

The background of the slide features a large, faint watermark of the Scottish Coat of Arms. It includes a crown at the top with four thistles, a shield divided into four quarters (a saltire, a lion, a ship, and a unicorn), and a motto scroll at the bottom with the text 'AN FUR A'.

Agenda Item 6

Civic Government (Scotland) Act 1982 Taxi and Private Hire Car Driver Medicals

Falkirk Council

Subject: Civic Government (Scotland) Act 1982
Taxi and Private Hire Car Driver Medicals
Meeting: Emergency Executive
Date: 20 August 2020
Submitted By: Director of Corporate and Housing Services

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval for a temporary change in relation to the requirement for new applicants and existing drivers to undergo a medical examination to a system of self declaration.

2. Recommendation

- 2.1 It is recommended that the Executive agrees the change to a system of medical self declaration in place of medical examinations by applicants and existing drivers for a period of six months.**

3. Background

Medicals

- 3.1 The Council's policy is that all applicants for taxi and private hire car drivers' licences are required to meet the medical standards of fitness applicable to DVLA Group 2 Licence holders and that the frequency of testing should also follow the DVLA Group 2 model. This means that as well as new applicants, each licensed driver requires to be medically examined at the ages of 50, 55, 60, 65 and annually thereafter.
- 3.2 A review of taxi medicals had recently concluded and prior to lockdown the Council was in the process of expanding the pool of GPs who would undertake the taxi medicals. Although the lockdown and the prioritization of covid-19 related issues for the GPs has halted this meantime, officers will recommence the process to further expand the GP resource.
- 3.3 Medical examinations prior to the Coronavirus pandemic were carried out by a local GP. No medicals have been undertaken for new applicants or those drivers who by virtue of age are required to be medically examined. At present there are 36 licensed drivers who fall into this category.

- 3.4 The local GP has advised that there is no realistic prospect of undertaking face to face medicals until a vaccine is in place.
- 3.5 Discussions have taken place between officers and the GP to find a way forward. A suggested alternative approach is that of a self-declaration on the application forms. This is not an uncommon approach and is standard practice in other local authorities. Revised application forms have been prepared which include medical questions for the applicant to answer. An arrangement will be in place for the GP to consider any application forms that have responses that require further medical scrutiny. It is proposed that if Members agree to the policy adjustment then this position will endure for six months and be subject to review at this point. If it is possible to expand the number of doctors available within this period, officers will explore re-establishing either direct face to face or remote examination. If this is possible, the current system will be restored.

4. Considerations

- 4.1 The Coronavirus pandemic has changed the way in which the Council operates. The prospect of no face to face medicals until such time potentially as when a vaccine is available leaves the Licensing Authority in a position where it cannot grant or renew licences where the applicant requires a medical to demonstrate either their fitness or continuing fitness.
- 4.2 An interim measure of a self-declared checklist requiring applicants to answer specific health questions and subsequent consideration by the GP where required, will ensure that the driver is fit to drive a taxi or private hire car.

5. Implications

Financial and Resources

- 5.1 There are no financial implications.

Legal

- 5.2 None.

Risk

- 5.3 Failure to process applications may lead to a legal challenge to the Licensing Authority.

Equalities

- 5.4 None.

Sustainability / Environmental Impact

- 5.5 None

6. Conclusion

- 6.1 The Coronavirus pandemic has curtailed aspects of the taxi licensing service. The proposed temporary measure outlined will assist new and renewal licences to be processed and granted expeditiously.

Director of Corporate and Housing Services

Date: 6 August 2020

Contact Officer: Alison Barr, Consumer Protection Manager ext. 1265

List of Background Papers

None.