

Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Licensing and Safety Committee	28 February 2007

DRIVERS MEDICALS – PROPOSED CHANGE OF PROCEDURE

PURPOSE OF REPORT`

1. To ask members to consider changing the current requirement for all medicals for hackney carriage and private hire drivers to be conducted by the applicant's family doctor.

CORPORATE PRIORITIES

2. This report does not impact on any of the key priorities of the Council.

RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	√
Reputation		Regulatory/Legal	
Financial		Operational	
People		Other	

4. There is a risk that certain medical conditions would not be detected if the applicant made a false statement on his application form.

BACKGROUND

5. Section 57 (1) and (2 a i and ii) of the Local Government (Miscellaneous Provisions) Act 1976 gives the Authority power to require applicants to submit information. This section of the act is as follows:

(1) A District Council may require any applicant for a drivers licence under the Act of 1847 or under this Part of this Act to submit to them such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence.

(2) Without prejudice to the generality of the foregoing subsection -

(a) a district council may require an applicant for a drivers licence in respect of a hackney carriage or private hire vehicle -

(i) to produce a certificate signed by a registered medical practitioner to .the effect that he is physically fit to be the driver of a hackney carriage or a private hire vehicle; and

- (ii) whether or not such a certificate has been produced, to submit to examination by a registered medical practitioner selected by the district council as to his physical fitness to be the driver of a hackney carriage or a private hire vehicle.

6. On 24 April 1996 the authority decided that all applicants for hackney carriage and private hire drivers licences within the Borough must obtain medical renewals and medical certificates from his or her family doctor.
7. On 7 June 2000 the authority decided medical certificates must be to group 2 standard. Group 2 is the standard required for bus and lorry driver.
8. When the requirement to use the applicant's family doctor was introduced the cost of medicals was considered reasonable but since that time the cost has escalated.
9. The cost of medicals is frequently raised at licensing forums and it is clear that some medical practitioners are charging fees that are considerable more than when the medical rules were introduced and are causing hardship to some applicants.
10. A low-priced medical firm, Cotswold Medicals (driversmedical.com) is advertising a country wide service for carrying out medicals for taxi drivers (they also carry out medicals for bus and lorry drivers).
11. It is stated in the official newspaper of the National Private Hire Association that this firm "has quickly become established as the UK's biggest provider of medical examinations for DVLA and taxi licences". In addition the firm donates £5 for every examination to charity.
12. It is noted that the DVLA accepts medical examinations by registered medical practitioners and does not specify that the examination must be by the applicant's own doctor. It may be seen to be over cautious for the Council to continue to insist on this requirement, especially when it is not required by the DVLA or the Local Government (Miscellaneous Provisions) Act, 1976.
13. The proprietor of the company, Cotswold Medicals, has been invited to address the Committee and answer any questions that may arise.
14. There is no cost attributable to the Council as medicals are arranged by applicants and licensed drivers and the cost is met by them.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

15. N/A

COMMENTS OF THE DIRECTOR OF FINANCE

16. N/A

RECOMMENDATION

17. That the Committee considers changing the rules regarding driver's medicals to allow medical examinations to be conducted by any registered medical practitioner.

ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

There are no background papers to this report.

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