



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

December 2019

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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)

Option	Preference
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

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

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.