Hire/Taxi Driver Renewal (3 Year)	N/A	140.00
Combined Driver Renewal (1 Year)	63.00	140.00
Combined Driver Renewal (3 Year)	N/A	140.00
New Driver Application/Induction/Licence Grant Fee	370.00	N/A
New Driver Initial Appointment Fee (Non Refundable)	N/A	30.00
New Driver Licence Application Grant Fee (3 Year)	N/A	190.00
New Driver Licence Application/Grant Fee (1 Year)	N/A	190.00
New Driver Induction Day Fee	N/A	100.00
Disclosure Barring Certificate Fee	51.00	44.00

## Appendix B - Income Existing & Proposed Fees

<b>Table A Existing Fees Income</b>	*Number of Applications Per Year	Calculation	Projected Annual Income	3 Year Projected Income (Annual Income x 3)
PrivateHire/Hackney Drivers	810	£50.00 x 810	£40,500	£121,500
Combined Drivers	125	£63.00 x 125	£7,875	£23,625
New Drivers	105	£370.00 x 105	£38,850	£116,550
<b>Total</b>				<b>£261,675</b>
*Assumed number of applications				

<b>Table B Existing Fees Post De-Regulation Act 2015</b>	*Number of Applications over 3 Years Period	Calculation	3 Year Projected Income
PrivateHire/Hackney Drivers	810	£50.00 x 810	£40,500
Combined Drivers	125	£63.00 x 125	£7,875
New Drivers	315	£370 x 315	£116,550
<b>Total</b>			<b>£164,925</b>
*Assumed number of applications			

<b>Proposed Fees</b>	*Number of Applications over 3 Years Period	Calculation	3 Year Projected Income
PrivateHire/Hackney Drivers/Combined Drivers	935	£140 x 935 x 1	£130,900
New Drivers	315	£190 + £30 x 315	£69,300
Induction Course	315	£100 x 315	£31,500
<b>Total</b>			<b>£231,700</b>
*Assumed number of applications			

## **Appendix C - Drivers Income & Expenditure**

<b>2014/15 DRIVERS EXPENDITURE</b>	
Employee Costs (30%)	£67,346
Management On Costs	£26,851
Central Recharges (Legal, IT, Training, Software, Subscriptions, Insurance)	£18,044
Total Direct Charges (Stationary, Printing, Advertising, Postal, Mobile Phones)	£1,478
<b>2014/15 DRIVERS INCOME</b>	
Hackney/Private Hire/Combined Drivers	-40,456.35
New Drivers Application/Grant/Induction Course (Includes fees for Safety Awareness Course Aprox £3,000)	-39,425
Net Deficit (1 Year Period)	33,838

<b>3 YEAR PROJECTED DRIVERS EXPENDITURE (+1% INCREASE)</b>	
Employee Costs (40% of Officer Time Spent on Drivers)	163,758
Management On Costs	£41,611
Central Recharges (Legal, IT, Training, Software, Subscriptions, Insurance)	54,673
Total Direct Charges (Stationary, Printing, Advertising, Postal, Mobile Phones)	4,478
<b>3 YEAR PROJECTED DRIVERS INCOME</b>	
Hackney/Private Hire/Combined Drivers	130,900
New Drivers Application/Grant/Induction Course (excludes fees for Safety Awareness Course)	100,800
Net Deficit (3Year Period)	32,820

# Appendix D - Equality Impact Assessment

## Part 1: Screening

When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: [www.northampton.gov.uk/equality](http://www.northampton.gov.uk/equality). A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

<b>1 Name of policy/activity/project/practice</b>	This is a proposal to review the fees for Hackney & Private Hire Drivers.
---	---

<b>2. Screening undertaken (please complete as appropriate)</b>	
Director of Service	Julie Seddon
Lead Officer for developing the policy/activity/practice	Louise Faulkner
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Ruth Austen, Licensing Legal Team, Silvina Katz, Communications Team.

**3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.**

- To request that the Licensing committee review the fee structure relating to Hackney and Private Hire Drivers to reflect changes in legislation. We will be consulting with stakeholders to identify issues and consider any objections to the new structure.

The Local Government (Miscellaneous Provisions) Act 1976, s.53 allows the Local Authority to set fees in respect of drivers licences for both Hackney Carriages and Private Hire vehicles.

