



# Licensing Committee

Mon 30 Mar  
2020  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact  
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# Licensing

COMMITTEE

Monday, 30th March, 2020

7.00 pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs:	Salman Akbar (Chair)	Julian Grubb
	Michael Chalk (Vice-Chair)	Pattie Hill
	Joanne Beecham	Ann Isherwood
	Roger Bennett	Gareth Prosser
	Brandon Clayton	Yvonne Smith
	Andrew Fry	

### 1. Apologies

### 2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

### 3. Minutes (Pages 1 - 14)

To confirm as a true record the minutes of the Licensing Committee held on Monday 27th January 2020.

### 4. Public Speaking

For any registered speakers to address the Committee regarding items on the agenda for the meeting.

(Maximum time 15 minutes)

### 5. Results of consultation on options for amending the current requirements for applicants and licence holders to demonstrate their medical fitness to drive taxi and private hire vehicles. (Pages 15 - 32)

Please note that Appendix 1 for this report has been published in a separate Additional papers pack.

### 6. Hackney Carriage and Private Hire Vehicle Age Limits (Pages 33 - 40)

### 7. Verbal update on engagement with stakeholders in relation to proposals for the creation / amendment of stands for hackney carriages.

### 8. Work Programme (Pages 41 - 42)

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# Licensing Committee

Monday, 27 January 2020

## MINUTES

### Present:

Councillor Salman Akbar (Chair), Councillor Michael Chalk (Vice-Chair) and Councillors Joanne Beecham, Brandon Clayton, Andrew Fry, Julian Grubb, Ann Isherwood, Yvonne Smith and Mark Shurmer

### Also Present:

### Officers:

Dave Etheridge and Vanessa Brown

### Committee Services Officer:

Sarah Sellers

### 16. APOLOGIES

Apologies for absence were received from Councillors Pattie Hill and Gareth Prosser. Councillor Mark Shurmer attended as substitute for Councillor Hill.

### 17. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 18. MINUTES

#### RESOLVED that

the Minutes of the Licensing Committee held on 4<sup>th</sup> November 2019 be confirmed as a correct record and signed by the Chair.

.....  
Chair

**19. PUBLIC SPEAKING**

Councillor Greg Chance (Central Ward) and Mr Imran Altaf from the Redditch Taxi Association addressed the Committee under the Council's Public Speaking Rules.

**20. REQUIREMENT OF LICENSED DRIVERS TO UNDERTAKE A DRIVING ASSESSMENT EVERY THREE YEARS**

Members received a report asking them to consider whether or not to undertake a consultation exercise regarding removal of the current requirement for licensed drivers to undertake a practical driving assessment every three years.

The Senior Practitioner (Licensing) (SPL), Worcestershire Regulatory Services (WRS) presented the report and explained that in November 2017 Licensing Committee had resolved to introduce a requirement that holders of drivers licences must undertake refresher training in disability awareness and must pass a driving assessment test at least every three years.

This requirement was formally introduced as policy from December 2017. It was noted that the licensed trade had consistently challenged the policy on the grounds that they believed it to be disproportionate and unreasonable.

The issue had been raised by licence holders at the Taxi Liaison Forum held in September 2019, which had led to the issue being added to the work programme for Licensing Committee.

The proposal before Members was to carry out a consultation exercise on removing the requirement for the three yearly driving assessment. Officers were not proposing to consult on the requirement to undertake disability awareness training which would remain in force.

In response to questions from Members the SPL clarified that:-

- The policy was introduced following the outcome of an Overview and Scrutiny exercise looking at access to taxis for passengers with disabilities.
- Redditch was the only District Council in Worcestershire to require its licenced drivers to carry out three yearly driving assessments.
- Consultation would be required for any change of policy, and the consultees would include the licensed trade, relevant stakeholders and the public.

- The outcome of the consultation would be likely to be reported back to Licensing Committee in July 2020
- In the meantime, WRS were taking the stance that the earliest any drivers would have to take a driving assessment would be December 2020.

In debating the proposal, Members were generally supportive of a consultation being carried out and commented on concerns that the three yearly testing regime could be regarded as overly burdensome for drivers.

It was noted that the drivers would not be prejudiced by a delay of a few months for the consultation to be carried out as there were no drivers who would be expected to take a driving assessment under the current policy until December 2020 at the earliest.

**RESOLVED that**

**Members direct officers to undertake consultation on removing the requirement for individuals licensed to drive hackney carriage and/or private hire vehicles to undertake a practical driving assessment every three years.**

**21. CONSIDERATION OF THE INTRODUCTION OF VEHICLE LIVERY REQUIREMENTS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

Members received a report asking them to consider whether or not to undertake a consultation exercise regarding introducing requirements for the display of livery on hackney carriage and private hire vehicles licensed by the Council.

The Senior Practitioner (Licensing) (SPL), Worcestershire Regulatory Services (WRS) presented the report and explained that when issuing licences the Council could attach such conditions as it deemed to be necessary. In some areas Councils attached conditions requiring the display of signage or livery on licensed vehicles. Typically the signage would include the logo of the council together with information identifying the vehicle and its status as either a hackney carriage or private hire vehicle.

The aim of the livery would be to indicate to members of the public that the vehicle had been licensed by the council as either a hackney carriage or a private hire vehicle and provide assurance that the vehicle had been properly checked and approved.

The options for installing the signage on vehicles included wording being sign-written on directly to the body, or separate signs being affixed either magnetically or using an adhesive decal. The SPL had brought some samples of the magnetic signage and the adhesive decals used by other councils to show the Members, together with some examples of what the art work might look like for signage for Redditch Borough Council.

With regard to cost, the adhesive decal signage would cost approximately £7.50 for two doors. To add a magnetic base for the decal to be attached to would cost an additional £5.00, giving a total cost for magnetic signs of £12.50 for two doors. It was not being suggested that the proposed signage would replace the current licence plate displayed on the rear of vehicles. This would still be displayed and the signage would be additional.

In response to questions from Members the SPL confirmed that:-

- The potential advantage of introducing livery would be to identify vehicles licensed by the Council and that this may be of value to some passengers particular those who were looking for reassurance regarding standards and that the driver would have local knowledge of the area. By contrast, these issues might not be important to other passengers.
- If signage was lost or stolen there would probably have to be a replacement cost to the drivers in the same way as currently applies to lost or stolen licence plates.
- It would be open to customers booking private hire vehicles to request a vehicle licensed by Redditch but legally the operator could still out source jobs to other licensed drivers. Passengers might find that there was a longer wait for a Redditch licensed vehicle, and if that vehicle had had to travel a greater distance to pick them up, this might be reflected in higher charges.

In debating the report Members were generally in support of proceeding with a consultation exercise and referred to the potential advantages of providing the travelling public with a means of more readily identifying which vehicles had been licensed by the Council. Other views were expressed questioning the possible financial impact on drivers of the introduction of a livery together with concerns that use of the adhesive decal option could lead to paintwork being damaged when the stickers were removed.



