
**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	No
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.

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 This report was originally published for consideration at the Licensing Committee meeting scheduled to take place on 30th March 2020. This meeting was cancelled in light of government guidance resulting from the coronavirus outbreak.
- 3.6 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.
- 3.7 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

3.8 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 has previously been circulated to Members.

3.9 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.

3.10 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.

3.11 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.

3.12 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.

3.13 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.

- 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.”
- 3.14 On 9th 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.
- 3.15 This consultation was undertaken between December 2019 and February 2020. A copy of the consultation survey can be seen at **Appendix 1**.
- 3.16 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
- 3.17 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.
- 3.18 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?
- 3.19 A summary of the responses received during the consultation exercise can be seen at **Appendix 2**.

- 3.20 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 – Consultation survey

Appendix 2 – Summary of responses received during consultation exercise

6. BACKGROUND PAPERS

DVLA publication: Assessing fitness to drive – a guide for medical professionals

AUTHOR OF REPORT

Name: Dave Etheridge – Senior Licensing Practitioner
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799