

Notice of Meeting



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Extraordinary Licensing Committee

Monday 7 September 2026 at 4.30pm
in Council Chamber Council Offices
Market Street Newbury

This meeting will be streamed live here: [Link to Licensing Committee broadcasts.](#)

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Date of despatch of Agenda: Friday 28 August 2026

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Thomas Radbourne (Democratic Services Officer)

e-mail: Thomas.Radbourne1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To: Councillors Jeremy Cottam (Chairman), Paul Dick (Vice-Chairman), Phil Barnett, Billy Drummond, Nigel Foot, Paul Kander, Jane Langford, Tom McCann, David Marsh, Stephanie Steevenson, Clive Taylor and Martha Vickers

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
3. **Outcome of the Consultation on the Protected Hackney Carriage Plate Arrangements** 5 - 62
Purpose: To present the results of the public consultation undertaken in respect of the protected hackney carriage plate provisions contained within the Hackney Carriage and Private Hire Licensing Policy 2025–2030 and invite Members to agree a way forward.
To outline the legal advice obtained from Counsel regarding the future operation of the pre-2001 vehicle exemption and the associated legal, equality and accessibility considerations.

Sarah Clarke.

Sarah Clarke
Executive Director – Resources

If you require this information in a different format or translation, please contact Thomas Radbourne (Democratic Services Officer) on telephone (01635) 519502.

Outcome of the Consultation on the Protected Hackney Carriage Plate Arrangements

Committee considering report:	Licensing Committee
Date of Committee:	07 September 2026
Portfolio Holder:	Councillor Tom McCann
Report Author:	Mark Groves
Forward Plan Ref:	N/A

1 Purpose of the Report

- 1.1 To present the results of the public consultation undertaken in respect of the protected hackney carriage plate provisions contained within the Hackney Carriage and Private Hire Licensing Policy 2025–2030 and invite Members to agree a way forward.
- 1.2 To outline the legal advice obtained from Counsel regarding the future operation of the pre-2001 vehicle exemption and the associated legal, equality and accessibility considerations.

2. Recommendations

The Licensing Committee is requested to:

- 2.1 Consider the consultation responses, legal advice, equality impacts, accessibility objectives, safeguarding implications and financial impacts on existing proprietors and determine one of the following options:
 - i. Option 1 - Phase out the protected plate exemption for all licences transferred to any party on or after 1 January 2027.
 - ii. Option 2 - Phase out the protected plate exemption for all protected licences renewed on or after 1 January 2029.
 - iii. Option 3 - Retain the exemption but remove the ability to transfer protected plates to immediate family members.
 - iv. Option 4 - Retain the current exemption and continue to permit transfers to immediate family members.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The costs of running the consultation and legal advice sought were met from within the existing budgets. Discretionary fees and charges relating to licences and registrations are based on cost recovery, and should they not reflect the cost of providing the service, there is a risk of generating a surplus or deficit.
Human Resource:	There were no staffing implications associated with the consultation which were undertaken within existing resources within the Public Protection Service advised by colleagues in the Performance, Research and Risk Team. The issuing of all hackney carriage licences are considered as business as usual for officers within the Licensing Team.
Legal:	West Berkshire District Council is acting within the rights of a local authority to establish and update a comprehensive taxi and private hire licensing policy. In doing so, the Council has a duty to protect the public, uphold safety standards, and support a professional and accountable transport service, whilst ensuring compliance with the most recent legislation. While national legislation and statutory guidance provide minimum requirements, it is both lawful and appropriate for licensing authorities to adopt higher standards where justified particularly where these are shaped by meaningful consultation and democratic oversight, both of which have taken place in the development of this policy. This policy is firmly grounded in the historic and statutory framework that governs taxi licensing, including the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. It also aligns with more recent legislation, including the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022. In addition to these core statutes, the policy recognises broader legal responsibilities, including those under data protection, immigration, equalities (Equality Act 2010), criminal records disclosure, public health, road safety, and transport regulation. These duties have been carefully considered to ensure a licensing framework that is lawful, proportionate, and fit for purpose. In relation to 'protected plates' in the policy it was determined to undertake a review of the current position within 6 months of

	the policy being adopted at the December 2025 Licensing Committee meeting. This undertaking has now been fulfilled. The Public Protection Partnership deemed it prudent to instruct Counsel on the matter to ensure the policy is lawful particularly in the light of the Equality Act 2010.
Risk Management:	The purpose of the licensing regime as set out in the Hackney Carriage and Private Hire Licensing Policy 2025 – 2030 is to protect users of taxi and private hire vehicles but also to ensure that those operating within the regime do so on a level playing field. The Council sets those standards locally and it is imperative that there is clarity and that the standards are applied universally. It is also important that those licensed by the Council are consulted on the terms of the licensing arrangements. The overarching consideration is for the safety of the public. There is a potential risk of legal challenge whether the Council removes or retains the protected plate exemption, although that risk is likely to be manageable if appropriate process and justification are in place. If the exemption is removed or phased out, affected proprietors may argue that the change has an adverse impact on their livelihood and constitutes unfairness, particularly where longstanding reliance has been placed on the existing regime. However, such a challenge would be mitigated where the Council provides a reasonable transitional period, undertakes proper consultation, and clearly justifies the policy change by reference to legitimate aims such as equality of access and modernisation of the fleet. Conversely, if the exemption is retained, there is a risk of challenge on the basis that it creates an unjustified competitive advantage for a limited group of proprietors and fails to properly advance the needs of disabled passengers, potentially engaging public law and equality considerations. In either scenario, the key legal risk will turn on whether the Council can demonstrate that it has acted rationally, proportionately, and in accordance with its public sector equality duties, with robust evidence and consultation underpinning its decision.
Property:	There are no property implications associated with the consultation, the Policy and any potential amendments to it.
Policy:	In July 2020 the Department for Transport issued new guidance in relation to hackney carriage and private hire licensing namely: “Statutory Taxi and Private Hire Vehicle Standards”. This required local authorities to review, revise and

Outcome of the Consultation on the Protected Hackney Carriage Plate Arrangements

	update their policies in relation to hackney carriage and private hire licensing which this report seeks to do. The DfT issued revised best practice guidance on the 17 November 2023. The Hackney Carriage and Private Hire Licensing Policy 2025-2030 was approved by the Licensing Committee on 15 December 2025 subject to some minor amendments being delegated to Officers in consultation with the Chairman and Vice Chairman. The decision was also subject to an agreement to undertake a review of the application of the policy with respect to 'protected plates' within the next six months with a view to implementing any changes proposed at the time of the first annual review. This undertaking has now been fulfilled.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			The policy takes cognisance of both the Equalities Act 2010 and the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 which aims to ensure that disabled people can use Hackney Carriage and Private Hire Vehicle services with confidence that they will not be discriminated against. Nationally young women are one of the largest groups to use taxis. Other groups, such as those who have a disability and those who are elderly may also use taxis more frequently. Any change to policy suggested could impact these groups. A number of comments were received during the consultation relating to: • The number of and demand for Wheelchair Accessible Vehicles (WAVs) • The need to consider other disabilities when setting any policies relating to WAVs. • The concern that some residents, including older residents, who have mobility issues finding it difficult to get into WAVs • The concern that the existence of the protected plates discriminates against wheelchair users. • Concerns that there is inherit age discrimination associated with the issuing of the protected plates. • The fact that the plates restrict fair competition and creates an uneven playing field within the trade sometimes associated with the age and race of the plate holders. • Printed plates are obviously a form of discrimination and should be illegal.
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Outcome of the Consultation on the Protected Hackney Carriage Plate Arrangements

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			The decision reached must take into account The Equality Act 2010 to legally protects individuals with protected characteristics from discrimination, harassment, and victimisation in the workplace and wider society. The removal of protected plates will ensure that all taxi and private hire vehicles are wheelchair accessible Please see Equality Impact Assessment at Appendix C.
Environmental Impact:		x		Members are asked to consider the environmental impact of the four options in coming to a conclusion.
Health Impact:		x		There are no specific health impacts associated with the proposed consultation.
ICT Impact:		x		The outcome of the consultation has been published on the PPP website and the West Berkshire Council website.
Digital Services Impact:		x		The outcome of the consultation was published on the PPP website and the West Berkshire Council website.
Council Strategy Priorities:	x			The Hackney Carriage and Private Hire Licensing Policy as adopted in December 2025 seeks to deliver on or support the following Council priorities: • Tackling the climate and ecological emergency • A prosperous and resilient West Berkshire • Thriving communities with a strong local voice.
Core Business:		x		The assessing and issuing of licences associated with the taxi trade constitutes

			business as usual for the licensing authority. Any amendments arising from the consultation will provide clear and consistent guidance for all involved in the process.
Data Impact:		x	The policy sets out how the Council will deal with data and imposes requirements on the trade as to how they need to deal with it.
Consultation and Engagement:	The methodology and outcome of the consultation is set out in Appendices A and B		

4 Background

- 4.1 On 15 December 2025 the Licensing Committee adopted the Hackney Carriage and Private Hire Licensing Policy 2025–2030.
- 4.2 During consideration of the policy, Members resolved that the protected plate provisions should be reviewed within six months and any proposed amendments be brought back to Committee.
- 4.3 On 24 March 2026 the Licensing Committee approved public consultation on the future of protected plate arrangements.

