



### **3 Corporate Objectives and Priorities**

- 3.1 The licensing of hackney carriage vehicles, drivers and operators is a statutory requirement and as such does not directly relate to any of the authority's corporate objectives and priorities.

### **4 Consultations/Communications**

- 4.1 The taxi trade has not been consulted on this change as the proposed change will merely revise the current policy to reflect what currently happens. The change is recommended following dialogue between the Legal and Democratic Service and the Internal Audit Team of the Finance Service.

### **5 Options and Option Appraisal**

- 5.1 This authority (along with all others in Hampshire) has adopted a policy that it will follow the DVLA Group 2 medical requirements in respect of licensed private hire and hackney carriage drivers. Those requirements are that a driver should undergo a medical upon initial application, then again when aged 45, 50, 55, 60 and then annually once they reach the age of 65. A recent internal audit report criticised the Licensing Team for not following this policy rigidly in that e.g. if a driver reached one of these milestone ages in March but their licence renewal was not due until September then officers were waiting until the renewal was due before asking for a medical.
- 5.2 The authority's policy is worded as follows: *The Council requires a new applicant for either a Hackney Carriage or Private Hire driver's licence to show proof of satisfactory medical fitness. Once licensed, the Council will continue to ask for proof of fitness at specified ages, or at any other reasonable time. Generally speaking, medicals must be produced on first application, and then at the age of 45, 50, 55, 60 until 65. After this age medicals will be required annually.* It is the view of the Licensing Team that the wording of the policy specifically the phrases "or at any other reasonable time" and "generally speaking" allows a degree of flexibility in how the policy is applied.
- 5.3 When first introduced the policy was applied rigidly but this meant that potentially a driver could receive two communications from the authority within months of one another, once when their licence needed to be renewed and then again when they needed to provide a new medical report. As this was unhelpful for both the driver and the authority a degree of flexibility was applied to the policy such that requests for medicals would where possible be sent at the same time as licence renewal paperwork.
- 5.4 Whilst the Head of Legal and Democratic (Legal Services Manager) understands why this approach is advantageous for administrative reasons, he recommends that the policy be reworded to reflect current practice. Therefore it is suggested that the policy be revised such that it will be worded as in paragraph 5.2 above except for penultimate sentence which will read as follows: *Generally speaking, medicals must be produced on first application,*

*and then when a licence is renewed if the driver will within the term of that licence reach the age of 45, 50, 55, 60 or 65.*

## **6 Resource Implications**

6.1 There are no direct resource implications as a result of the recommendation.

## **7 Legal Implications**

7.1 There are no direct legal implications relating to the recommendation.

## **8 Equality Issues**

8.1 An Equalities Impact Assessment has previously been undertaken and a further assessment is not needed because the issues covered have previously been considered by this Committee and the proposed change does not constitute a significant change in policy.

## **9 Other Issues**

9.1 Community Safety – none.

9.2 Environmental Health/Sustainability Issues – none.

9.3 Property Issues – none.

9.4 Wards/Communities Affected – none specifically but potentially the whole Borough.

## **10 Conclusion**

10.1 The rationale behind the licensing regimes that cover hackney carriages and private hire vehicles is that as an important part of the public transport network of this country a service should be provided to the public that is safe, accessible and seen to be so. The current regimes work well in ensuring that operators, vehicles and drivers are properly licensed and the requirement for drivers to provide a medical report at certain intervals is an important part of this. Following an internal audit undertaken last year it is necessary to alter the wording of the policy regarding provision of medical reports so that the policy reflects current practice.

Background Papers (Local Government Act 1972 Section 100D)

Report to Licensing Committee 16 November 2006

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes: Nil

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