

West Berkshire Council
Equality Impact Assessment

TEMPLATE

March 2023

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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	