**RESOLVED that**

**Officers undertake consultation on the introduction of requirements in relation to the display of livery in hackney carriage and private hire vehicles licensed by the Council.**

**22. REVIEW OF PROVISION OF HACKNEY CARRIAGE STANDS**

Members received a report asking them to consider whether or not to direct officers to engage in exploratory discussions regarding the feasibility of making changes to the provision of hackney carriage stands in the Borough. In particular Members had previously made three suggestions set out in paragraph 2 of the report as follows:-

- a. The creation of a new hackney carriage stand at Redditch Railway Station.
- b. The creation of a new hackney carriage stand at the Alexandra Hospital, Redditch.
- c. Making alterations to the current hackney carriage stand located at Unicorn Hill and creating a new hackney carriage stand in Bates Hill.

The Senior Practitioner (Licensing) (SPL), Worcestershire Regulatory Services (WRS) presented the report and gave an overview of where the existing hackney carriage stands were located referring Members to aerial photographs of the different locations (Appendix 1 of the Minutes).

The five existing hackney carriage stands identified were as follows:-

1. At Unicorn Hill - operating 24 hours a day.
2. At Trafford Retail park on the highway at Trescott Road (next to Costa coffee) and on the car park itself adjacent to Aldi (both operating 24 hours a day).
3. On the highway at Queen Street/ Red Lion Street – operating 24 hours a day.
4. At Redditch Bus Station on land owned by the Kingfisher Centre - operating 24 hours a day.
5. On Evesham Road at Headless Cross between the hours of 8pm and 6 pm at the bus stop near “ Steps” and the bus stop opposite the White Hart.

It was noted that there was a five year lease in place between the Council and the Kingfisher Centre regarding the hackney carriage stand at the bus stations, and that this was due to be re-newed later in the year.

The SPL explained that the idea for Unicorn Hill would be to reduce the existing rank to 3 to 4 spaces during the day time and convert the spaces freed up to short term parking. The displaced taxis would be accommodated by the creation of a new hackney carriage stand on Bates Hill. During evenings there would be extra spaces available for hackney carriage vehicles as Unicorn Hill would revert from short term parking to a taxi stand and the additional spaces at Bates Hill would also be available.

The SPL stressed to Members that the report was not recommending formal “consultation” at this stage. Rather, that the officers would in the first instance have to carry out preliminary discussions with stakeholders to establish if any of the ideas were feasible. With regard to the hospital and the station these would be discussions with the relevant land owners as both locations would involve the creation of a hackney carriage stand on private land. With regard to Unicorn Hill, there would need to be detailed discussions with the highways authority and the police.

If the preliminary discussions were positive, then a further report would be brought to the Licensing Committee inviting members to consider moving on to a formal consultation.

In debating the proposals Members referred to a number of issues including:-

- Concerns that in comparison to Unicorn Hill, Bates Hill was more isolated and had poorer lighting.
- That it would be beneficial to introduce a hackney carriage stand at the hospital and that it would increase the choice available to the public; currently the only facility for the public using the hospital was a free phone to call a private hire vehicle.
- That changing the hackney carriage stand to short term parking on Unicorn Hill could be of benefit for shoppers and for the local businesses on Unicorn Hill.
- That in agreeing any changes, Members would want to ensure that the number of spaces available on the amended hackney carriage stands would represent an increase compared to current provision. In this regard it was noted that Bates Hill could potentially act as a feeder rank and the Chair confirmed that there was no intention to reduce the amount of hackney carriage stand provision available.

Overall, Members were in support of proceeding with the next stage of discussions between officers and the relevant stakeholders.

# Licensing Committee

Monday, 27 January 2020

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## RESOLVED that

Officers engage with the relevant stakeholders to explore the possibility of the following:-

- a. The creation of a new hackney carriage stand at Redditch Railway Station.
- b. The creation of a new hackney carriage stand at the Alexandra Hospital, Redditch.
- c. Making alterations to the current hackney carriage stand located at Unicorn Hill and creating a new hackney carriage stand in Bates Hill.

[Prior to the commencement of this item the Chair used his discretion to allow Mr Imran Altaf from the Redditch Taxi Association the opportunity to make comments on matters he had not addressed during the public speaking at Agenda item 4. The Chair reminded the meeting that going forward, all comments from public speakers would have to be made at Agenda item 4 and not on a report by report basis.]

## 23. WORK PROGRAMME

Members were referred to the Work Programme at page 21 of the agenda and officers clarified that the next meeting of the Licensing Committee had been put back and would take place on Monday 30<sup>th</sup> March 2020.

It was noted that the outcomes of the consultations on driving assessments and livery would have to be added to the work programme together with the feedback regarding hackney carriage stands. Officers were also still waiting for the government to issue the new Department for Transport Draft Guidance on Safeguarding but it was not known when this would be published.

Subject to these matters it was

## RESOLVED that

**The Licensing Committee Work Programme 2019/20 be noted.**

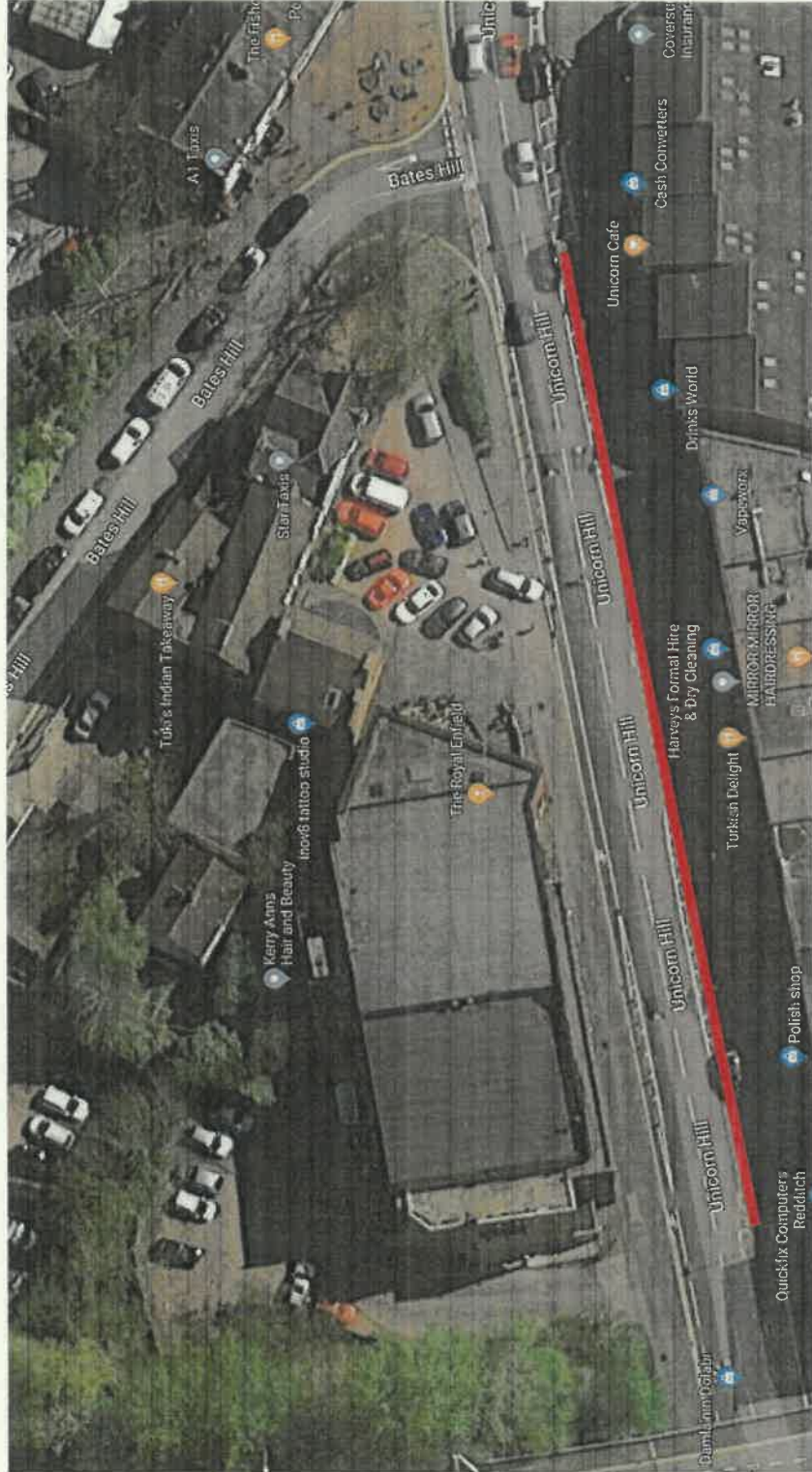
The Meeting commenced at 7.00 pm  
and closed at 8.52 pm