5. Protected Plate Review

Consultation Process

- 5.1 A seven-week consultation was undertaken between 27 March and 15 May 2026.
- 5.2 Consultation was promoted through:
 - The Council's website.
 - Direct communication with the licensed trade.
 - Social media.
 - Distribution to all Parish Councils.
 - Council press releases.
- 5.3 The consultation sought views on four possible options relating to the future operation of protected licences.

Legal Advice

- 5.4 Prior to the consultation being undertaken the Council obtained independent legal advice from Counsel specialising in licensing and local government law.

- 5.5 Counsel advised that the original rationale for exempting pre-2001 vehicles from wheelchair accessibility requirements was understandable when introduced. However, over twenty years have now elapsed and the justification for maintaining a permanent exemption has weakened significantly.
- 5.6 Counsel advised that the Council must consider:
- The Equality Act 2010.
 - The Public Sector Equality Duty.
 - Accessibility needs of disabled persons.
 - Fairness and consistency across the licensed trade.
- 5.7 Counsel noted that protected plate holders are currently treated differently from other proprietors as they are exempt from accessibility requirements applicable to the remainder of the hackney carriage fleet.
- 5.8 Particular concern was expressed regarding the transferability of protected plates. Whilst transitional protections for existing licence holders may be justifiable, extending those rights to family members or successors creates ongoing distinctions between licence holders which may become increasingly difficult to objectively justify.
- 5.9 Counsel advised that the most legally robust approaches would be:
- Removal of the exemption on transfer after a specified date; or
 - Removal of the exemption after a reasonable transitional period.
- 5.10 Counsel advised that retention of the exemption indefinitely is the least legally defensible option.
- 5.11 Counsel further advised that provided Members conscientiously consider consultation responses, accessibility needs and equality impacts, there is no significant risk of successful legal challenge arising solely from removal or phased withdrawal of the exemption.
- 5.12 Counsel indicated that greater legal risk could arise if insufficient regard is given to the needs of disabled persons and the Council's accessibility objectives.

Consultation Findings

5.13 Thirty-eight responses were received with the make-up of the respondents set out below:

- 12 proprietors;
- 1 proprietor/driver;
- 8 drivers;
- 16 members of the public;
- 1 taxi user.

Option 1

Removal upon transfer from 1 January 2027

- 56.7% support
- 40.0% oppose
- 3.3% neutral

Those supporting the proposal cited:

- Improved accessibility.
- Greater equality.
- A fairer licensing regime.

Those opposing the proposal highlighted:

- The value of maintaining a mixed fleet.
- Financial implications for protected plate holders.
- Implementation and enforcement concerns.

Option 2

Removal upon renewal from 1 January 2029

- 46.7% support
- 50.0% oppose
- 3.3% neutral

Supporters viewed the proposal as a proportionate approach to improving accessibility and fairness.

Opponents emphasised:

- Passenger preference for saloon vehicles.
- Customer choice.
- The benefits of maintaining a mixed vehicle fleet.

Several respondents suggested retention of existing rights for current licence holders whilst preventing future transfers.

Option 3

Retain exemption but remove family transfers

- 16.7% support
- 76.7% oppose

Opposition came from two distinct perspectives:

- Those seeking stronger measures to improve accessibility.
- Existing proprietors concerned about family succession rights and the financial value of protected plates.

Option 4

Retain current arrangements

- 20.0% support
- 76.7% oppose

Respondents opposing this option cited:

- Fairness concerns.

- Accessibility considerations.
- Perceived competitive advantages enjoyed by a limited number of licence holders.

Supporters considered existing transfer rights should remain in place and argued that the value of protected plates should continue to be preserved.

5.14 Option 1 attracted the greatest level of support amongst respondents.

5.15 Both retention options attracted substantial opposition.

Financial Impact on Licence Holders

5.16 The protected plate exemption primarily relates to wheelchair accessibility requirements; however, Members should recognise that accessibility is also a safeguarding issue.

5.17 Wheelchair users, elderly passengers, people with mobility impairments and some vulnerable adults may be dependent on the availability of accessible vehicles to travel safely and independently.

5.18 Where an accessible vehicle is unavailable, vulnerable passengers may experience:

- Increased waiting times;
- Reduced availability of transport services;
- Greater dependence on carers or family members;
- Increased risk of social isolation;
- Missed medical appointments;
- Reduced access to employment, education and community services.

5.19 The continuation of the protected plate exemption may therefore reduce the speed at which the hackney carriage fleet becomes fully accessible and could limit the availability of suitable vehicles for disabled passengers.

5.20 Conversely, the phased removal of the exemption would support the Council's objective of increasing the proportion of accessible vehicles within the licensed fleet and improve the overall availability of services for disabled and vulnerable passengers.

5.21 Members should recognise that any withdrawal of the protected plate exemption may result in financial implications for affected proprietors.

5.22 Wheelchair Accessible Vehicles are generally more expensive to purchase than conventional saloon vehicles and may also result in increased costs associated with:

- Vehicle finance;
- Insurance
- Training;
- Maintenance;
- Repairs;
- Specialist equipment servicing.

5.23 Proprietors have also highlighted that protected plates may carry a perceived commercial value arising from the flexibility of operating saloon vehicles.

- 5.24 However, hackney carriage licences do not create permanent property rights and licensing authorities may amend licensing requirements where necessary to promote public safety, accessibility and equality objectives.
- 5.25 Both Option 1 and Option 2 provide transitional arrangements intended to minimise financial impacts whilst enabling progression towards a more accessible fleet.

6. Conclusion

- 6.1 Members are invited to consider the results of the public consultation, the independent legal advice received from Counsel, and the Council's duties under the Equality Act 2010 and Public Sector Equality Duty.
- 6.2 The consultation demonstrated limited support for retaining the current arrangements, with the highest level of support expressed for the removal of the protected plate exemption upon transfer of a licence. The responses also indicate a recognition of the need to improve accessibility within the hackney carriage fleet whilst balancing the potential financial impact on existing licence holders.
- 6.3 Counsel's advice is clear that the legal justification for maintaining a permanent exemption has weakened significantly over time and that indefinite retention of the exemption is the least legally robust option. Members must also have regard to the needs of disabled and vulnerable passengers and the Council's wider accessibility objectives when determining the future of the scheme.
- 6.4 A phased withdrawal of the exemption, whether through removal on transfer or after a defined transition period, would support the progressive increase in wheelchair accessible vehicles within the fleet while providing proprietors with time to adapt to the changes. Such approaches are also considered by Counsel to be the most legally defensible options.
- 6.5 Members may also wish to consider an alternative approach whereby existing protected plate holders retain the exemption for the duration of their ownership, but the exemption ceases upon any transfer of the licence to a third party. This would preserve the current position for existing proprietors whilst ensuring that the exemption is gradually phased out over time.
- 6.6 The Committee is therefore asked to determine which option best balances the objectives of accessibility, equality, fairness within the licensed trade, and the legitimate interests of existing licence holders.

7 Appendices

- A. Consultation Document
- B. Outcome of the Consultation
- C. Equality Impact Assessment

8 Background Papers:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Equalities Act 2010
- Data Protection Act 2018
- Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022
- Existing Hackney Carriage and Private Hire Licensing Criminal Convictions Policy
- Taxi and private hire best practice guidance for local authorities in England
- Statutory taxi and private hire vehicle standards
- Hackney Carriage and Private Hire Licensing Policy 2025 - 2030

Subject to Call-In:

Yes: ☒ No: ☐

Wards affected: All

Officer details:

Name: Mark Groves
Job Title: Licensing Operations Manager
Tel No: 01635 519184
E-mail: mark.groves1@westberks.gov.uk

Start date: 27/03/2026
End date: 15/05/2026
Results date: 29/05/2026

url:

Proposed amendment to the Hackney Carriage and Private Hire Licensing Policy 2025-2030: Protected Plates & Accessibility

Background

The [Hackney Carriage and Private Hire Licensing Policy 2025-2030](#) was approved by the Licensing Committee on 15 December 2025 subject to some minor amendments being delegated to Officers in consultation with the Chairman and Vice Chairman. The decision was also subject to an agreement to undertake a review of the application of the policy with respect to 'protected plates' within the next six months with a view to implementing any changes proposed at the time of the first annual review.

This is a new policy which outlines the framework for licensing hackney carriage and private hire vehicles, drivers, and operators within West Berkshire. Prior to the adoption of the policy the trade was licensed subject to a set of terms and conditions in relation to each licence type as well as a convictions policy. The Department for Transport (DfT) issued a set of Statutory Standards which stated that local authorities should produce a 'cohesive policy document' that brings all procedures together. The Council undertook a consultation on its original draft policy and has been working with the trade to develop the current version of the policy presented to the December 2025 Licensing Committee.

The policy sets out the approach that will be taken by the Council when determining if a private hire, hackney carriage or operator licence will be granted and provides information for applicants, licence holders, the business sector and the citizens of and visitors to the district in respect of taxi licensing. The policy also explains the principles that guide decision-making, the standards expected of license holders, and the processes for compliance and enforcement.

The policy recognises that Hackney Carriage and Private Hire trade is an essential part of the local transport network, providing safe, reliable, and accessible services to residents, businesses, and visitors and seeks to strike a careful balance between safeguarding passengers while supporting a competitive and thriving industry.

The Council licenses five different types of vehicles:

- Wheelchair Accessible Vehicles (WAV).
- Non-Wheelchair Accessible Vehicles.
- Swivel-seated Vehicles.
- Stretched limousines.
- Novelty vehicles.