In adopting the Local Government (Miscellaneous Provisions) Act 1976 The Local Authority is able to levy fees in respect of driver's licences for both Hackney Carriages and Private Hire drivers (s.53).

The authority does not have the discretion to charge whatever it likes for a licence. The cost of the licence has to be related to the cost of the scheme itself.

**4 Relevance to Equality and Diversity Duties**

- By changing the fee structure for Hackney and Private Hire Drivers all licence holders will be subject to the proposed changes. All groups identified as being affected will be affected equally.
- The consultation when carried out will help to understand how people feel to any changes in fees.
- The consultation itself will provide evidence of any significant impact on any group and whether the changes would create financial hardship, or whether any mitigation is viable.
- Any decision must be made taking into consideration the current financial climate.

**Please explain:** We are consulting with all interested parties including those licence holders who may be affected by the proposals.

There is no intention for the proposal to have a negative impact on any particular group. The proposal is aimed at setting the appropriate fee for the cost of this process and minimising any deficit/surplus to the council.

**5 Evidence Base for Screening**

**Equality Human Rights Commission**

<http://www.equalityhumanrights.com/resources/case-studies-of-how-organisations-are-using-the-duties/case-studies-equality-impact-assessments/>

**Number of Taxi/ Private Hire & Combined Drivers = 935**  
**Number of Operators = 51**

**6 Requirements of the equality duties:**

(remember there's a note to remind you what they are at the end of this form and more detailed information at [www.northampton.gov.uk/equality](http://www.northampton.gov.uk/equality))

Will there be/has there been consultation with all interested parties?

Initial consultation has taken place internally with both legal and finance to ensure we are proceeding with this process in the correct way. Consultation is being undertaken with interested parties.

Any comments received will be considered by the Licensing Committee.

**Are proposed actions necessary and proportionate to the desired outcomes?**

Yes

**Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/practice/activity?**

Any decision taken by the Licensing Committee can be appealed through the Magistrates Court and by Judicial review

**Does the proposed policy/practice/activity have the ability to be tailored to fit different individual circumstances?**

The local authority must set fees that are reasonable, can be justified and appropriate to the cost of the process.

**Where appropriate, can the policy/practice/activity exceed the minimum legal equality and human rights requirements, rather than merely complying with them?**

**From the evidence you have and strategic thinking, what are the key risks (the harm or 'adverse impacts') and opportunities (benefits and opportunities to promote equality) this policy/practice/activity might present?**

	<b>Comments</b>
Race	We have identified that at least 50% of drivers are from minority ethnic groups that will be affected by these proposals. We will be gathering further evidence during the consultation to identify the extent of any impact. These proposals may have an initial impact but there may be benefits over the longer term.

Disability	No risks have been identified at this stage, or anticipated.
Gender or Gender Identity/Gender Assignment	No risks have been identified at this stage, or anticipated.
Pregnancy and Maternity (including breastfeeding)	No risks have been identified at this stage, or anticipated.
Sexual Orientation	No risks have been identified at this stage, or anticipated.
Age (including children, youth, midlife and older people)	No risks have been identified at this stage, or anticipated.
Religion, Faith and Belief	No risks have been identified at this stage, or anticipated.
Human Rights	No risks have been identified at this stage, or anticipated.

## 7 Summary

The feedback is designed so that all groups have an opportunity to input into this process.

All known drivers and operators will be contacted and provided with the information they need.

It is expected that the scheme will be revisited within the next 3 years, or may be sooner as appropriate.

## 8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

**Date of Decision:** 26.../08..../2015...

**EITHER: We judge that a full impact assessment is not necessary since:**

**OR: We judge that a full impact assessment is necessary since:**



**1. Equality Duties to be taken into account in this screening include:**

**Prohibited Conduct under The Equality Act 2010 including:**

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

**Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)**

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

**Rights apply to people in terms of their "Protected Characteristics":**

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

**Duty to "advance equality of opportunity":**

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

**Duty to 'foster good relations between people'**

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

**Lawful Exceptions to general rules:** can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

**2. National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:**

3. to improve how services identify and meet needs of adults with autism and their families.

**4. Human Rights include:**

5. Rights under the European Convention include not to be subjected to degrading **treatment**; **right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education**; **right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.