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**Current Hackney Carriage Stands in Redditch**

**Unicorn Hill**

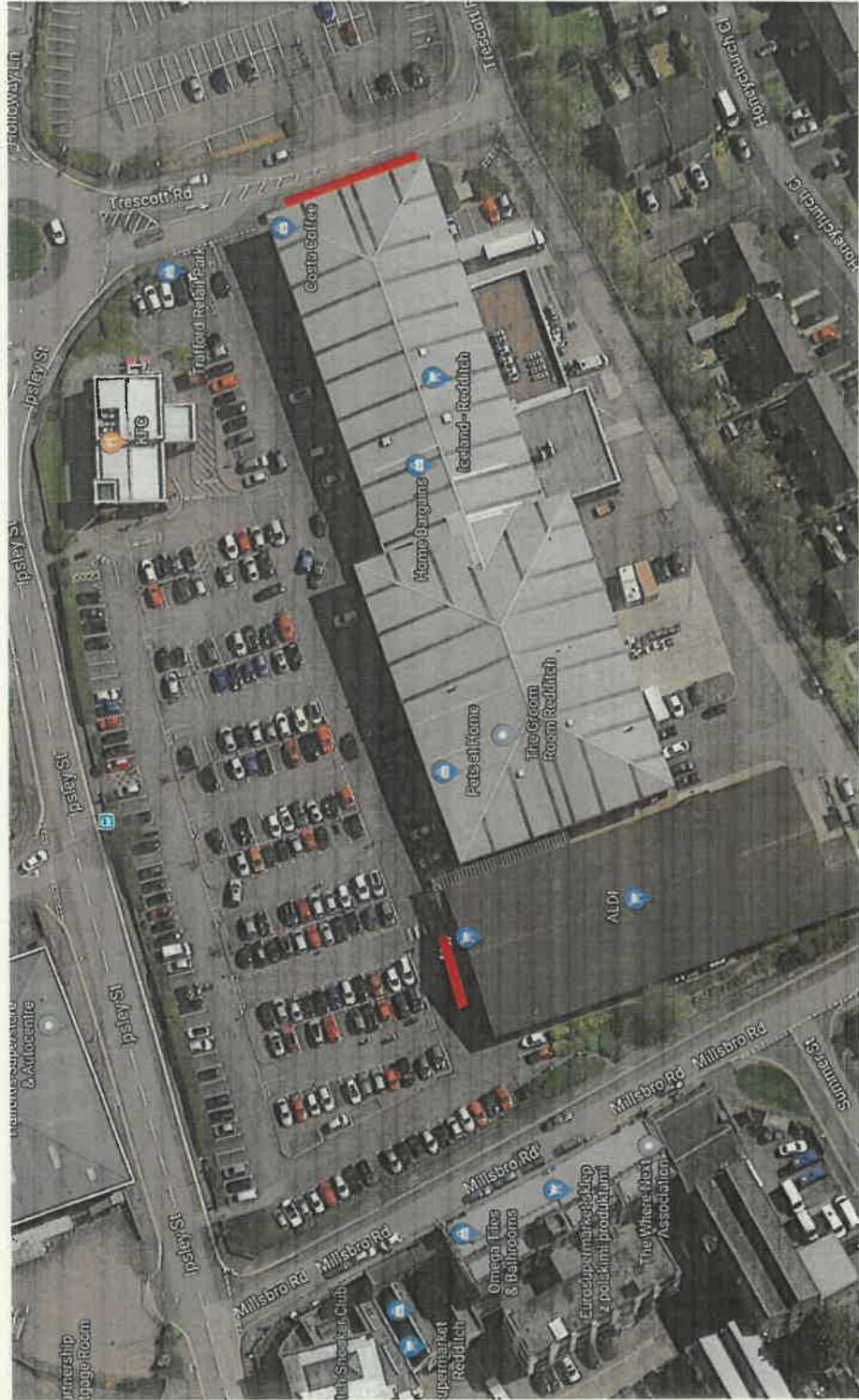
On highway – operates 24 hours a day



**Trafford Retail Park**

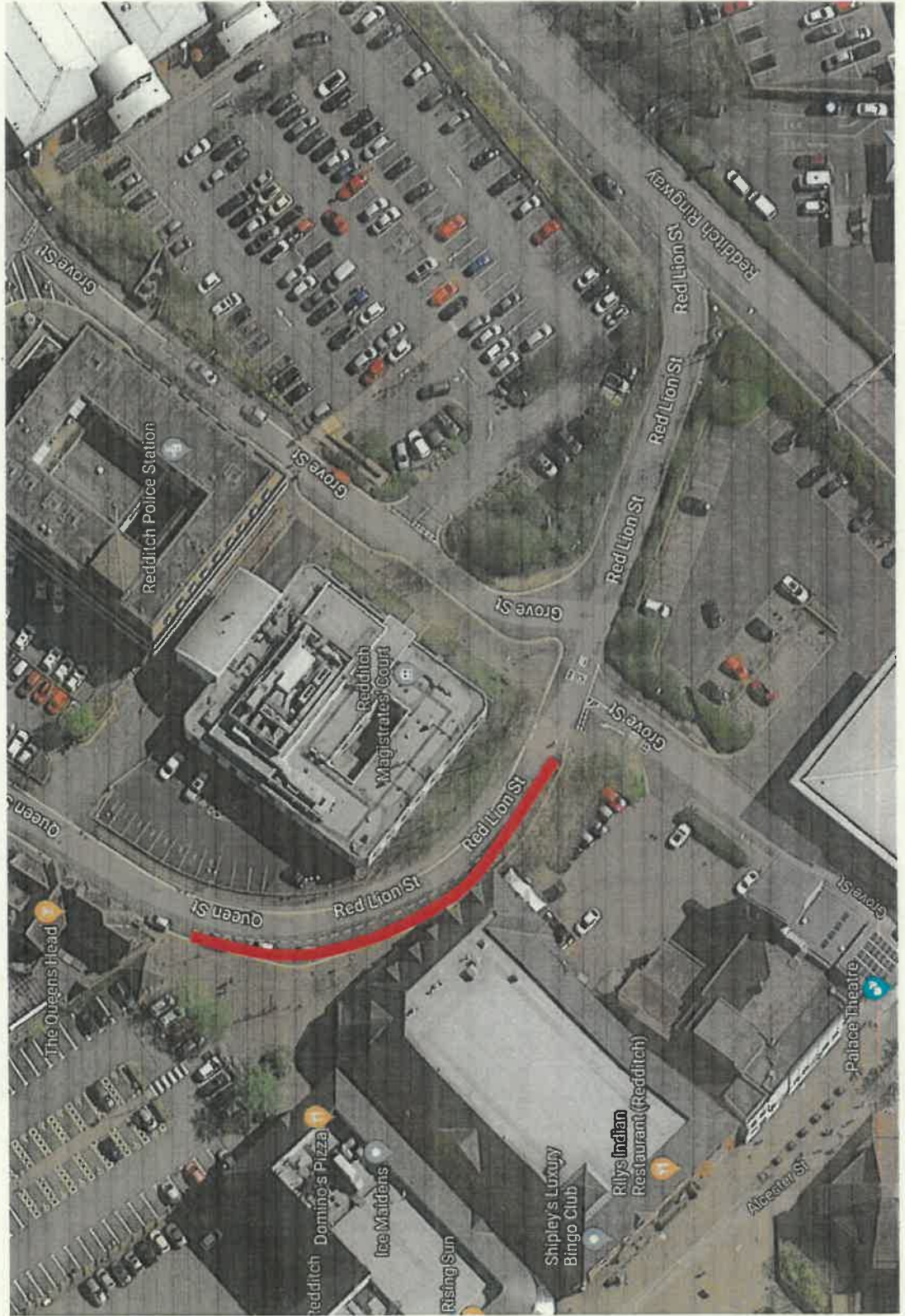
Trescott Road – on highway – operates 24 hours a day