Prior to 2002 the Council had in place a limit on the number of Hackney Carriage Vehicle Licences that were issued in the zone that covered the former Borough of Newbury (the 'Town Zone'). The 'District Zone' which covered the remainder of the West Berkshire Council administrative area had no limit applied. In 2002 the Council made the decision to remove the limit on the number of licences that could be issued in the 'Town Zone' but in doing so implemented a condition that all new licences that would be granted for this zone would require the vehicle to be wheelchair accessible. The original vehicle licence holders were given a protection that allowed them to continue to operate saloon vehicles whilst they remained the licence holder. The protection applied to all licences issued prior to the 1st April 2001.

In April 2005 the Licensing Committee considered a proposal to allow the so-called 'protected plates' (the original 'Town Zone' Newbury Hackney Carriage Vehicle Licences) to be transferred to immediate family thus creating the so called 'family exemption' along with other proposals. The proposals were adopted. The report and minutes can be found here: [West Berkshire Council - Meeting of Licensing Committee on Tuesday 26 April 2005](#)

The effect of this was to update the Council's Hackney Carriage Vehicle Licence Conditions as follows:

1. If a taxi proprietor transfers in whole or in part his interest in a hackney carriage proprietor's licence, that transfer shall, subject to the family exemption, be treated as a grant of a new licence for the purpose of the applicability of the disabled access condition. Therefore, the disabled access condition requiring the provision of a fully wheelchair accessible vehicle will be applied to that licence with immediate effect from the date that the licence is transferred.

The Family Exemption

2. Any transfer by a hackney carriage proprietor of an interest in his licence, in whole or part, which is limited to a transfer of such interest to a member of the proprietor's immediate family as defined below, shall not be affected by the disabled access condition to any greater extent than the licence would have been affected had the transfer not occurred. Therefore, upon a transfer to a family member of an interest in a hackney carriage proprietor's licence, the relevant disabled access condition applicable to that licence immediately before the transfer was effected will remain in force.

3. For these purposes, 'immediate family' shall mean the:-

- Mother or Father
- Spouse or partner
- Children
- Brothers or Sisters
- Step-Mother or Step-Father
- Step-Children
- Step-Brothers or Step-Sisters of the hackney carriage proprietor, but shall not extend to any additional family member.

4. Where it is claimed upon the transfer of an interest in a hackney carriage proprietors licence that the family exemption applies, it shall in every case be for the proprietor of the licence to prove that a family relationship exists within the above definitions.

At the time of this consultation there are still 29 number Hackney Carriage Vehicle Licences that the saloon car protection and 'family exemption applies'.

What we are proposing:

The Council is of the view that the current policy should be reviewed to establish whether the protections and exemptions are still appropriate given the passage of over 23 years since the protection was applied and 20 years since the 'family exemption' became policy. Options include but are not restricted to:

- Phasing out the exemption for all licences renewed after 1st January 2029
- Phasing out the exemption for all licences transferred to any party from 1st January 2027
- Retain the current exemption but remove the ability to transfer to a family member
- Retain the current exemption and continue to allow the plates to be transferred to an immediate family member.

Why we want your views

We'd like your views on our proposed changes to our Hackney Carriage and Private Hire Licensing Policy 2025-2030, specifically regarding exemptions for pre-2001 licensed taxis and wheelchair accessibility requirements. Your feedback is essential to help shape a policy that balances these priorities.

How to take part

If you'd like to comment on our proposals, please complete our survey. It should take about xxx minutes.

Complete our survey

You can also send us your comments by email to PPPConsultations@westberks.gov.uk or by post to Moira Fraser, Public Protection Manager, Public Protection Partnership, Theale Library, Church Street, Theale, Berkshire RG7 5BZ

All responses must reach us by midnight on Friday, 15th May 2026 if they are to be considered.

If you have any questions, please contact PPPConsultations@westberks.gov.uk

What happens next?

All feedback we receive will be reviewed and inform an updated version of the Hackney Carriage and Private Hire Licensing Policy 2026, which will be considered by the Licensing Committee at their meeting on the 06 July 2026. If approved, the updated policy will be published on the PPP website and the Council's [Strategies, Policies and Plans webpage](#).

Any personal information you choose to provide will be kept confidential and used in accordance with our [privacy statement](#).

Survey monkey questionnaire

Section 1: About You

1. Are you responding as: Taxi proprietor / Driver / Operator/ Member of the public/Taxi user/Disability and/or accessibility organisation / Other (please specify)
2. Are you a holder of a Hackney Carriage Vehicle Licence Plate which is not subject to a condition relating to disabled access?

Section 2: Awareness & Understanding

3. Were you aware of the current exemption for pre-2001 licensed taxis regarding wheelchair accessibility? Yes / No

Section 3: Proposed Changes

4. The Council is considering phasing out the exemption by applying accessibility conditions to all licences renewed after 1 January 2029 and to all licences transferred after 1 January 2027. To what extent do you support or oppose this approach? matrix (please explain)

Separate question for the date?

Section 4: Impact & Fairness

5. What impact would the proposed changes have on: Your business / Accessibility for disabled passengers / Competition within the trade

Section 6: Additional Comments

6. Do you have any further comment?

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Outcome of the Proposed amendment to the Hackney Carriage and Private Hire Licensing Policy 2025-2030 with respect to protected plates and accessibility Consultation

Background

The [Hackney Carriage and Private Hire Licensing Policy 2025-2030](#) sets out the approach that will be taken by West Berkshire Council (WBC) when determining if a private hire, hackney carriage or operator licence will be granted and provides information for applicants, licence holders, the business sector and the citizens of and visitors to the district in respect of taxi licensing. The policy also explains the principles that guide decision-making, the standards expected of license holders, and the processes for compliance and enforcement. It recognises that Hackney Carriage and Private Hire trade is an essential part of the local transport network, providing safe, reliable, and accessible services to residents, businesses, and visitors and seeks to strike a careful balance between safeguarding passengers while supporting a competitive and thriving industry.

Following a public consultation in May 2025, the policy was approved by the [Licensing Committee on 15 December 2025](#) subject to some minor amendments being delegated to Officers in consultation with the Chairman and Vice Chairman. The decision was also subject to an agreement to undertake a review of the application of the policy with respect to 'protected plates' within the next six months with a view to implementing any changes proposed at the time of the first annual review.

Prior to the adoption of the policy, the trade was licensed subject to a set of terms and conditions in relation to each licence type as well as a convictions policy. The Department for Transport (DfT) issued a set of [Statutory Standards](#) which stated that local authorities should produce a 'cohesive policy document' that brings all procedures together.

The council licenses five different types of vehicles:

- Wheelchair Accessible Vehicles (WAV)
- Non-Wheelchair Accessible Vehicles (NWAV)
- swivel-seated vehicles

- stretched limousines
- novelty vehicles

The Council has two Hackney Carriage Licensing Zones.

Prior to 2002 the number of Hackney Carriage Vehicle Licenses that were issued in the zone that covered the former Borough of Newbury (the 'Town Zone') were capped in number. The 'District Zone' which covered the remainder of the West Berkshire Council administrative area had no limit applied.

In 2002, the Council made the decision to remove the limit on the number of licences that could be issued in the 'Town Zone', and in doing so implemented a condition that all new licences granted for this zone would require the vehicle to be wheelchair accessible. All those that had been issued with a licence prior to 1 April 2001 were allowed to continue to operate saloon vehicles whilst they remained the licence holder. These became referred to as 'protected plates'.

In April 2005 the Licensing Committee considered a proposal to allow the 'protected plates' to be transferred to immediate family thus creating the so called 'family exemption' along with other proposals. The proposals were adopted at the [Licensing Committee meeting on Tuesday, 26 April 2025](#).

The effect of this was to update the council's Hackney Carriage Vehicle Licence Conditions as follows:

1. If a taxi proprietor transfers in whole or in part his interest in a hackney carriage proprietor's licence, that transfer shall, subject to the family exemption, be treated as a grant of a new licence for the purpose of the applicability of the disabled access condition. Therefore, the disabled access condition requiring the provision of a fully wheelchair accessible vehicle will be applied to that licence with immediate effect from the date that the licence is transferred.

The Family Exemption

2. Any transfer by a hackney carriage proprietor of an interest in his licence, in whole or part, which is limited to a transfer of such interest to a member of the proprietor's immediate family as defined below, shall not be affected by the disabled access condition to any greater extent than the licence would have been affected had the transfer not occurred. Therefore, upon a transfer to a family member of an interest in a hackney carriage proprietor's licence, the relevant disabled access condition applicable to that licence immediately before the transfer was affected will remain in force.

3. For these purposes, 'immediate family' shall mean the:

- mother or father
- spouse or partner
- children
- brothers or sisters
- step-mother or step-father
- step-children
- step-brothers or step-sisters of the hackney carriage proprietor but shall not extend to any additional family member

4. Where it is claimed upon the transfer of an interest in a hackney carriage proprietors' licence that the family exemption applies, it shall in every case be for the proprietor of the licence to prove that a family relationship exists within the above definitions.

At the time of this consultation there are still 35 number Hackney Carriage Vehicle Licences that the saloon car protection and 'family exemption applies'.

