
**MEDICAL CERTIFICATE – PRIVATE HIRE
AND HACKNEY CARRIAGE DRIVERS**

**Responsible Cabinet Member(s) - Councillor Stephen Harker,
Consumer and Environmental Services Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To instigate a proposed change in Licensing Policy with regard to the frequency of production of medical certificates relating to the medical fitness of private hire and hackney carriage vehicle drivers.

Background

2. Section 57(2) of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to require an applicant for a private hire/hackney vehicle driver licence to produce a medical certificate in order to establish their medical fitness.
3. The Council's current Policy in relation to medical fitness to drive requires completion of its medical form by a registered medical practitioner certifying that the applicant satisfies the standard of a Group II licence holder as prescribed by the DVLA Drivers Medical Group and is physically and mentally fit to be the driver of a hackney carriage or private hire vehicle. A new certificate shall be provided at three-year intervals for drivers under 60; those over 60 must submit a certificate every year. If special medical circumstances exist, the Doctor may specify a shorter frequency. The applicant is allowed to choose the Doctor (Registered Medical Practitioner) and is required to pay the fee. Officers recommend that the drivers own GP completes the certificate since he/she has knowledge of their medical history and is in position to offer support should there be any problems.
4. It is proposed that the drivers of hackney carriages and private hire vehicles shall provide evidence of their medical fitness to drive to the standard of a Group II licence holder as prescribed by the DVLA Drivers Medical Group. This evidence shall be provided, at intervals of time specified by the Council, relating to the age or medical condition of the applicant where there is a relevant medical condition the frequency for presenting medical evidence will be decided by the Director of Development and Environment.

In all other cases where there is no known relevant medical condition:

- (a) Aged up to 45 years – required before grant of licence.

- (b) Aged 45 years up to 65 years – required before a grant or renewal of a licence at 5-year intervals.
 - (c) Age 65 years or more – required before grant or renewal of a licence and then at 12-month intervals.
5. Evidence of medical fitness that is acceptable to the Council shall be:
- (a) Presentation of the Council’s medical form, completed by a Registered Medical Practitioner, certifying that the applicant satisfies the standard of a Group II licence holder as prescribed by the DVLA Drivers Medical Group and is physically and mentally fit to be the driver of a hackney carriage/private hire vehicle.
 - (b) Presentation of a Heavy Goods Vehicle licence issued by the DVLA.
6. The applicant is allowed to choose the Doctor (Registered Medical Practitioner) and is required to pay the fee. Officers shall recommend that the drivers GP completes the certificate since he/she has knowledge of medical history and is in a position to offer support should there be any problems.
7. The reduction in frequency of submission of certificates will not have an impact on public safety. The proposed system has adequate safeguards eg older drivers require annual certificates and controls where drivers have a medical condition.

Outcome of Consultation

8. Consultation has taken place with the representatives of the Taxi Trade that attend the Taxi Licensing Liaison Group and received unanimous support. They believe that it would reduce financial burden on their members and offer benefits to the Council in reduced administration.

Legal Implications

9. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

10. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

11. The issues contained within this report represent a change to Council Policy or the Council’s Policy framework.

Conclusion

12. A change in the current policy will have a direct impact upon licensed hackney carriage and private hire drivers by reducing their costs and will offer benefits to the Council from a reduction in administration without impacting on public safety.

Recommendation

13. It is recommended that: -

- (a) Drivers of hackney carriages and private hire vehicles shall provide evidence of their medical fitness to drive to the standard of a Group II licence holder as prescribed by the DVLA Drivers Medical Group. This evidence shall be provided, at intervals of time specified by the Council, relating to the age or medical condition of the applicant:
 - i. Where there is a relevant medical condition the frequency for presenting medical evidence will be decided by the Director of Development and Environment.
- (b) In all other cases where there is no known relevant medical condition:
 - i. Aged up to 45 years – required before grant of licence.
 - ii. Aged 45 years up to 65 years – required before a grant or renewal of a licence at 5-year intervals.
 - iii. Age 65 years or more – required before grant or renewal of a licence and then at 12-month intervals.
- (c) Evidence of medical fitness that is acceptable to the Council shall be:
 - i. Presentation of the Council's medical form, completed by a Registered Medical Practitioner, certifying that the applicant satisfies the standard of a Group II licence holder as prescribed by the DVLA Drivers Medical Group and is physically and mentally fit to be the driver of a hackney carriage/private hire vehicle.
 - ii. Presentation of a Heavy Goods Vehicle licence issued by the DVLA.
- (d) The applicant is allowed to choose the Doctor (Registered Medical Practitioner) and is required to pay the fee. Officers shall recommend that the drivers GP completes the certificate since he/she has knowledge of medical history and is in a position to offer support should there be any problems.
 - i. The change in Policy should take immediate effect.

Reasons

14. The recommendations are supported by the following reasons:

- (a) To follow the guidelines set out by the DVLA on driver safety.
- (b) There will be savings in administration.
- (c) There will be a significant financial benefit to applicants
- (d) The change in Policy will bring the Council in line with medical certificates relating to Heavy Goods Vehicle Drivers.

John Buxton
Director of Development and Environment

Background Papers

- (i) Local Government (Miscellaneous Provisions) Act 1976
- (ii) Current Council Policy relating to medical fitness to drive
- (iii) Minutes of the Hackney Carriage/Private Hire Driver Liaison group

Ann Marku
Extension 388559