Outside Aldi – on private land – operates 24 hours a day



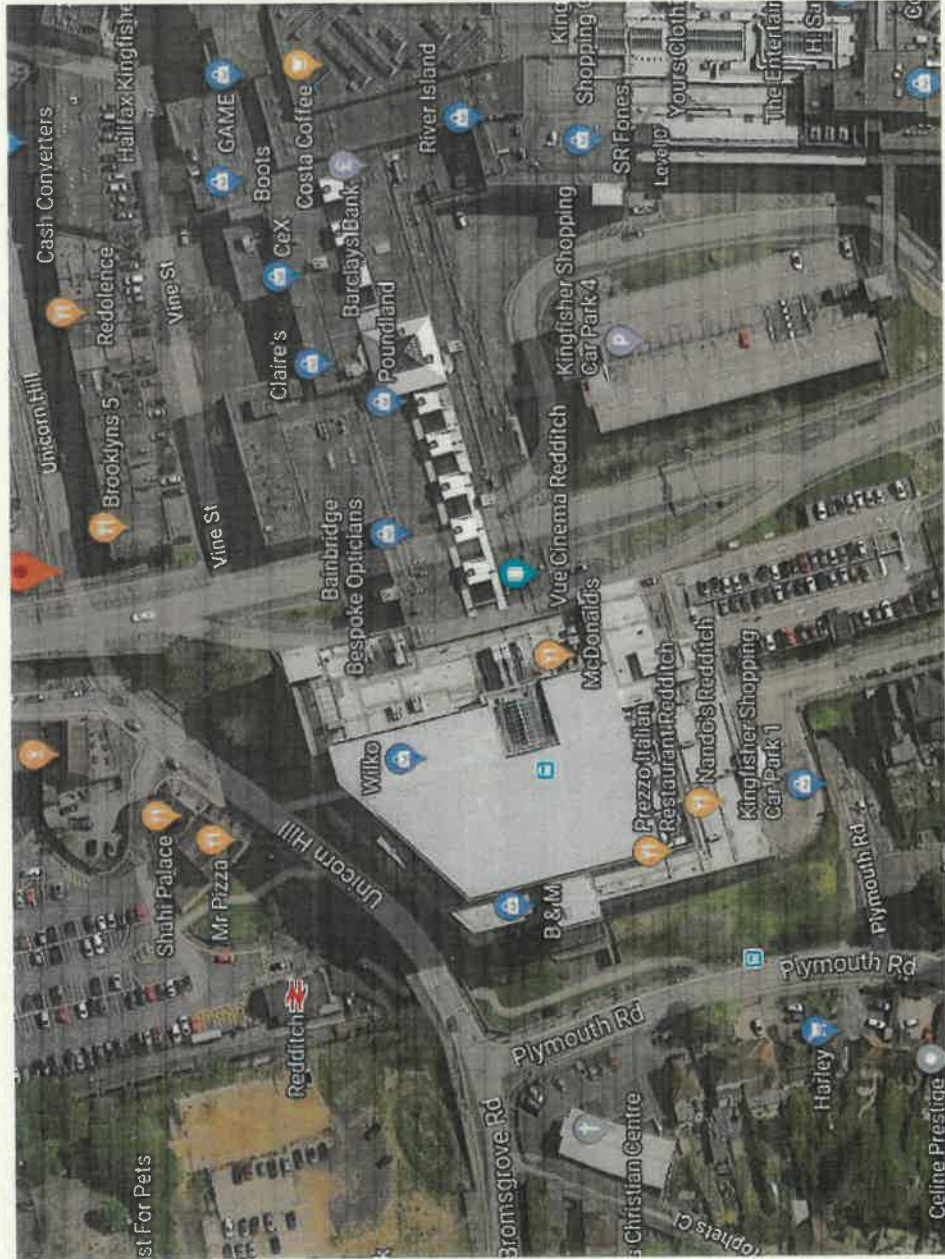
**Queen Street / Red Lion Street**

On the highway – operates 24 hours per day

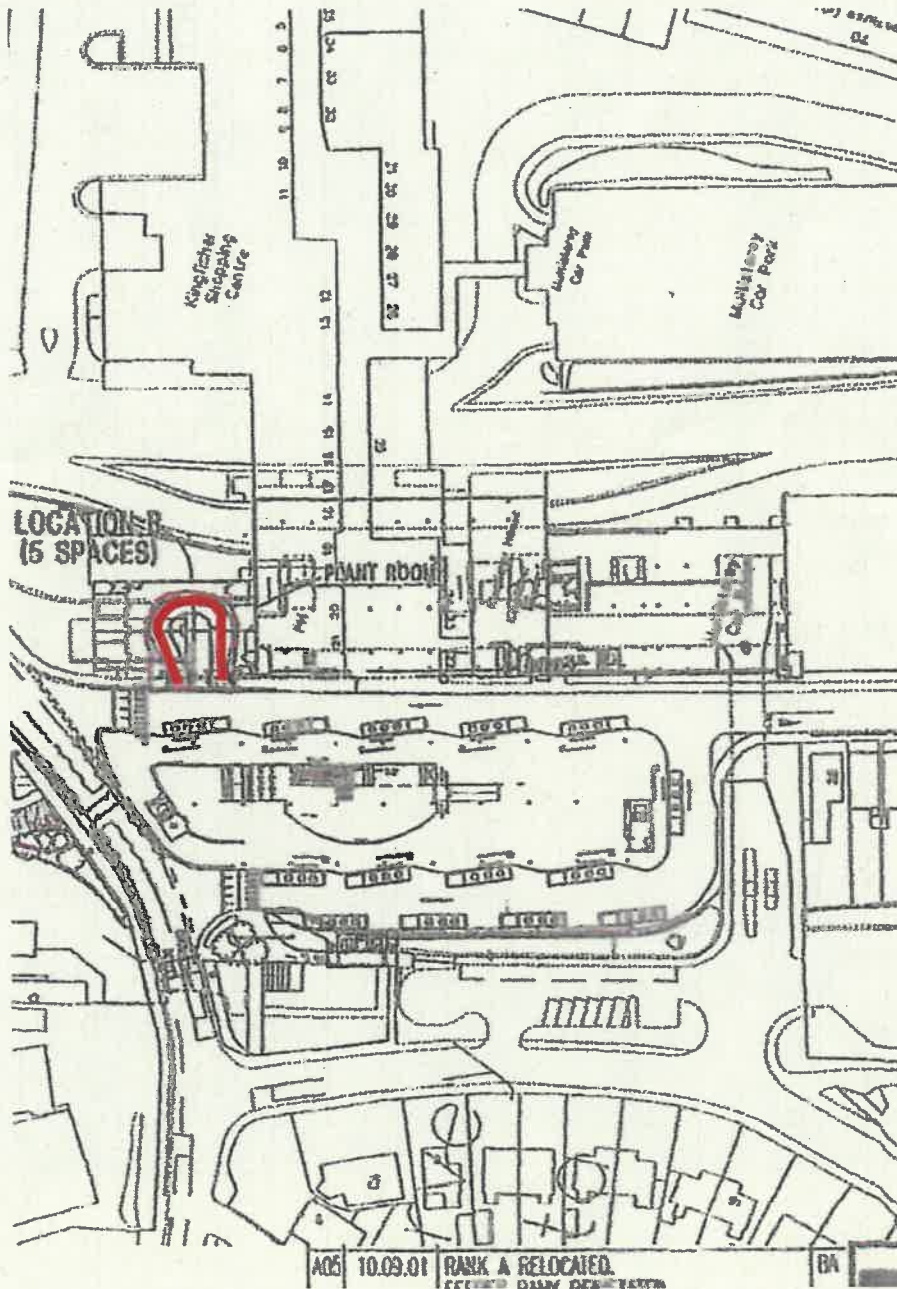


**Redditch Bus Station**

On private land – Council has 5 year licence – operates 24 hours a day







**Evesham Road (Headless Cross)**

Bus stop near "Steps" 8pm to 6am

Bus stop opposite "White Hart Inn" 8pm to 6am



**LICENSING  
COMMITTEE**30<sup>th</sup> March 2020**RESULTS OF CONSULTATION ON OPTIONS FOR AMENDING THE  
CURRENT REQUIREMENTS FOR APPLICANTS AND LICENCE HOLDERS  
TO DEMONSTRATE THEIR MEDICAL FITNESS TO DRIVE TAXI AND  
PRIVATE HIRE VEHICLES**

Relevant Portfolio Holder	Councillor Grubb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

Members are asked to consider the responses received during the a consultation exercise undertaken in relation to potential amendments to the Council's current requirements in place for licence holders and applicants to demonstrate their medical fitness to drive hackney carriage and private hire vehicles.

**2. RECOMMENDATIONS**

**Members are asked to consider the responses received during the consultation and RESOLVE;**

**To direct officers to take such steps (if any) that they wish them to take to implement amended requirements for licence holders and applicants to demonstrate their medical fitness to drive hackney carriage and private hire vehicles.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs of carrying on the consultation exercise were met from existing budgets held by Worcestershire Regulatory Services. Any further work required by officers to implement amended requirements would also need to be met from existing budgets held by Worcestershire Regulatory Services.
- 3.2 Depending on what amended requirements are implemented, the financial costs that are incurred by applicants and licence holders in meeting the requirements to demonstrate their medical fitness could either increase or decrease.

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**Legal Implications**

- 3.3 A district council cannot grant a licence to someone to driver either hackney carriage or private hire vehicles unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence.
- 3.4 Once licensed, a district council can suspend, revoke or refuse to renew a driver's licence on any of the following grounds:
- a) That he has since the grant of the licence:-
    - (i) been convicted of an offence involving, dishonesty or violence, or
    - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of this act,
  - aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
  - b) any other reasonable cause.

**Service / Operational Implications**

- 3.5 The Council has a duty to ensure that all those that it licences to drive hackney carriage and / or private hire vehicles are "fit and proper" persons to hold such licences.
- 3.6 There is no definition of "fit and proper" provided in the relevant legislation, however Council's usually consider the following sorts of matters when reaching a decision on an individual's suitability:
- Criminal conviction history
  - Driving licence history
  - Geographic knowledge
  - Ability to communicate
  - Competency in basic mathematics
  - Ability to learn and follow rules and regulations
  - Medical fitness