What we proposed

We consulted on proposed changes to the "protected plate" arrangements for pre-2001 hackney carriages to ensure our taxi licensing policy remains lawful, fair and accessible. Maintaining long-standing exemptions from wheelchair-access requirements may create inconsistency and competitive advantage within the trade. As a licensing authority we must have due regard to our Public Sector Equality Duty under section 149 of the Equality Act 2010, including the need to eliminate discrimination, advance equality of opportunity and improve access for disabled people. We are therefore seeking views on options (including a time-limited phase-out of the current exemption) that would promote a consistently accessible fleet while mitigating undue hardship for existing proprietors. This engagement will enable licence holders, user groups and local disability and accessibility organisations to inform the final approach before any decision is taken.

The options were:

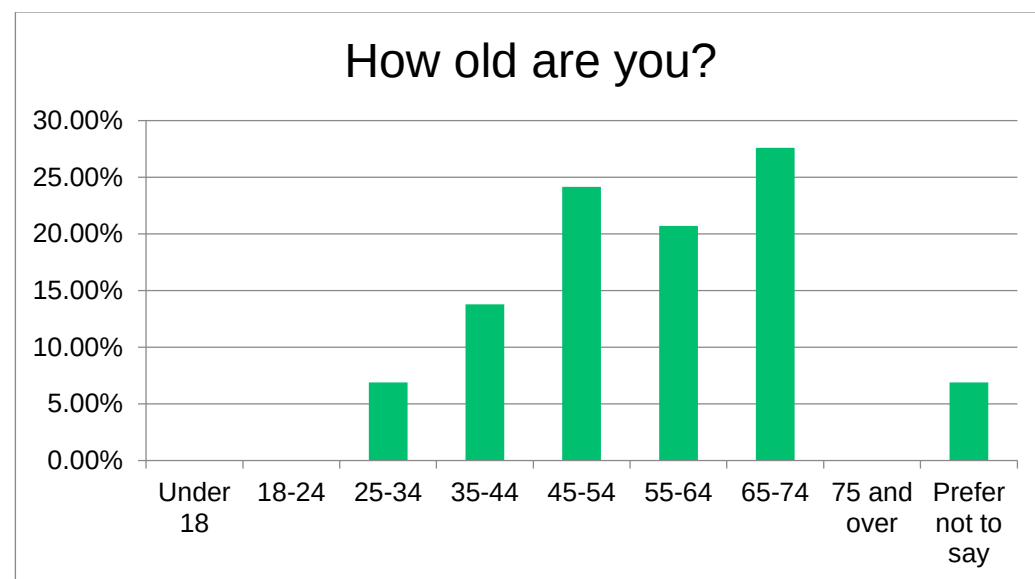
- Phasing out the 2001 exemption for all licences renewed after **1st January 2029**.
- Phasing out the 2001 exemption for all licences transferred to any party from **1st January 2027**.
- Retain the current 2001 exemption but remove the ability to transfer to a family member.
- Retain the current 2001 exemption and continue to allow the plates to be transferred to an immediate family member.

Who and How we Consulted

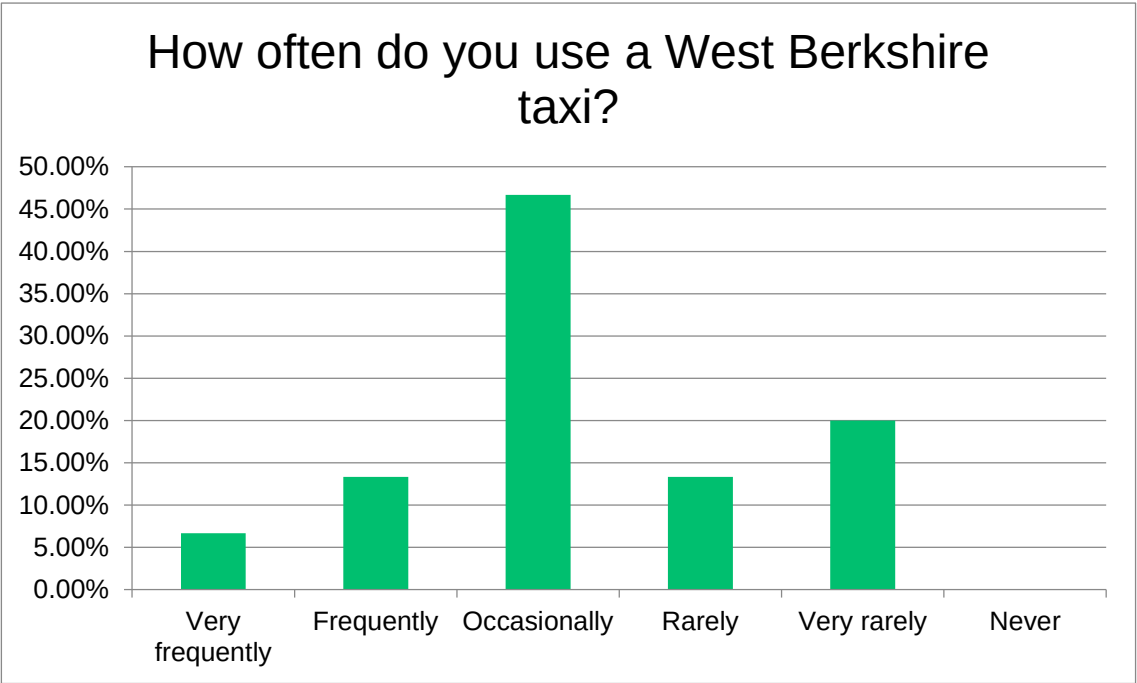
- The consultation ran from 27 March 2026 to 15 May 2026.
- The consultation was posted on the West Berkshire Council website on the 27 March 2026.
- A link to the consultation was emailed individually to the trade for their comments on the 30 March 2026.
- A link to the consultation was emailed to all parish Councils on the 01 April 2026.
- The consultation was promoted via a press release on the 02 April 2026 and Social Media posts on 30 March 2026.

What you Told Us

We received 37 online responses, and one comment was emailed directly to the Service during the consultation period. Of the 38 respondents 12 described themselves as taxi proprietors, one as both a proprietor and a driver, 8 as taxi drivers, 16 as members of the public and one as a taxi user. Two thirds of the respondents identified as male and 96% of the respondents that answered the question said they lived in West Berkshire. One of the respondents stated that they were holder of a Hackney Carriage Vehicle Licence Plate which is not subject to a condition relating to disabled access. The age range of the respondents is set out in the table below.



The response to the question ‘How often do you use a West Berkshire taxi?’ was answered by 15 people and their responses are set out below.



The 37 responses to the questions asked in the online consultation are set out below.

Question 4 - Were you aware of the current exemption for pre-2001 licensed taxis regarding wheelchair accessibility?

Options	Responses
Yes	25
No	11
Skipped	1

Question 5 - To what extent do you support or oppose the following proposed changes to our Hackney Carriage and Private Hire Licensing Policy 2025-2030, specifically regarding exemptions for pre-2001 licensed taxis and wheelchair accessibility requirements?

Option 1 - Phase out the pre-2001 exemption for all licences transferred to any party from 1 January 2027.

Options	Responses
Strongly Oppose	10
Oppose	2
Neutral	1
Support	1
Strongly Support	16
Not Sure	0
Skipped	7

View on this option

Options	Responses
Oppose	12 (40%)
Support	17 (56.7%)
Neutral/ Not sure	1 (3.3%)

Ref No	Option	Comments Received
1.1	Strongly Oppose	Saloon vehicles must be maintained to maintain a mixed fleet of accessibly vehicles for all disabilities. The words within the question " transferred to any party " are incorrect as any licences are restricted to Family only, this council has failed, allowing licences to be abused.
1.2	Strongly Oppose	For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone. There are different needs.
1.3	Strongly Oppose	After working in this trade it felt like a kick in the teeth that when you build a business or invest in one the council decide to take our businesses and throw them away taking what we have worked for and looking forward to be able to have a retirement income that we have put many things on hold until we retire now gone out the window. I cannot see why when you have a business that you have the right to say it is worthless (which is basically you are saying) .

1.4	Strongly Oppose	I paid a lot of money for my plate. If I was to loose my plate I would have to buy a new plate & vehicle. There is more than enough wheelchair taxis out there. Unfortunately a lot of drivers would not pull on rank if there is a person in a wheelchair. I have on occasions a person in a wheelchair where the wheels come off. Would rather get in a normal car as it makes them feel normal. Also some taxi companies will not take pre bookings for wheelchair taxis. This is the reason I chose option 4. I would also like to mention that elderly people also like to get in a normal car as wheelchair vehicles they have difficulty getting into them
1.5	Strongly Oppose	These plate have cost the propriators thousands of pounds, this should not even be a discussion as it says in your letter that there are only 35 grandad plates left. Compared to many more wheelcair access vehicles. Maybe you should be consentrating on the drivers in wheelchair vehicles that refuse to carry a wheelchair. And will drive past the ranks to avoid picking them up. If this continues i can see the council have a few court cases on there hands. You cant punish the propriators that have paid thousands of pounds for there plates when you can buy a wheelchair plate for £333.00. Then you are exspecting them propriators to spend thousands more on a wheelchair vehicle. You will be putting people out of work for no reason what so ever. For these reasons i am against your proposal and choose option 4. Many thanks for your time.
1.6	Strongly Oppose	The Hackney Carriage Ranks needs a fixed fleet, this is the only way to achieve this.
1.7	Strongly Oppose	As a driver of 42 years, I have seen in 3 taxi areas the rush to wav only vehicles. This being done so that was vehicles will be available for wheelchair users. It doesn't work. Drivers will leave ranks to avoid doing the wheelchair job, or make up some excuse. This area and the other2 areas that I have worked have an abundance of wav taxis. But cannot find one when they need one. Several reasons for this, but unless you consult properly, you will never know all the reasons.
1.8	Strongly Oppose	Saloon vehicles must be maintained to maintain a mixed fleet of accessibly vehicles for all disabilities. The words within the question " transferred to any party " are incorrect as any licences are restricted to Family only, this council has failed, allowing licences to be abused.
1.9	Strongly Oppose	For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone. There are different needs.
1.10	Oppose	It is already difficult for licensed taxis to adhere with the legistation and compete with unlicensed operators such as Uber. Taxi firms should be allowed to offer two levels of service - one that includes wheelchair users and another that does not. In my opinion this would result in a much fairer system.

