

Selby District Council: Taxi Licensing Policy

Appendix D – Transfer from a wheelchair accessible vehicle to a non-wheelchair accessible vehicle

As previously mentioned in Section 6, the Council currently upholds a ratio of 70% wheelchair accessible vehicles and 30% non-wheelchair accessible vehicles. Should an existing driver wish to transfer from a wheelchair accessible vehicle to a non-wheelchair accessible vehicle, the below procedure must be followed.

How to apply

All current licensed drivers who wish to be considered for a transfer from a wheelchair accessible vehicle to a non-wheelchair accessible vehicle i.e. a saloon should contact the Council in writing to register their interest.

What happens next?

Your name will be added to the waiting list. When a vacancy arises all current licensed drivers will be notified in writing. Notice of the vacancy will also be placed on the council's website.

Once an opportunity arises (e.g. when a licence for a non-wheelchair accessible vehicle is surrendered, or where monitoring of the make-up of the fleet identifies a need) those on the waiting list will be considered for the available licence(s).

Who makes the decision?

Under powers delegated by the Licensing Committee, a panel of officers, which includes representatives from both the Legal and Enforcement sections, will decide who from the waiting list will be awarded a licence in respect of a non-wheelchair accessible vehicle.

How is the decision made?

In order to reach a decision, the panel will consider the following:

- The driver's record of behaviour
- The driver's length of service

Only those drivers who the panel consider have demonstrated a 'good record' of behaviour will qualify to be considered for a non-WAV licence.

Definition of 'good record' of behaviour

In general a 'good record' of behaviour is where the driver has demonstrated a maintained standard of public safety, professional service and compliance with all of the legislation and the Council's taxi licensing conditions and administrative processes.

A good record can cover the whole range of expectations of a licensed driver but there are particular cases where it will be inappropriate to grant a transfer/ issue a licence;

- Where the driver has previously failed to report a matter which is a condition of their licence or required by a relevant Act of Parliament
- Where a driver is found to be or has been in possession of more than one DVLA licence in contravention of DVLA controls
- Where there is conflict with Council's Taxi Licensing Policy, relating to convictions and driver conduct
- Where a licence is revoked for any reason, or suspended, as part of a Court finding or Council sanction (or where a period of suspension was imposed instead of revocation)
- Where at the point of the decision the driver licence is suspended as either part of an investigation or prosecution by this or any other Authority
- Where there has been a distinct neglect or failure to appropriately follow the administrative process in licensing functions.

It should be noted that the above list is not exhaustive.

Length of service

The driver with the longest period of continuous service, and who meets the 'good record of behaviour' principle, will be awarded the available non-WAV licence. Continuous service means service as either a private hire driver or Hackney carriage driver, or a combination of both, but only with Selby District Council.

Appeals

Any appeal must be lodged within twenty-one days of the decision. All appeals will be heard by the Licensing Committee.