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- 3.7 In terms of assessing medical fitness, the vast majority of Councils have adopted a requirement that those that it licences to drive hackney carriage and private hire vehicles must meet the “Group 2” medical standards described in the DVLA publication “Assessing fitness to drive – a guide for medical professionals.” A copy of this publication is attached at **Appendix 1**.
- 3.8 The “Group 2” standards are the standards that are applied to bus and lorry drivers and are a higher standard than is required generally by all those licensed by the DVLA to drive a car on UK roads.
- 3.9 Redditch Borough Council’s current policy on the licensing of individuals to drive hackney carriage and / or private hire vehicles imposes the following requirements:
- Applicants should be medically fit to drive hackney carriages or private hire vehicles and shall give proof of their medical fitness by completing and submitting a medical certificate carried out by a registered medical practitioner authorised by this Council (to the Driver and Vehicle Licensing Agency’s Group 2 medical standards). This medical will include a drugs test.*
- 3.10 Currently all those who hold licences to drive hackney carriage and / or private hire vehicles are required to undertake a medical examination on initial application and then every 5 years until they reach the age of 60. From the age of 60 – 65 the medical is required every 3 years and then those over 65 have to provide a medical certificate annually.
- 3.11 When these requirements were introduced, the Council had in place two authorised medical practitioners to undertake the medical examinations. One of these two medical practitioners has subsequently retired leaving just one in place.
- 3.12 Officers have a number of concerns about the current arrangements:
- Licence holders and applicants are reporting that it has become increasingly difficult to obtain appointments in a timely manner due to the limited availability of the approved medical practitioner.
  - The authorised medical practitioner’s surgery is not located within the Borough of Redditch meaning applicants and licence holders having to travel a long distance to undertake their medical examinations.

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- The authorised medical practitioner effectively has a monopoly on providing this service, for which he is paid by the licence holder / applicant.
  - The frequency of medical examinations required is not consistent with the DVLA publication “Assessing fitness to drive – a guide for medical professionals.”
- 3.13 On 9<sup>th</sup> July 2019, the Licensing Committee considered a report on this matter and resolved to request officers carry out consultation on amending the Council’s current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.
- 3.14 This consultation was undertaken between December 2019 and February 2020. A copy of the consultation survey can be seen at **Appendix 2**.
- 3.15 The consultation document was sent to the following:
- Hackney carriage and private hire licence holders
  - West Mercia Police (North Worcestershire Licensing)
  - West Mercia Safer Roads Partnership
  - National Taxi Association
  - National Private Hire Association
  - Licensed Private Hire Car Association
  - Redditch Borough Councillors
  - Feckenham Parish Council
- 3.16 An electronic version of the consultation survey was also hosted on the Council’s website and attempts were made to publicise the consultation via the press and social media.
- 3.17 The consultation asked respondents to answer questions around the following matters:
- Who should conduct the medical examinations?
  - How often medical examinations should be required?
  - How effective is drug testing as part of the medical examination?
- 3.18 A summary of the responses received during the consultation exercise can be seen at **Appendix 3**.

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- 3.19 Members are asked to consider the responses received during the consultation exercise and to direct officers to take such steps (if any) that they wish officers to take to implement amended requirements for licence holders and applicants to demonstrate their medical fitness to drive hackney carriage and private hire vehicles.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

Appendix 1 – Assessing fitness to drive – a guide for medical professionals”

Appendix 2 – Consultation survey

Appendix 3 – Summary of responses received during consultation exercise

**AUTHOR OF REPORT**

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**Consultation on arrangements for medical examinations of those licensed to drive hackney carriage and private hire vehicles**

**December 2019**

## **Consultation on arrangements for medical examinations of those licensed to drive hackney carriage and private hire vehicles**

### **Introduction and Background**

Local authorities cannot grant individuals licences to drive hackney carriage and / or private hire vehicles unless they are satisfied that the individual is a “fit and proper person” to hold a licence.

As licence holders will be driving paying passengers on public roads, an important part of this assessment will be to ensure that the individual is medically fit to drive hackney carriage and private hire vehicles.

The Driver & Vehicle Licensing Agency (DVLA) have published a document entitled “Assessing fitness to drive – a guide for medical professionals.” This document details the UK medical standards for driver licensing and refer to Group 1 and Group 2 licence holders:

- Group 1 includes cars and motorcycles
- Group 2 includes large lorries (category C) and buses (category D)

The Department for Transport publication “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” recommends that the Group 2 medical standards are applied to hackney carriage and private hire drivers.

### **Current Position in Redditch Borough**

Currently those individuals applying to Redditch Borough Council for licences to drive hackney carriage and private hire vehicles have to be examined by the one of the Council’s approved medical practitioners.

A medical examination is required upon initial application and then a further medical examination is required every five years, regardless of the age of the licence holder. Once a licence holder reaches 65 years of age, they require a medical examination annually.

The Council only has one appointed medical practitioner currently following the retirement of the other previously approved medical practitioner.

The Council’s approved medical practitioner has to certify that the applicant meets the Group 2 medical standards before a licence can be granted. The approved medical practitioner also carries out a drug test on each person as part of the medical examination.

If an existing licence holder is found to not meet the Group 2 standards or fails a drug test, it is open to the Council to suspend or revoke the individual licence.

Individuals undertaken medical examinations make payment directly to the Council’s approved medical practitioner.

**Changes being considered**

The Council's Licensing Committee have resolved to review the current arrangements in place for the medical examination of those licensed to drive hackney carriage and / or private hire vehicles.

Particular matters being reviewed include:

- Who should conduct the medical examinations?
- How often medical examinations should be required?
- How effective is drug testing as part of the medical examination?

**Who should conduct the medical examinations?**

Currently applicants and licence holders have to visit the Council's only approved medical practitioner for a medical examination. The current arrangements are not considered satisfactory for the following reasons:

- Appointment availability is limited as a result of there being only one approved medical practitioner
- The approved medical practitioner has an effective monopoly on providing this service to applicants and licence holders.
- The approved medical practitioner's surgery is based outside of the borough of Redditch.

Alternative approaches could include:

- The Council could look to expand its list of approved medical practitioners with applicants and licence holders having to be examined and certified as meeting the Group 2 standards by one of the approved medical practitioners.
- Applicants and licence holders can be examined and certified as meeting the Group 2 standards by any registered medical practitioner.
- Applicants and licence holders being examined and certified as meeting the Group 2 standards by a registered medical practitioner at the GP practice at which they are personally registered.

Consultation Question 1

Rank the following options in order of your preference 1 to 4.

1 = (most preferred option)

4 = (least preferred option)

<b>Option</b>	<b>Preference</b>
Council expands its list of approved medical practitioners with applicants and licence holders having to be examined and certified as meeting the Group 2 standards by one of these approved medical practitioners	
Applicants and licence holders can be examined and certified as meeting the Group 2 standards by any registered medical practitioner.	
Applicants and licence holders being examined and certified as meeting the Group 2 standards by a registered medical practitioner at the GP practice at which they are personally registered.	
The existing arrangements to remain in place	

**How often should medical examinations be required?**

Currently a medical examination is required to be undertaken before an individual is licensed to drive hackney carriage and / or private hire vehicles for the first time and then a further medical is required every five years, regardless of the age of the licence holder. Once a licence holder reaches 65 years of age, they require a medical examination annually.

Under the terms of the Department for Transport publication "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance" all initial Group 2 licence applicants require a medical assessment. The same assessment is required again at 45 years of age and then every five years until the licence holder reaches 65 years of age when the requirement for a medical examination becomes annual without an upper age limit.