1.11	Oppose	Tha cabs are expensive to run therefore expensive to use
1.12	Support	I would agree with phasing it out, but would be concerned of the cost implication to make the required changes by Jan 2027. It may disadvantage some lower-income taxi operators who would need to save and /or make changes to the way they operate their business.
1.13	Strongly Support	"I strongly support this proposal. Existing protected plate holders who are actively working within the trade should be allowed to retain their exemption while they continue operating. However, the exemption should not transfer to family members, third parties, or new owners after transfer. The current system is unfair as some protected plates are effectively rented out for financial gain rather than being used by the original working driver. This creates an uneven playing field and restricts fair competition within the trade. Licensing policy should focus on active service provision, accessibility, and fairness rather than allowing protected plates to become inheritable or tradable assets."
1.14	Strongly Support	i can never get a wheelchair taxi when trying to transport my elderly father.
1.15	Strongly Support	The current Policy is discriminating disabled access requirements under the Equality Act 2010. Why is West Berkshire Council honouring the protected plates policy, who is this benefiting? If you are disabled you should be able to call a taxi and expect the same access requirements over the fleet. This exemption is a nonsense, policy should be equal to all operators not just for a few. Surely this exemption creates extra work for a cash strapped Council.
1.16	Strongly Support	we need to have a level playing field with no commercial advantage for some.
1.17	Strongly Support	The protected plates are enabling discrimination against the disabled. If I have a need for accessible taxis I want all of them to be accessible.
1.18	Strongly Support	Simplify & update legacy rules
1.19	Strongly Support	The introduction of the exemption policy has been in place for sufficient decades that proprietors have had time to prepare their individual business policy to support all users by moving to operating disability-friendly vehicle(s).
1.20	Strongly Support	To try to make cars more easily accessible for all irrespective of access requirements
1.21	Strongly Support	This proposal combined the second option. No family transfer from January 2027 with a view for all licences renewed after 2029 to not have the exemption. This then stops the family transfer earlier but also gives existing protected plate drivers time to to plan ahead.
1.22	Strongly Support	It's deeply unfair to the wider taxi community. Not only are ordinary drivers being discriminated against, but the protected plates system is being exploited in ways that

		completely undermine its original purpose. These plates—intended to support genuine family needs—are now being sold on for profit, rented out, or used by people with no family connection whatsoever. Meanwhile, drivers with smaller cars are benefiting from privileges that those operating WAVs simply don't get, despite WAV drivers carrying the heavier financial and operational burden. The imbalance is stark. What was meant to be a safeguard has turned into a loophole. The “full protection” status is being abused, monetised, and manipulated. Owners are charging fees, transferring plates informally, and allowing unrelated individuals to operate under protections they were never entitled to. This isn't just unfair—it's a systemic failure that harms compliant drivers, distorts the market, and rewards those who misuse the system. It needs urgent scrutiny and reform.
1.23	Strongly Support	I have always argued that ALL Hackney in west Berkshire should be on an equal playing field I.e. wheelchair accessible!!!
1.24	Strongly Support	“I strongly support this proposal. Existing protected plate holders who are actively working within the trade should be allowed to retain their exemption while they continue operating. However, the exemption should not transfer to family members, third parties, or new owners after transfer. The current system is unfair as some protected plates are effectively rented out for financial gain rather than being used by the original working driver. This creates an uneven playing field and restricts fair competition within the trade. Licensing policy should focus on active service provision, accessibility, and fairness rather than allowing protected plates to become inheritable or tradable assets.”

Option 2 - Phase out the pre-2001 exemption for all licences renewed after 1 January 2029.

Options	Responses
Strongly Oppose	12
Oppose	3
Neutral	1
Support	2
Strongly Support	12
Not Sure	0
Skipped	7

View on this option

Options	Responses
Oppose	15 (50%)
Support	14 (46.7%)
Neutral/ Not sure	1 (3.3%)

Ref No	Option	Comments Received
2.1	Strongly Oppose	Saloon vehicles must be maintained to maintain a mixed fleet of accessibly vehicles for all disabilities. Taxis and Private Hire Vehicles are not the same, Officers are incorrect saying Private Hire Saloon vehicles represents a mixed fleet
2.2	Strongly Oppose	The protected plates are enabling discrimination against the disabled. If I have a need for accessible taxis I want all of them to be accessible.
2.3	Strongly Oppose	This exemption should be retained so that licensed taxi firms can compete with unlicensed firms.
2.4	Strongly Oppose	This will enable proprietors that have recently entered into new vehicle lease contracts to gain the benefit of the agreement and not be too adversely financially impacted, however, I don't recall being in a new vehicle operated as a taxi, so I doubt there is little need for extending the policy by 2.5 years
2.5	Strongly Oppose	For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone. There are different needs.
2.6	Strongly Oppose	Customers do not want to sit in Wheelchair Vehicles.
2.7	Strongly Oppose	You need the protected plated saloons, elderly customers struggle with the Wav vehicles. Again consult properly.
2.8	Oppose	I oppose this proposal because existing active protected plate holders who continue working within the trade should be permitted to retain and renew their licences. Many long-serving drivers have operated under the current system for many years and should not suddenly lose their exemption while still actively providing a service. However, I support ending the transfer of protected plates to third parties or family members, as the exemption should remain linked to the original working driver only. This would provide a fair balance between protecting existing livelihoods and preventing protected plates from becoming permanent transferable assets.
2.9	Oppose	in the last 20 years i believe the Council has had no interest in the trade.
2.10	Support	Delay in implementation of phasing out not ideal

2.11	Strongly Support	i can never get a wheelchair taxi when trying to transport my elderly father.
2.12	Strongly Support	we need to have a level playing field with no commercial advantage for some.

Option 3 - Retain the current pre-2001 exemption but remove the ability to transfer to a family member.

Options	Responses
Strongly Oppose	21
Oppose	2
Neutral	2
Support	2
Strongly Support	3
Not Sure	0
Skipped	7

View on this option

Options	Responses
Oppose	23 (76.7%)
Support	5 (16.7%)
Neutral/ Not sure	2 (6.6%)

Ref No	Option	Comments Received
3.1	Strongly Oppose	all plates should be phased out to improve the overall standard of vehicles permitted to transport the west berks public. This should also allow more space on ranks for fully accessible wheel chair vehicles.
3.2	Strongly Oppose	i can never get a wheelchair taxi when trying to transport my elderly father.
3.3	Strongly Oppose	Nothing wrong with this to allow transfer to a family member the criteria is already in place
3.4	Strongly Oppose	the whole fleet should be disability friendly in this day and age to eliminate discrimination.
3.5	Strongly Oppose	The protected plates are enabling discrimination against the disabled. If I have a need for accessible taxis I want all of them to be accessible.
3.6	Strongly Oppose	This exemption should be retained so that licensed taxi firms can compete with unlicensed firms.
3.7	Strongly Oppose	Full compliance with providing non-discriminatory transport is overdue

3.8	Strongly Oppose	For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone. There are different needs.
3.9	Strongly Oppose	I say please leave the protected plates as they are and allow owners the right to be able to transfer thier business to another interested party Knowing that the company can keep the saloon status but if they resale then there would not be any Grandfather rights to them and the new owner/company would have to go WAVs therefore trying to keep saloon taxis available for the public. where they find it difficult to climb into a restricted entrance on some cars or climb into a MPV after being in this trade since the early 1980sthere has not been enough thought to the taxi trade and its customer usage
3.10	Strongly Oppose	Have had too many experiences of not being able to source suitable vehicle
3.11	Strongly Oppose	I think it is a good idea being able to leave my plate to family members not only that point but I think we should be able to sell them to other taxi drivers as it would help with drivers retirement
3.12	Strongly Oppose	All Hackney should be wheelchair accessible so there is no unfairness!!!
3.13	Oppose	Would need more assurance the service would be maintained to standard
3.14	Neutral	Doing this would mean that the pre 2001 exemption would run out eventually anyway when the current licence holder passes away and so in some cases this could work, but it does kick the can down the road still somewhat.
3.15	Strongly Support	"I strongly oppose continuing family transfer rights for protected plates. Allowing plates to pass to family members would continue the unfairness within the trade and effectively create permanent inherited privileges unavailable to other drivers. Licensing policy should prioritise fairness, accessibility, and active participation in the trade rather than allowing protected plates to operate as transferable family assets."
3.16	Strongly Support	I believe this is fair. The Protected Plates currently could finish, when the Plate is no longer required. Plate should not be allowed to move to other members of blended/extended family, especially if these people are not in the trade. Currently PPP/Licensing are allowing these plates to be rented out within the Trade, which is not right.

