
Consultation on Protected Plates and Accessibility

Committee considering report:	Licensing Committee
Date of Committee:	24 March 2026
Portfolio Holder:	Councillor Tom McCann
Report Author:	Julia O'Brien
Forward Plan Ref:	N/a

1 Purpose of the Report

- 1.1 To outline the proposed timetable and methodology for consulting on potential amendments to the Hackney Carriage and Private Hire Licensing Policy in respect of the matter of 'protected plates' (Section 20 of Appendix C) following the adoption of the policy at the 15 December 2025 Licensing Committee meeting.
- 1.2 To discuss and amend the proposals for the 'protected plate' consultation as outlined in the report.

2 Recommendations

The Licensing Committee:

- 2.1 **AGREES** that the 'protected plate' consultation on Hackney Carriage vehicles be carried out as described in [paragraphs 5](#).
- 2.2 **AGREES** that the results of the consultation be brought back to the next meeting of the Licensing Committee where Members will consider amendments in respect of protected plates, if any are needed, as set out in the current policy including any implementation dates.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The costs of producing this report and running the consultation exercise will be met from within the existing Public Protection Partnership budgets.</p> <p>Discretionary fees and charges relating to licences and registrations are based on cost recovery, and should they not</p>

	<p>reflect the cost of providing the service, there is a risk of generating a surplus or deficit.</p>
<p>Human Resource:</p>	<p>There are no HR implications associated with the production of this report or the proposed consultation on the ‘protected plate’ matter in the policy. The consultation will be undertaken by existing resources within the Public Protection Service advised by colleagues in the Performance, Research and Risk Team.</p>
<p>Legal:</p>	<p>West Berkshire District Council is acting within the rights of a local authority to establish 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.</p> <p>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.</p> <p>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.</p> <p>In addition to these core statutes, the policy recognises broader legal responsibilities, including those under data protection, immigration, equalities, 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.</p> <p>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. 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.</p> <p>The Council remains committed to monitoring and reviewing the policy at appropriate intervals to reflect changes in legislation, guidance, and local needs. This approach ensures that our licensing standards remain legally compliant and but responsive to the evolving needs of our communities.</p>

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Risk Management:	<p>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.</p>			
Property:	<p>There are no property implications associated with the drafting of the policy or the consultation that will be undertaken.</p>			
Policy:	<p>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 update their policies in relation to hackney carriage and private hire licensing which this report seeks to do.</p> <p>The DfT issued revised best practice guidance on the 17 November 2023.</p> <p>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.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

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<p>A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?</p>	<p>x</p>			<p>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.</p> <p>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. Any comments received in respect of equality matters will be reported back to Members at the July 2026 meeting.</p>
<p>B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?</p>	<p>x</p>			<p>As the document outlines changes to the matters in relation to 'protected plates' it will be consulted on widely with the trade and service users. Any comments on equalities issues raised as part of the consultation will be provided to legal for comment and will be made known to the committee prior to a decision being taken.</p>
<p>Environmental Impact:</p>	<p>x</p>			<p>Any changes to 'protected plate vehicles' will fall under the revised standards which will require vehicles to meet the Euro 6 emissions standards if they are being submitted for grant or renewal of a licence.</p>
<p>Health Impact:</p>		<p>x</p>		<p>There are no specific health impacts associated with the proposed consultation.</p>
<p>ICT Impact:</p>		<p>x</p>		<p>The consultation will be published on the PPP website and the West Berkshire Council website.</p>
<p>Digital Services Impact:</p>		<p>x</p>		<p>The consultation will be published on the PPP website and the West Berkshire Council website.</p>

Council Strategy Priorities:	x			<p>The Hackney Carriage and Private Hire Licensing Policy as adopted in December 2025 seeks to deliver on or support the following Council priorities:</p> <ul style="list-style-type: none"> • Tackling the climate and ecological emergency • A prosperous and resilient West Berkshire • Thriving communities with a strong local voice.
Core Business:		x		<p>The assessing and issuing of licences associated with the taxi trade constitutes business as usual for the licensing authority. Any amendments to the policy as a result of this consultation will provide clear and consistent guidance for all involved in the process.</p>
Data Impact:		x		<p>The policy, which this consultation is part of, sets out how the Council will deal with data and imposes requirements on the trade as to how they need to deal with it.</p>
Consultation and Engagement:	<p>During the forthcoming consultation the taxi and private hire trade, members of the public, taxi and private hire users, disability and accessibility user groups and users, and other interested party, will be invited to answer some questions on the consultation points via the PPP and West Berkshire Council websites or via email or by post.</p> <p>Consultation responses raised will be published on the Council website and the PPP website.</p>			

4 Introduction and Background

- 4.1 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.

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- 4.2 In line with the decision of the Committee Officers are proposing conducting a public consultation to garner greater understanding of this specific element of the policy.
- 4.3 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.
- 4.4 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](#)
- 4.5 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.

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

5 Proposal

- 5.1 Officers are 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. That are being consulted on will 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.

- 5.2 It is proposed that the consultation run for a seven-week period starting on 27th March 2026 and ending on the 15th May 2026. It is proposed that an additional week be added to the usual six-week period to take into account that the consultation will run over Easter. It is proposed that in addition to placing the consultation document, which will comprise a series of questions, on the West Berkshire Council consultation portal officers will write to the trade and publish the consultation via press releases and post on social media and it will also be highlighted in the residents' newsletter.

- 5.3 The outcome of the consultation will be brought back to the July Licensing Committee alongside any ensuing proposed changes to the Hackney Carriage and Private Hire Licensing Policy should the consultation indicate that any changes are needed.

6 Other options considered

- 6.1 The consultation period takes into consideration the requirements of the Council's consultation policies and guidance, but Members may determine that the suggested dates be amended. The Committee may also have a view on the bodies that need to be consulted and any specific questions that should be included in the consultation.

7 Conclusion

- 7.1 The Council will be grateful for the engagement of as many professionals operating within the licensed sector and other possibly affected groups by any change to the existing situation in this consultation.

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

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