Therefore individuals under the age of 45 who hold licences from Redditch Borough Council to drive hackney carriage and / or private hire vehicles are currently being required to undertake medical examinations more frequently than Group 2 licence holders. Given the significant costs associated with undertaking a medical examination, including paying the fee charged by the medical practitioner and taking time off work, this could be considered to be unduly burdensome.

Alternatively it could equally be argued that requiring more frequent medical assessments is justifiable in the interests of the safety of the travelling public.

Consultation Question 2

Please tick which of the following options you think the Council should implement:

Option	Tick (✓)
Maintain the current requirement for a medical examination every 5 years regardless of age and annually from the age of 65.	
Amend the requirement so that medical examinations are required in line with the Group 2 standards set out in the Department for Transport publication "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance" – on initial application and then every 5 years once the licence holder reaches the age of 45 and annually once the licence holder reaches the age of 65.	

**How effective is drug testing as part of the medical examination?**

Currently medical examinations include the applicant providing a urine sample for the purposes of a drug test. No licence holder or applicant has failed one of these drug tests for many years.

Given that applicants and licence holders have advance knowledge when they will be required to undertake a medical examination and drug test, it is fairly easy to take steps to ensure that they do not fail the drug test when it is undertaken as drugs are only traceable in someone's urine for a limited amount of time. For example research has shown that urine drug tests are accurate for up to 30 days of cannabis consumption, depending on the amount of the drug that is smoked by an individual.

The lack of positive results from the current drug testing arrangements could indicate one of two things:

- No applicants or licence holders ever take illegal drugs
- The drug testing arrangements are ineffective at identifying applicants and licence holders who take illegal drugs

Either way the requirement to undertake a drug test as part of the medical could be considered to be unnecessary or else ineffective.

The Council is therefore considering alternative approaches to drug testing and removing the requirement to undertake a drug test at the time of the medical examination. These alternative approaches to drug testing could involve drug testing of licence holders without prior notice or at very short notice.

This type of drug testing would potentially have to be carried out in partnership with the Police and on an intelligence-led basis.

**Consultation Question 3**

Please tick which of the following options you think the Council should implement:

Option	Tick (✓)
Maintain the current requirement for a drug test to be undertaken as part of the medical examination.	
Remove the requirement for a drug test as part of the medical examination and adopt alternative approaches to drug testing	

Do you have any other comments or suggestions to make in relation to the arrangements in place for medical examinations of those licensed to drive hackney carriage and private hire vehicles? If so, please make those comments or suggestions here.

## Responding to this consultation

### By email

Completed copies of this consultation document can be emailed to:  
[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)

Please use the subject line “Redditch Taxi Medicals Consultation.”

### By post

Responses can also be submitted via the post to:

Redditch Taxi Consultation  
Worcestershire Regulatory Services  
Wyre Forest House  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF

### Online

An online version of this consultation is available at:

[www.redditchbc.gov.uk/consultations](http://www.redditchbc.gov.uk/consultations)

The consultation will be open for responses until **14 February 2020**. All responses received during the consultation period will be considered by the Licensing Committee before any decisions are taken about what changes (if any) will be made to the current arrangements.



## Summary of Consultation Responses

**Question 1 – Please rank the following options in order of your preference 1 to 4 (1 = most preferred option and 4 = least preferred option)**

Answer Choice	1	2	3	4	Total
Council expands its list of approved medical practitioners with applicants and licence holders having to be examined and certified as meeting the Group 2 standards by one of these approved medical practitioners	2	2	4	3	11
Applicants and licence holders can be examined and certified as meeting the Group 2 standards by any registered medical practitioner.	0	5	4	2	11
Applicants and licence holders being examined and certified as meeting the Group 2 standards by a registered medical practitioner at the GP practice at which they are personally registered.	8	1	1	2	12
The existing arrangements to remain in place	3	3	1	5	12

**Question 2 – Please tick which of the following options you think the Council should implement**

Option	Response (Total)	Response (%)
Maintain the current requirement for a medical examination every 5 years regardless of age and annually from the age of 65.	10	76.9%
Amend the requirement so that medical examinations are required in line with the Group 2 standards set out in the Department for Transport publication “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” – on initial application and then every 5 years once the licence holder reaches the age of 45 and annually once the licence holder reaches the age of 65.	3	23.1%

**Question 3 – Please tick which of the following options you think the Council should implement**

Option	Response (Total)	Response (%)
Maintain the current requirement for a drug test to be undertaken as part of the medical examination.	5	41.7%
Remove the requirement for a drug test as part of the medical examination and adopt alternative approaches to drug testing	7	58.3%

**Question 4 - Do you have any other comments or suggestions to make in relation to the arrangements in place for medical examinations of those licensed to drive hackney carriage and private hire vehicles? If so, please make those comments or suggestions here.**

I believe spot checking to be acceptable for drug abuse. However it should be without passengers in the vehicle or on the way to pick passengers up , especially if this is an early morning trip to the airport meaning the driver will be late for his pick up

Random and on the spot drug and drink testing should be applied

As Redditch and Bromsgrove Councils are, supposedly, aligned, why does Bromsgrove not insist on drug tests for their drivers? Why does the same rule exist for drivers within both areas?

As per VOSA spot check on vehicle. This should be adopted the same as for drugs testing

Drug testing should be done randomly i.e. on the spot. So as anyone who has taken drugs can't get away with it.

Question three – Ideally drug testing unannounced at any time (day or night) is a very good idea...but who pays? Local authorities don't have enough money and resources to do what they should already be doing. Alternative approaches far too vague and does not provide enough safeguards for the public. A possible third option is compulsory drug testing for all annually done at the GP practise they are registered with and additional random totally unannounced testing for at least 50% of the drivers every year. With the requirement that anonymized detailed data is published annually to show that this additional testing is actually being done. Intelligence led testing must also be done.

Drivers who have a long term medical condition should be checked more regularly e.g. if the driver is diabetic, they need to be checked every 2-3 years to ensure customer / patient safety.

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**LICENSING  
COMMITTEE**30<sup>th</sup> March 2020**HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE LIMITS**

Relevant Portfolio Holder	Councillor Grubb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

Members are asked to consider the age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies and direct officers as to what steps (if any) they wish them to take with a view to amending the age limits contained in those policies.

**2. RECOMMENDATIONS**

**Members are asked to consider the content of the report and RESOLVE to direct officers as to what steps (if any) they wish them to take with a view to amending the age limits for licensed vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs involved in carrying out steps to amend the current vehicle age limits, including any required consultations, would need to be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 Council's are free to adopt policies on the licensing of hackney carriage and private hire vehicles. These policies can include requirements relating to the age of vehicles that the Council will consider issuing licences in respect of. However each case must be considered on its own merits and the Council can depart from its own policies and grant a licence in respect of a vehicle that does not meet the normal requirements in policy where there are exceptional reasons for doing so.

