



Derby City Council

**Taxi Licensing and Appeals Committee
5 December 2013**

Report of the Strategic Director of
Neighbourhoods

ITEM 6

Medical Checks for Licensed Drivers

SUMMARY

- 1.1 On 4 July 2013 a report was considered by the Taxi Licensing Appeals Committee that considered who should undertake medicals for licensed drivers.
- 1.2 The committee resolved to require that medical examinations carried out for licensed drivers should always be undertaken by a registered GP at their own GP practice in order that an accurate assessment of their medical fitness can be determined.
- 1.3 The Director of Environment and Regulatory Services was to undertake a consultation on the proposed changes and report back to the committee with final recommendations for adoption.
- 1.4 This report provides details of the consultation and makes recommendations for the committee to consider.

RECOMMENDATION

- 2.1 To require that medical examinations carried out for licensed drivers is always undertaken by a registered GP at their own practice in order that an accurate assessment of their medical fitness can be determined and ensure public safety.
- 2.2 To agree a date for implementation if point 2.1 is ratified.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that all relevant information in relation to a driver's medical history is available to be considered when a medical examination is undertaken.
- 3.2 To ensure that a decision on a drivers suitability i.e. 'fit and proper' to be issued with a licence is made with all relevant information available.

SUPPORTING INFORMATION

- 4.1 The Licensing team undertook the consultation between 30 September 2013 and 28 October 2013 on the proposed change as set out in Appendix 2.

- 4.2 In total, 1197 letters were sent to all licensed drivers and 55 responses were received via the on line form. In addition to this, a letter has been received from A2Z Licensing who represent Chads Cars Ltd.
- 4.3 The results of the on line consultation are set out at Appendix 3.
- 4.4 The letter from A2Z Licensing is attached at Appendix 4. Further clarification has been sought from them as to exactly how many drivers they were representing and how they had consulted with the drivers on the proposals. They said that they spoke to a selection of drivers to obtain their views on medical assessments. Those drivers were happy with the content of the submission to the Council and in general, would prefer to be able to obtain their medical certificates from any medical practitioner, because that allows them the freedom to obtain the check at the cheapest possible cost and will also reduce delays in them obtaining the certification.
- 4.5 To summarise the 55 online responses received; 13 agreed with the proposals (24%) and 42 disagreed with the proposals (76%). The response from A2Z Licensing is in general support; subject to contingency being in place. Because it is not clear exactly how many drivers views are represented by A2Z Licensing, consideration should be given to how much weight this information is given.
- 4.6 The overwhelming reason for disagreeing with the proposal was the cost to the drivers. Cost has to be balanced against the risks to public safety, which Members will be aware, is a paramount consideration when determining if a driver is 'fit and proper'.

OTHER OPTIONS CONSIDERED

- 5.1 None

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Olu Idowu - - - John Tomlinson -
For more information contact: Background papers: List of appendices:	Sandra Mansell 01332 641931 sandra.mansell@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Details of consultation Appendix 3 – Responses to consultation Appendix 4 – Letter from A2Z Licensing

IMPLICATIONS

Financial and Value for Money

- 1.1 None directly arising from this report.

Legal

- 2.1 Medical fitness, along with conviction history, is a significant consideration in determining whether or not a licence holder or applicant is 'fit and proper' to remain, or be, licensed. The identified loophole identifies a shortcoming which, if not satisfactorily addressed, calls into question the appropriateness of determinations that an individual has passed the medical threshold.

Personnel

- 3.1 None directly arising from this report.

Equalities Impact

- 4.1 None directly arising from this report.

Health and Safety

- 5.1 None directly arising from this report.

Environmental Sustainability

- 6.1 None directly arising from this report.

Property and Asset Management

- 7.1 None directly arising from this report.

Risk Management

- 8.1 None directly arising from this report.

Corporate objectives and priorities for change

- 9.1 The information set out in the report supports the corporate priorities so the people of Derby enjoy being safe and feeling safe and the council provides good quality services that meet local needs.