

MEETING

Date of Meeting	Thursday, 28 June 2018
Report Subject	Changes to the medical requirements for a Private Hire / Hackney Carriage (Joint) Driver
Report Author	Gemma Potter

EXECUTIVE SUMMARY

For Members to consider making a small change to the medical requirements for a Hackney Carriage / Private Hire (Joint) Driver License in order to ensure the GP undertaking the medical has full access to the patient's medical record.

RECOMMENDATIONS

1	That Members approve the change in order to make the process more robust.
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REPORT DETAILS

1.00	EXPLAINING THE CHANGE
1.01	In order to hold a Private Hire / Hackney Carriage (Joint) Driver Licence, the Authority must be satisfied that the applicant is a fit and proper person within the meaning of the Local Government (Miscellaneous Provisions) Act 1976.
1.02	One of the ways in which Flintshire Council satisfy this criteria, is by asking the applicant (or in the case of a renewal, the licence holder) to provide a medical examination which satisfies the DVLA Group II standard. Group I is

	how the DVLA class drivers of cars and motorcycles and Group II is how the DVLA class drivers of HGV's and buses.
1.03	<p>The Group II standard was adopted in line with the Department for Transport Best Practice Guidance, which states:</p> <p>'It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. There is general recognition that it is appropriate for taxi/PHV drivers to have more stringent medical standards than those applicable to normal car drivers because:</p> <ul style="list-style-type: none"> • they carry members of the general public who have expectations of a safe journey; • they are on the road for longer hours than most car drivers; and • they may have to assist disabled passengers and handle luggage. <p>It is common for licensing authorities to apply the "Group 2" medical standards – applied by DVLA to the licensing of lorry and bus drivers – to taxi and PHV drivers. This seems best practice'.</p>
1.04	The Licensing Section provide a medical form which a GP must complete before a licence can be granted. The medical must then be reviewed every five years until the age of 65, after which, a medical examination must be provided annually. The medical form is shown at Appendix A.
1.05	Currently, Flintshire Council allow the medical form to be completed by the applicant / licence holders' own GP, or another GP. We do not propose to change this, as some GP surgeries across the country no longer offer the services of completing a medical examination.
1.06	There is nothing on the form currently which allows the doctor to confirm that they have had access to the patient's medical record. This means that if an applicant or licence holder visits a GP who does not have access to the medical record, the GP may still complete the examination, but must take the word of the patient at face value.
1.07	The Licensing Section would like to make it compulsory for the GP completing the form to have access to the patient's medical record. This can be obtained by the patient from their own GP.
1.08	A declaration would be added at the end of the form for the GP to confirm that they have had access to the medical records. Any medical completed without sight of the patient's medical record would therefore be invalid.
1.09	The overriding concern of the Licensing Section is the protection of the public, and we feel that by adding this additional measure to the existing form, the assessment of medical fitness of drivers and applicants would be more accurate and robust.

2.00	RESOURCE IMPLICATIONS
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2.01	None. The applicant / licence holder is charged by their GP for the completion of their medical examination, and the responsibility of obtaining the correct records would fall on the applicant / licence holder and the GP.
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None

4.00	RISK MANAGEMENT
4.01	There is a requirement for holders of Private Hire / Hackney Carriage drivers to have more stringent medical standards, and if the completing GP has access to the patient's full medical records, they do not have to rely on the word of the patient.

5.00	APPENDICES
5.01	Appendix A – Group II Medical Form

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Department for Transport Best Practice Guidance for Taxi and Private Hire Vehicle Licensing: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf</p> <p>Contact Officer: Gemma Potter – Team Leader Telephone: 01352 703371 E-mail: gemma.potter@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Private Hire – a type of licensed vehicle which can only be booked through a licensed Operator's office.</p> <p>Hackney Carriage – Black Cab style taxi or purpose built vehicles which have distinguishable features and can be hailed from the street.</p> <p>Joint Driver – a dual licence to drive both Hackney Carriage and Private Hire vehicles</p> <p>Fit and Proper Person – a person who has been deemed an appropriate person to hold a Private Hire / Hackney Carriage (Joint) Driver licence with this Authority. Flintshire Council determine this on application by obtaining an enhanced criminal record check, character references, a medical, a check of the driving licence history and a knowledge test. Also by</p>

	assessment of complaints or information arising in relation to current licence holders.
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	DVLA – Driver and Vehicle Licensing Agency
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