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**Service / Operational Implications**

- 3.3 The Council's existing Private Hire Vehicle Policy was last amended with effect from 1<sup>st</sup> August 2013 and the Council's Hackney Carriage Vehicle Policy was last amended with effect from 1<sup>st</sup> December 2017.
- 3.4 These policies both contain requirements in relation to the age of vehicles. A summary of the current vehicle age requirements is shown in the table at **Appendix 1**.
- 3.5 It is open to applicants to request that the Council departs from its normal policies if there are exceptional reasons for doing so. Where a person submits an application to licence a vehicle that does not meet the Council's policy, the application is referred to a Licensing Sub-Committee for consideration and determination.
- 3.6 In November 2016 and then again in November 2018, the Licensing Committee has considered reports asking them whether they wished to review the vehicle age limits in light of the number of applications being granted by Members at Licensing Sub-Committees, where the vehicle fell outside the age limit requirements set out in Policy.
- 3.7 In November 2016, the Licensing Committee was made aware that in the period 1<sup>st</sup> January 2016 to 14<sup>th</sup> September 2016, 9 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 8 of these granted and 1 refused.
- 3.8 Notwithstanding this the Licensing Committee decided there was no need for officers to take steps to review the vehicle age limits in place at that time.
- 3.9 In November 2018 the Licensing Committee were provided with further figures which showed that between September 2016 and September 2018, a total of 36 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 31 of these granted and just 5 refused.
- 3.10 Members therefore resolved that officers be tasked with carrying out a consultation exercise in relation to amending the age limits for vehicles to those shown at **Appendix 2**.

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- 3.11 The results of this consultation were considered at the Licensing Committee meeting on 4<sup>th</sup> March 2019. Despite overwhelming support from respondents for amending the vehicle age limits as suggested, Members ultimately resolved not to make any changes to the Council's policies and the age limits set out at **Appendix 1** remain in place today.
- 3.12 At the Licensing Committee meeting on 4<sup>th</sup> November 2019, Members agreed to add an item to their work programme to give further consideration of the rules around age criteria for vehicles, including consideration of vehicles that produced lower emissions. This report has been produced as a result.
- 3.13 Between October 2018 and the end of January 2020 a further 55 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 51 of these granted and just 4 refused.
- 3.14 This means that between 1<sup>st</sup> January 2016 and 31<sup>st</sup> January 2020, a total of 100 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits have been considered at Licensing Sub-Committees with 90 of these granted and just 10 applications refused.
- 3.15 Officers would respectfully suggest that the fact Members are continuing to find reason to depart from the Council's policies in so many of the cases they determine would suggest that there is a strong case to argue that the policies need to be reviewed and amended.
- 3.16 Members are also reminded that preparing for and attending Licensing Sub-Committees is costly and time consuming for both the Council and licence applicants and that Redditch Taxi Association continues to lobby for a relaxation of the age limits contained in the Council's vehicle licensing policies.
- 3.17 Officers are aware that some other local authorities are looking to use their taxi and private hire vehicle licensing policies to encourage the use of less polluting vehicles to address concerns about air quality.
- 3.18 Within Worcestershire, the Environment Committee at Worcester City Council has established a "Task and Finish Group" to develop a Taxi Strategy. Part of this wide ranging project involves developing proposals for changes to the Council's policies to remove the most polluting vehicles from the licensed fleet and to encourage take up of electric and other low / zero emission vehicles.

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- 3.19 Birmingham City Council has already introduced a series of new policies in preparation for the implementation of the Clean Air Charging Zone in Birmingham later this year. Under these policies, the maximum age limit for ultra low emission vehicles is higher than for other vehicles.
- 3.20 Coventry City Council has also introduced new policies that are designed to gradually achieve a fleet of zero emission capable taxi and private hire vehicles by the end of 2025. Since 1<sup>st</sup> January 2020, vehicles licences would not be renewed unless the vehicle met the Euro 4 emissions standards. From 1<sup>st</sup> January 2022 vehicles will need to meet the Euro 5 emissions standard to be capable of having licences renewed and from 1<sup>st</sup> January 2024 vehicle licences will only be renewed for vehicles that are zero emission capable.
- 3.21 Officers believe that any review undertaken of Redditch Borough Council's age limits for licensed vehicles should take account vehicle emissions standards with a view to moving towards a fleet of licensed vehicles that is less polluting.
- 3.22 In light of the information set out in this report, Members are asked to direct officers as to what steps (if any) they wish them to take with a view to amending the age limits for licensed vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

Appendix 1 – Existing Age Limits for Licensed Vehicles

Appendix 2 – Age Limits consulted upon in November 2018

**AUTHOR OF REPORT**

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**Appendix 1**

	<b>Current Policy - Hackney Carriage</b>	<b>Current Policy - Private Hire</b>
New (additional) vehicles being licensed	Must be <u>wheelchair accessible</u> and under 6 years of age.	Must be under 6 years of age
Replacement vehicles	Must be under 6 years of age (and wheelchair accessible if replacing a wheelchair accessible vehicle)	Must be under 6 years of age
On Renewal	Can be no older than 9 years of age unless wheelchair accessible when it can be no older than 12 years of age.	Can be no older than 9 years of age unless wheelchair accessible when it can be no older than 12 years of age.
Inspections	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>

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**Appendix 2**

	<b>Hackney Carriage</b>	<b>Private Hire</b>
New (additional) vehicles being licensed	Must be <u>wheelchair accessible</u> and under 7 years of age.	Must be under 7 years of age
Replacement vehicles	Must be under 7 years of age (and wheelchair accessible if replacing a wheelchair accessible vehicle)	Must be under 7 years of age
On Renewal	Can be no older than 10 years of age unless wheelchair accessible when it can be no older than 12 years of age.	Can be no older than 10 years of age unless wheelchair accessible when it can be no older than 12 years of age.
Inspections	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>

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**LICENSING  
COMMITTEE****30<sup>th</sup> March 2020****LICENSING COMMITTEE WORK PROGRAMME 2020/21****30<sup>th</sup> March 2020**

Results of consultation on options for amending the current requirements for applicants and licence holders to demonstrate their medical fitness to drive taxi and private hire vehicles.

Hackney Carriage and Private Hire Vehicle Age Limits

Verbal update on engagement with stakeholders in relation to proposals for the creation / amendment of stands for hackney carriages.

**6<sup>th</sup> July 2020**

Results of consultation on removing the requirement for licensed drivers to undertake a practical driving assessment every three years

Statutory guidance to taxi and private hire vehicle licensing authorities on how to use their licensing powers to protect children and vulnerable adults – Information Report

Update report on progress made in relation to proposals for the creation / amendment of stands for hackney carriages.

**9<sup>th</sup> November 2020**

Consideration of results of the consultation on livery requirements for licensed vehicles.

Review of Hackney Carriage Tariff

**To Be Allocated To Suitable Available Dates in 2020/21**

Review of taxi and private hire driver licensing policies in response to statutory guidance to taxi and private hire vehicle licensing authorities on how to use their licensing powers to protect children and vulnerable adults.

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