

**CHILTERN DISTRICT COUNCIL
LICENSING AND REGULATION COMMITTEE - 23RD OCTOBER 2014**

Background Papers, if any, are specified at the end of the Report

MEDICAL REQUIREMENTS FOR TAXI AND PRIVATE HIRE DRIVERS

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RECOMMENDATIONS

- **To consider any changes to the medical conditions as detailed in the Hackney Carriage and Private Hire licensing policy**

Background

- 1 At the Licensing and Regulation Committee on 1 May 2014 Members were advised as part of the enforcement report, that a Private Hire driver licensed by the Council had sadly passed away after suffering a heart attack whilst on duty. No other persons were in the vehicle at the time, which was stationary at the Chesham Station awaiting a pick up.
- 2 This incident highlighted the importance of medical checks as part of the Council's approach to monitoring the health of drivers for the safety of the public.
- 3 Members requested a report on the current policy and procedures for ensuring the medical fitness of taxi and private hire drivers.
- 4 Full details of the Council's taxi and private hire licensing policy, including medical requirements (detailed on page 14), are available on the website at <http://www.chiltern.gov.uk/taxi>.
- 5 The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles recommended in February 1995 that taxi licence applicants should pass a medical examination before such a licence could be granted. Responsibility for determining the standards, including medical requirements, to be applied to taxi drivers, over and above the driver licensing requirements, rests with the Transport for London in the Metropolitan area and the Local Authority in all others areas. Current best practice advice is contained in the booklet "Fitness to Drive": A Guide for Health Professionals published on behalf of the Department by The Royal Society of Medicine Press Limited ((RSM) in 2006. This recommended that the Group 2 medical standards applied by DVLA in relation to bus and lorry drivers should also be applied by local authorities to taxi drivers.

Discussion

- 6 The current Taxi and Private Hire Licensing policy states that the Council will follow the DVLA 'Group 2' requirements when assessing if an applicant should be considered fit to drive a licensed vehicle.
- 7 It is common for licensing authorities to apply the 'Group 2' medical standards which are applied by DVLA to the licensing of lorry and bus drivers. The DVLA Group 2 standards preclude the licensing of drivers with insulin treated diabetes. However, the DVLA has exceptional arrangements do exist for drivers with insulin treated diabetes, who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles (ie 3500-7500 kgs lorries); the Council currently applies the exceptional arrangements to taxi and PHV drivers with insulin treated diabetes.
- 8 The Council currently requires a medical certificate signed by their registered medical practitioner to the effect that they are physically fit to be the driver of a taxi or private hire vehicle. A medical certificate is required at first application, every 5 years up to 45 years of age, every 3 years up to 65 years of age and thereafter annually. The applicant is responsible for the payment of all fees required for any medical examination.
- 9 As an additional service provided by the Council, drivers are sent a reminder letter 2 months prior to their medical certificate being required. If they do not submit a medical certificate when it is due, they are issued with a suspension notice which comes in to effect 28 days after its issue if they do not submit an updated certificate. This approach helps to ensure that drivers submit medical certificates in line with the policy requirements, and that drivers are not working if they have failed to submit an up to date medical certificate when required to do so. Members may wish to consider tightening this approach within the policy to suspend with immediate effect should a driver not hold a current medical certificate
- 10 If the Council becomes concerned about a driver's fitness the authority may direct the driver for a medical examination by a specified registered medical practitioner at any time. In these cases, the driver remains responsible for the payment of any related fees.
- 11 The Council's current policy requires drivers to obtain a certificate of fitness from their own GP, which ensures that their full medical history is known. Some authorities require independent medical practitioners to undertake health assessments of drivers to safeguard against any potential collusion. During the recent amendments to the policy which involved consultation with the trade, Members did not support a change to an independent medical advisor (minute 26(11) Licensing & Regulation Committee, 1st March 2012).

Summary

- 12 The Council currently requires Group 2 level fitness from its drivers which is the same as the DVLA's requirements for drivers of buses and lorries.

- 13 There is a clear policy and procedures in place for ensuring that drivers meet the required fitness levels
- 14 Underlying health conditions may not be identified, irrelevant of the required standard of fitness level required, and so it is not possible to guarantee that a health related incident will not occur again in the future.
- 15 Some councils require independent medical practitioners to assess the fitness of their drivers, which could be considered as a policy change if the Council becomes concerned that the current policy of the drivers own GP undertaking the assessment.

Background Papers:

Hackney Carriage and Private Hire licensing policy

DVLA May 2014 Edition, For medical practitioners 'At a glance guide to the current medical standards of fitness to drive'
