

REPORT: Regulatory Committee

DATE: 21st January 2008

REPORTING OFFICER: Chief Executive

SUBJECT: Taxi Licensing – Policy Review of Medical Examinations: standards and frequency

WARDS: Borough-wide

1. PURPOSE OF REPORT: To advise the Committee of the results of a consultation exercise on the medical standards and frequency of medical examinations required by Single Status Drivers

2. RECOMMENDED: That the Committee consider the options outlined in this report

3. SUPPORTING INFORMATION

3.1 Members will recall at the meeting on 22nd January 2007 that an item regarding Taxi and Private Hire Vehicle Licensing - Best Practice Guidance, was presented to members. The Department for Transport (DfT) had prepared a best practise guide to assist Hackney and Private Hire Vehicle Licensing Authorities.

3.2. As part of the guidance, under Medical Criteria, the DfT advised that Taxi Drivers be tested under the criteria of a Group 2 Medical Standard (as applied by DVLA to the licensing of PCV and LGV drivers). In addition, with regard to age limits, the DfT advised that there was no necessity to set a maximum age limit for drivers provided that regular medical checks were made.

3.3 At the meeting on 22nd January 2007 The Committee requested a consultation exercise be undertaken on (1) the appropriate medical standard to be adopted (2) the appropriate ages for mandatory “age related” medical examinations for Single Status Drivers, and (3) the appropriate frequency of such examinations.

3.4 The DVLA requirements for Group2 medicals is that they apply to drivers on first application for a Group2 driving licence and they must be repeated every 5 years from when a driver becomes 45 (referred to here as “age related” medicals). The Council’s current policy for medical standards is the requirement of a Group 2 Medical Examination on first application for a Single Status Drivers Licence. Further examinations are required every six years on the licence holder attaining the age of 45 (or will be 45 during the period of a proposed existing licence).

- 3.5** The main difference in the frequency of medical tests required by the Council as compared with the DVLA applies to drivers aged 65 and over. The DVLA requires Group 2 Medical Examinations annually for drivers aged 65 and over whereas the Council makes no distinction between younger and older drivers.

4. COMMENTS FROM THE TAXI TRADE

- 4.1** On 2nd August 2007 The Licensing Section Consulted with members of the Taxi Consultative Group regarding medical standards requesting that they consult with their members and report back.
- 4.2** On 22nd November 2007 Members of the taxi consultative group advised that their members were content with the existing policy

5 COMMENTS FROM THE COUNCIL'S MEDICAL ADVISORS

- 5.1** The Five Boroughs Partnership are The Council's Occupational Health Medical Advisors. They undertake medical tests on Taxi Drivers from this area as well as for various other local Authorities. In response to the Council's consultation enquiries they have replied as follows:- "Group Two Age Limits: Excepting in the armed forces and certain PCV licenses, group 2 licenses are normally issued at age 21 and valid until age 45. Group 2 licences are renewable thereafter every 5 (Five) years to age 65 unless restricted to a shorter period for medical reasons. From age 65 group 2 licences are renewable annually without upper age limits"

In the opinion of The Five Boroughs Partnership initial examinations were a necessary requirement, but to reduce the frequency of such tests (i.e. to less than five years) contrary to the advice of the DVLA would be improper and could not be recommended.

- 5.2** This Authority issues SSD licenses on a three yearly basis and requires a medical subject to the 45 year age condition every six years. To comply exactly with DVLA guidelines would be administratively difficult and the DVLA Guidance seems not to have taken into account the statutory periods applicable to drivers of hackney carriage and private hire vehicles.

6. CONCLUSIONS

- 6.1** There is no evidence on which to base a change in policy on the appropriate medical standard to be adopted
- 6.2** There is no evidence on which to base a change in policy on the appropriate ages for mandatory medical examinations for Single Status Drivers

- 6.3** There is no evidence on which to base a change in policy on the appropriate age for introduction of mandatory “age related” medical examinations for Single Status Drivers
- 6.4** The Council has a slightly reduced policy on the appropriate frequency of medical examinations as compared with the DVLA. However, to have exactly the same standard would cause unacceptable administrative difficulties taking into account the Council’s three year cycle of renewing Single Status Drivers Licenses.
- 6.5** For drivers aged 65 and over the Committee could consider medicals being required on an annual basis. In order to track such a change in policy this implies granting annual SSD licenses for this age group. Should this change in policy be considered appropriate the administrative consequences of annual licenses would have to be agreed by the committee. The nature of these consequences can be explained at the meeting.

7 OPTIONS

7.1 The options available to the Committee are:

- Do not amend the current Policy
- Consider amending the frequency of medicals for licence holders aged 65 and over.

8 POLICY IMPLICATIONS

Any changes made would effect existing policies regarding medical requirements of SSD holders. This report is concerned with a policy directly affecting the Council’s licensing functions. Although there may be indirect issues concerning matters in Sections 9 and 10 below there has been no attempt to identify them since the policy must be determined solely with regard to the Council’s licensing functions

9 OTHER IMPLICATIONS

None

10 IMPLICATIONS FOR THE COUNCILS PRIORITIES

- 10.1 Children and Young People in Halton**
None
- 10.2 Employment Learning and Skills in Halton**
N/A
- 10.3 A healthy Halton**
N/A
- 10.4 A Safer Halton**

10.5 None
 Halton's Urban Renewal
 N/A

11 **RISK ANALYSIS**
 N/A

12 **EQUALITY AND DIVERSITY ISSUES**
 N/A

13 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE
 LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/ Kay Cleary