Option 4 - Retain the current pre-2001 exemption and continue to allow the plates to be transferred to an immediate family member.

Options	Responses
Strongly Oppose	20
Oppose	3
Neutral	1
Support	0
Strongly Support	6
Not Sure	0
Skipped	7

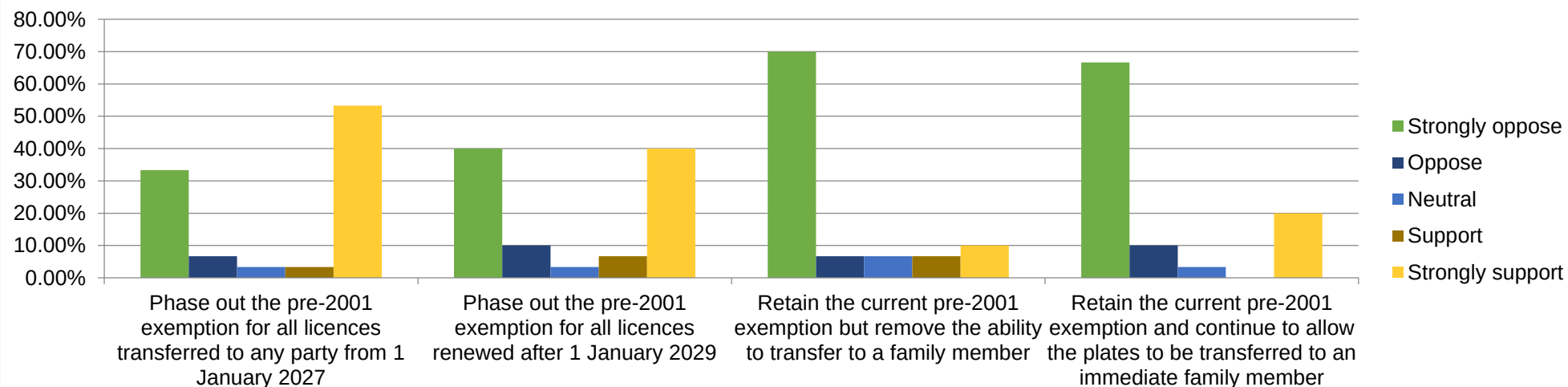
View on this option

Options	Responses
Oppose	23 (76.7%)
Support	6 (20%)
Neutral/not sure	1 (3.3%)

Ref No	Option	Comments Received
4.1	Strongly Oppose	"I strongly oppose continuing family transfer rights for protected plates. Allowing plates to pass to family members would continue the unfairness within the trade and effectively create permanent inherited privileges unavailable to other drivers. Licensing policy should prioritise fairness, accessibility, and active participation in the trade rather than allowing protected plates to operate as transferable family assets."
4.2	Strongly Oppose	The main thing you need to stop are these plates being rented out by holders to any random driver.
4.3	Strongly Oppose	i can never get a wheelchair taxi when trying to transport my elderly father.
4.4	Strongly Oppose	the whole fleet should be disability friendly in this day and age to eliminate discrimination.
4.5	Strongly Oppose	The protected plates are enabling discrimination against the disabled. If I have a need for accessible taxis I want all of them to be accessible.
4.6	Strongly Oppose	Full compliance with providing non-discriminatory transport is overdue
4.7	Strongly Oppose	For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone. There are different needs.
4.8	Strongly Oppose	Not sure this clause has been correctly applied
4.9	Strongly Oppose	Remaining as current keeps a level of uncertainty for less able people.

4.10	Strongly Oppose	Members should be more involved and understand their decisions. Members should find a way of getting a fixed fleet on Hackney Carriage Ranks. Hackney Carriage are losing work to the Private Hire Fleet, which is how passengers can sit in a vehicle which is a saloon vehicle.
4.11	Strongly Oppose	As commented above, because the fraud and discrimination will continue
4.12	Strongly Oppose	Time to stop this and make all things equal!! It's not fair for new drivers to purchase wheelchair vehicles when these past rules apply to exemption plates- How can this be Equal for drivers and customers who need access to Taxis that provide wheel chair access !!! It's about time this changed and a stop is put this!!
4.13	Oppose	I wanted to think that after all these years of being serving the people of west berkshire it could have done more for the taxi trade
4.14	Strongly Support	As above, also maybe lift the family exemption and let the propriators have a right to sell on there plates to whoever. Many councils allow this, i find this will allow the older drivers to retire and have a nice life and cash in on there investment.

To what extent do you support or oppose the following proposed changes to our Hackney Carriage and Private Hire Licensing Policy 2025-2030, specifically regarding exemptions for pre-2001 licensed taxis and wheelchair accessibility requirements?



Question 6 - What do you think the impact of the proposed changes would be on, for example, you, your business, accessibility for disabled passengers and/or competition within the trade?

The responses suggested general support for reforms that increase fairness and accessibility, particularly through reducing reliance on protected plates and encouraging WAV provision. However, there are notable concerns about the impact on certain drivers, business models, and costs, highlighting the need to balance equity with practical implementation.

[View on this question](#)

Options	Responses
Negative Impact	19%
Positive Impact	42%
Neutral / Unknown	19%

The comments are set out in the table below.

Response 6.1 - The proposed changes would create a fairer and more balanced licensing system within the trade. Existing active protected plate holders should be allowed to continue working and retain their exemption while they remain active in the industry. However, protected plates should not continue to be transferred to family members, third parties, or rented out for financial gain.

The current system is unfair because some protected plates are effectively treated as assets that can be leased or passed on indefinitely, giving certain individuals long-term advantages over other working drivers and operators. This restricts fair competition and creates an uneven playing field within the trade.

Removing transfer rights while protecting existing active drivers would improve fairness without unfairly impacting those who have worked in the industry for many years. It would also encourage greater investment in accessible and compliant vehicles by ensuring that all future licence holders operate under the same standards.

Overall, I believe the proposed changes would support a more transparent, sustainable, and fair licensing system while still respecting existing active drivers who currently hold

Response 6.2 - The removal of the plates will improve the overall standard of vehicles on the rank & create a level playing field among drivers in regards to value of the vehicles they can purchase. This will also allow for a greater selection of Wheel chair vehicles access to the rank in town where they are most required.

Response 6.3 - This would allow a fairer trade for all taxis operators but also benefit the customers and especially disabled people

Response 6.4 - Fairer playing field for businesses and better wav provision for disabled passengers
Response 6.5 - There is no need to make any changes, There are enough WAV to serve the district a mixed fleet is WAV and Saloon / Estate vehicles within the Hackney Carriage Trade. All my regular customers request saloon / estate type vehicle my business is a mix of the OAP with and with out disability's and corporate clients No taxi rank work and never flagged So if you make changes, that take away the ability to work within the Hackney Carriage trade, using a saloon / estate vehicles, What happens to the drivers!
Response 6.6 - In in this day and age it is unbelievable that all taxis are not wheelchair and disability enabled.
Response 6.7 - I believe protected plates should be phased out. From my perspective, the current system already places post-2001 licence holders at a disadvantage compared to drivers and families who hold protected plates purely because they entered the trade before 2001. Protected plates come with a racial inequality which has existed within the licensing system for many year. Instead, I believe consideration should be given to creating a pathway for drivers to acquire wheelchair exempt plates.
Response 6.8 - it should create a level playing field and improve availability of cars with wheelchair access.no longer would when you entered the trade or your age provide an advantage or disadvantage to making a success of your business.
Response 9.9 - It would make it more difficult for reliable taxi firms to compete with Uber and other, similar services.
Response 6.10 - I think there are enough accessible cabs available
Response 6.11 - I'm unclear on the benefits of the proposed changes
Response 6.12 - Better competition and a more even playing field
Response 6.13 - Moving to fully compliant, non-discriminatory transport options for all users is long overdue. A single, standard model and policy will simplify council processes and should improve speed of licence approvals/renewals
Response 6.13 - Negative on all but the disabled- who are relatively few in terms of wheelchairs.
Response 6.14 - the loss of saloon cars will be inevitable i believe that more and more people will not go out and get into a taxi on a rank because the would struggle to get into a multi MPV or a WAV I believe all taxis should carry a swivel seat base instead of a fire extinguisher or a first aid kit
Response 6.15 - Make more vehicles available for elderly with mobility issues
Response 6.16 - The changes would be positive as it improves accessibility.
Response 6.17 - Protected Plates should not be completely removed.

If Hackney Carriage Stands are only Wheelchair Accessible vehicles, then Council should advertise this, so visitors know to get a Private Hire Number as they do not want to not be able to sit in Wheelchair Vehicles. Wheelchair Vehicles are expensive.

Response 6.18 - There would be no impacts as they will be in lines with the rest of the taxi drives after being given notices to implement changes

Response 6.19 - Not going to effect me as I am retiring.

Response 6.20 - It will be fair and disabled passengers will have more access to wheelchair vehicles

Response 6.21 - It would be Great for the disabled passengers as more Taxis will be suitable for them to access and as for my business I will accept equal opportunity for ALL Taxi drivers who will all need to supply wheelchair accessible cars for the trade!!!

Question 7 - Do you have any further comments?

The comments are set out in the table below.

Response 7.1 - I believe the Council should aim to create a fair and balanced licensing system that protects accessibility while also ensuring equal treatment for all drivers and operators within the trade. Existing active protected plate holders who have served the community for many years should be respected and allowed to continue operating while they remain active in the industry. However, protected plates should not continue indefinitely through transfers to family members or third parties.

The current system can create unfair advantages where protected plates are treated as financial assets and, in some cases, rented out for profit rather than being operated by the original licence holder. This restricts fair competition and creates barriers for newer drivers entering the trade under modern accessibility requirements.

I support a balanced approach that protects current active drivers but gradually phases out transferable exemptions over time. This would improve fairness, encourage investment in accessible vehicles, and ensure that future licensing standards are applied consistently across the trade.

Response 7.2 - Allow uber and other ride sharing apps

Response 7.3 - Information from institute of licensing

House of Lords reject mandatory taxi accessibility proposals

The House of Lords has voted down a proposed amendment that would have required all taxis in England to meet minimum accessibility standards within three years, dealing a setback to campaigners seeking stronger protections for disabled passengers.

Amendment 268 to the English Devolution and Community Empowerment Bill aimed to compel the government to implement long-standing but unused provisions of the Equality Act 2010. These provisions would allow ministers to introduce national minimum accessibility requirements for taxis, an area where standards currently vary significantly between local authorities.

Supporters of the amendment argued that the measure was necessary to address persistent inequalities in transport access. They highlighted that, despite existing legal powers, successive governments have failed to fully enact nationwide accessibility standards, leaving many disabled passengers unable to rely on taxis for safe and dignified travel.

The amendment would have required any national taxi standards introduced under the Bill to include these accessibility requirements and set a three-year deadline for compliance.

However, peers rejected the proposal by 117 votes to 46.

Opponents did not dispute the importance of accessibility but were understood to favour a more flexible approach, allowing the government discretion over how and when to introduce such standards. Concerns were also raised about the potential financial burden on taxi operators and local licensing authorities.

The defeat means the Bill will proceed without a binding requirement to enforce nationwide accessibility standards, leaving the issue to future policy decisions rather than embedding it directly in legislation.

Response 7.4 - for far to long now these old plates have been abused as a way to use cheap cars with no disabled access to operate a Hackney carriage..a large amount of these plates are rented to drivers who use them to get around wheelchair accessible vesicle requirements .

WBC needs to make sure that everyone gets accessible transport. As soon as possible.

Printed plates are obviously a form of discrimination and should be illegal.

Response 7.5 - Let Uber loose.

Response 7.6 - For longer journeys disabled taxis are uncomfortable. Salon cars far far better. Not every vehicle has to be available to everyone.

There are different needs.

Response 7.7 - Yes I cannot understand why this is up for consultation as there is only 35 plates to be discussed

Response 7.8 - The Taxi Policy is full of errors. Adopted by Members who did not read/understand what they herd voted in.

Response 7.9 - Consult in person with the time served drivers

Response 7.10 - I have always argued for this and will continue to do so!!

Response 7.11 - It seems clear the focus is on phasing out the protected plates, rather than offering any route for post-2001 licence holders to gain similar protections. Given that, I'm concerned this leaves newer licence holders at a permanent disadvantage despite being the group expected to make the largest financial investment into the trade.

I also note that, historically, many of these protected plates are held by long-established white British proprietors. While I fully respect the contribution those drivers have made to the industry, fairness and equal opportunity should also be considered for newer entrants from all backgrounds. Could the Council consider an additional option that creates a pathway for newer proprietors to achieve similar long-term stability, so that accessibility goals are approached on a more level playing field for everyone?

Using my own situation as an example, I am currently looking at purchasing an 8-seater vehicle in order to continue operating and also help meet public demand for larger-capacity transport. However, the financial reality of the proposed requirements is becoming extremely difficult.

A decent Euro 6 compliant 8-seater that is under five years old can already cost in excess of £30,000. If a wheelchair-accessible conversion is then required on top of that, this can easily add another £5,000 or more before licensing, plating, insurance, and ongoing operating costs are even considered.

I believe there needs to be a more balanced and practical approach that allows both the Council and drivers to work together rather than pushing existing proprietors out of the trade. One possible solution could be to provide exemptions or alternative requirements for larger 8-seater vehicles, recognising the additional passenger capacity and the important role they already play in serving the public, airport transfers, families, and group transport.

At present, many drivers are being asked to make extremely large investments with little long-term security or protection in return. The concern is that drivers may simply leave the hackney carriage trade altogether and move into private hire instead, where vehicle entry costs can be significantly lower. For example, I could purchase a suitable private hire vehicle for considerably less than the combined cost of a compliant wheelchair-accessible 8-seater hackney carriage.

I fully support improving accessibility standards, but I believe there should also be realistic pathways that take into account affordability, sustainability for drivers, and the long-term viability of the trade itself.

What happens next

The feedback we have received is being reviewed and will inform an updated version of the Hackney Carriage and Private Hire Licensing Policy 2026, which will be considered by the Licensing Committee at their meeting on the 06 July 2026. If approved, the updated policy will be published on the PPP website and WBC [Strategies, Policies and Plans webpage](#).

West Berkshire Council

Equality Impact Assessment

TEMPLATE

March 2023

Contents

Section 1: Summary details.....	3
Section 2: Detail of proposal	5
Section 3: Impact Assessment - Protected Characteristics	8
Section 3: Impact Assessment - Additional Community Impacts.....	16
Section 4: Review.....	19

Section 1: Summary details

Directorate and Service Area	Public Protection Partnership – Licensing
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	Amendment to Hackney Carriage Licensing Policy (Protected Plates)
Is this a new or existing function or policy?	Existing policy (amendment)
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	The proposal reviews the future of the protected hackney carriage plate exemption, which currently allows a small number of licence holders to operate non-wheelchair accessible vehicles. The options considered range from retaining the exemption to phasing it out over time. The main impacts identified are on disabled and older passengers. Phasing out the exemption would increase the number of wheelchair accessible vehicles (WAVs) within the hackney carriage fleet, improving access to licensed transport for wheelchair users who are unable to transfer from their wheelchair. However, consultation responses indicated that some disabled and older passengers may prefer or find conventional saloon vehicles easier to access, meaning the proposal may have differing impacts depending on individual mobility needs. The proposal may also have financial implications for existing protected plate holders, as WAVs are generally more expensive to purchase, maintain and operate than standard saloon vehicles. These impacts have been balanced against the Council's objective of improving accessibility, fairness and consistency within the licensed vehicle fleet.

	In carrying out this assessment, the Council has had due regard to its duties under Section 149 of the Equality Act 2010 (Public Sector Equality Duty). The proposal supports the Council's duty to advance equality of opportunity by increasing the availability of wheelchair accessible vehicles and improving access to licensed transport for disabled passengers. The Council has also considered the potential impacts on different groups of disabled people and older persons, recognising that while many wheelchair users will benefit from increased WAV provision, some passengers may continue to prefer conventional saloon vehicles. Transitional arrangements and ongoing monitoring are proposed to minimise any adverse impacts and ensure the needs of different users continue to be considered. The assessment has also taken account of the Council's obligations to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations between persons who share a protected characteristic and those who do not. Regard has also been given to the Council's responsibilities under the Human Rights Act 1998, relevant taxi and private hire licensing legislation, and the need to consider accessibility when exercising its licensing functions. Following assessment, the proposal is not considered to unlawfully discriminate against, bias or unfairly disadvantage any protected group. Overall, it is intended to improve accessibility, advance equality of opportunity for disabled people, and support the Council's wider accessibility objectives, with any potential adverse impacts mitigated through transitional arrangements, stakeholder engagement, ongoing monitoring and future policy review
Completed By	Mark Groves
Authorised By	
Date of Assessment	27/07/2026

Section 2: Detail of proposal

Context / Background Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.	The Hackney Carriage and Private Hire Vehicle Licensing Policy 2025–2030 was approved by the Licensing Committee in December 2025. The Policy requires hackney carriage vehicles to be wheelchair accessible; however, a limited number of pre-2001 licences ("protected plates") remain exempt from this requirement and can currently be transferred to immediate family members. When approving the Policy, Members resolved that the protected plate arrangements should be reviewed within six months. A public consultation was subsequently undertaken between 27 March and 15 May 2026 to consider options for retaining, amending or phasing out the exemption. The review was prompted by the Council's aim to improve accessibility within the hackney carriage fleet and legal advice from Counsel, which indicated that the continued indefinite operation and transferability of the exemption is becoming increasingly difficult to justify. Counsel advised that a phased withdrawal of the exemption would be more legally defensible and would support greater consistency, fairness and accessibility within the licensed vehicle fleet. Members are therefore being asked to determine the future operation of the protected plate arrangements. The review has been prompted by the Council's objective of improving accessibility within the hackney carriage fleet and legal advice indicating that the continued indefinite operation and transferability of the exemption may be difficult to justify. The review has highlighted differing transport needs amongst disabled passengers, with increased wheelchair accessible vehicle provision offering benefits for wheelchair users whilst potentially reducing vehicle choice for some disabled and older passengers. These impacts have been considered as part of this Equality Impact Assessment. The financial impacts of vehicle replacement will fall primarily on existing protected plate holders. No evidence has been identified through the consultation or licensing data to indicate that these impacts would fall disproportionately on any particular racial, ethnic or gender group.
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Proposals Explain the detail of the proposals, including why this has been decided as the best course of action.	Members are asked to determine the future of the protected hackney carriage plate exemption, which currently allows a limited number of pre-2001 licences to operate vehicles that are not wheelchair accessible and permits the exemption to be transferred to immediate family members. Following public consultation and legal advice, four options have been identified: Option A – Phase out the exemption for licences transferred to any party from 1 January 2027. Option B – Agree to phase out the exemption upon transfer of a licence but implement the change at a later date, such as 1 January 2029. Option C – Retain the exemption for existing protected plates but remove the ability to transfer the exemption to an immediate family member. Option D – Retain the current arrangements, including the exemption and family transfer rights. The preferred course of action is to phase out the exemption upon transfer of a licence, as this approach received the highest level of support during the consultation and aligns with Counsel's advice that the long-term continuation and transferability of the exemption is becoming increasingly difficult to justify. Phasing out the exemption would support the Council's objective of increasing the number of wheelchair accessible vehicles within the hackney carriage fleet, improving accessibility for passengers who rely on wheelchair accessible transport, whilst allowing existing licence holders a reasonable transition period.
Evidence / Intelligence List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can	The proposals are informed by a public consultation undertaken between 27 March 2026 and 15 May 2026, which was promoted through the Council website, direct communications with the licensed trade, social media, Parish Councils and a Council press release. A total of 30 responses were received. The highest level of support was for the removal of the exemption upon transfer of a licence (56.7% support), whilst options to retain the current arrangements attracted significant opposition (76.7% opposition to both retention options). Consultation responses identified

help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.	accessibility, fairness and consistency within the licensing regime as key reasons for supporting reform. Those opposing changes highlighted the value of maintaining a mixed vehicle fleet, passenger choice and the financial implications for existing protected plate holders. The Council also obtained independent legal advice from Counsel. Counsel advised that the original exemption for pre-2001 vehicles was understandable when introduced but that its continued indefinite operation, particularly the ability to transfer protected plates to family members, is becoming increasingly difficult to justify. Counsel advised that phasing out the exemption, either upon transfer or following a transitional period, would be more legally defensible and would support greater consistency and fairness within the licensed trade. Consultation feedback and officer assessment identified potential impacts on disabled and older passengers. Increasing the number of wheelchair accessible vehicles would improve access to transport for wheelchair users who are unable to transfer from their wheelchair. However, feedback also indicated that some disabled passengers and older persons may prefer or be better suited to standard saloon vehicles, particularly where seating adaptations are fitted or where vehicle height presents access difficulties. Evidence from the licensed trade also identified potential financial impacts on existing protected plate holders, as wheelchair accessible vehicles are generally more expensive to purchase, maintain and insure than standard saloon vehicles. The proposed phased approach seeks to balance these impacts against the Council's objective of improving accessibility within the hackney carriage fleet. No specific evidence was identified to suggest that the proposals would have a significant impact on the Council's climate commitments. Any increase in vehicle replacement activity would be managed within the existing vehicle licensing framework, which already requires compliance with relevant age and Euro 6 emission standards.
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Alternatives considered / rejected Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.	A number of options were considered as part of the review of the protected plate exemption. These included retaining the current arrangements, retaining the exemption but removing family transfer rights, and phasing out the exemption either upon transfer of a licence or following a transitional period. The option of retaining the current arrangements was considered but is not preferred, as legal advice indicated that the continued indefinite operation and transferability of the exemption is becoming increasingly difficult to justify and may hinder progress towards a more accessible hackney carriage fleet. The option of retaining the exemption whilst removing family transfer rights was also considered. However, consultation responses showed significant opposition to this approach, and it would not fully address concerns regarding fairness, consistency and accessibility. Doing nothing was considered but is not recommended, as it would maintain an exemption that Counsel advised is the least legally defensible option and would delay the Council's objective of increasing the availability of wheelchair accessible vehicles. A phased withdrawal of the exemption was therefore considered the most balanced approach, allowing improvements in accessibility while providing existing licence holders with time to adapt to the changes.
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Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
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Age	☐	☒	☒	Older people who use wheelchairs or mobility aids may benefit from increased availability of WAVs. However, consultation responses indicated that some older passengers may find certain WAVs more difficult to access due to vehicle height and design compared with conventional saloon vehicles.	Monitor feedback from older passengers regarding ease of access to licensed vehicles. Work with licence holders and representative groups to identify any accessibility concerns experienced by older people and those with mobility impairments. Consider accessibility issues affecting older passengers during future reviews of the licensing policy and vehicle specifications. Review complaints and customer feedback to identify whether any unintended adverse impacts arise from changes to fleet composition. Ensure that information about available accessible	Licensing manager	Monitored through complaints, feedback and future licensing policy reviews.
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					transport options is readily available to passengers.		
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Disability	☐	☒	☒	The proposal would increase the number of wheelchair accessible vehicles (WAVs) within the hackney carriage fleet, improving access to licensed transport for wheelchair users who cannot transfer from their wheelchair. This supports equality of opportunity and improved accessibility for disabled passengers. However, consultation responses identified that some disabled passengers may prefer or be better suited to conventional saloon vehicles fitted with adaptations. A reduction in vehicle choice may therefore have a negative impact on some disabled passengers. A WAV dictates where the wheel chair is positioned which may not suit the user who	Implement the changes through a phased transition period to allow existing licence holders time to adapt and replace vehicles where necessary. Continue to monitor the availability and geographical distribution of wheelchair accessible vehicles to ensure sufficient provision across the district. Engage with disability groups, wheelchair users and other service users during future policy reviews to understand how changes are affecting different groups of disabled passengers. Monitor complaints, comments and service requests relating to the accessibility of licensed vehicles and respond	Licensing manager	Ongoing monitoring through annual reviews of the Hackney Carriage and Private Hire Vehicle Licensing Policy and feedback from service users and the licensed trade.
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				would prefer to be in the front or wheelchair driver. Drivers are required to assist passengers in wheelchairs into the vehicle and are trained to do so this increases safety for passengers.	where trends or concerns are identified. Keep the impact of the policy under review through annual licensing policy reviews and consider whether further measures are required to maintain an appropriate balance between accessibility and passenger choice. Provide clear guidance to licence holders regarding vehicle requirements and implementation timescales to support compliance and minimise disruption to services. Review fleet composition periodically to ensure the needs of disabled passengers with different mobility requirements continue to be considered.		
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Gender Reassignment	☒	☐	☐	No evidence has been identified of any impact on people undergoing or who have undergone gender reassignment.	None required.	N/A	No specific monitoring required.
Marriage & Civil Partnership	☒	☐	☐	No evidence has been identified that the proposal would have any impact on people who are married or in a civil partnership.	None required.	N/A	No specific monitoring required.
Pregnancy & Maternity	☐	☒	☐	No evidence has been identified that the proposal would have a disproportionate impact on people who are pregnant or on maternity leave.	None required.	N/A	No specific monitoring required.
Race	☒	☐	☐	No evidence has been identified to suggest that the proposal would have a disproportionate impact on any racial or ethnic group.	None required.	N/A	No specific monitoring required.

Sex	☒	☐	☐	No evidence has been identified to suggest that the proposal would have a differential impact based on sex.	None required.	N/A	No specific monitoring required.
Sexual Orientation	☒	☐	☐	No evidence has been identified that the proposal would affect individuals on the basis of sexual orientation.	None required.	N/A	No specific monitoring required.
Religion or Belief	☒	☐	☐	No evidence has been identified that the proposal would affect individuals because of their religion or belief.	None required.	N/A	No specific monitoring required.

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	☒	☐	☐	The proposal relates to vehicle accessibility requirements and the operation of protected hackney carriage licences. No evidence has been identified through the consultation or officer assessment to suggest that the proposal would have a disproportionate impact on residents of rural communities.	Continue to monitor the availability of licensed vehicles across the district and consider any issues raised regarding access to transport in rural areas.	Licensing manager	Ongoing monitoring through service feedback, licensing data and future policy reviews.
Areas of deprivation	☒	☐	☐	No evidence has been identified that the proposal would disproportionately affect individuals or communities living in areas of deprivation. The proposal applies	Monitor customer feedback and any emerging evidence of disproportionate impacts on access to transport services.	Licensing manager	Ongoing through customer feedback and future policy reviews.

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
				consistently across the hackney carriage fleet and seeks to improve accessibility for passengers using licensed transport services.			
Displaced communities	☒	☐	☐	No evidence has been identified that the proposal would have a specific impact on displaced communities. The changes relate solely to the licensing requirements for hackney carriage vehicles.	No specific mitigation required.	Licensing manager	No specific monitoring required beyond routine policy review.
Care experienced people	☒	☐	☐	No evidence has been identified to suggest that care experienced people would be disproportionately affected by the	No specific mitigation required.	Licensing manager	No specific monitoring required beyond routine policy review.

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
				proposal. Any improvements in vehicle accessibility may provide wider benefits to all transport users who require accessible transport services			
The Armed Forces Community	☒	☐	☐	No evidence has been identified that the proposal would have a specific impact on members of the Armed Forces community, veterans or their families. The proposal applies equally to all users of licensed transport services and licence holders.	No specific mitigation required.	Licensing manager	No specific monitoring required beyond routine policy review.

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	
Person Responsible for Review	Service Manager
Authorised By	

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