

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest includes a crown with four maple leaves, a shield divided into four quadrants (top-left: a ship, top-right: a stag, bottom-left: a ship, bottom-right: a grizzly bear), and a banner at the bottom with the motto "A NE FOR A".

Agenda Item 6

Policy Development Panel: Review of Taxi Policies – Interim Report

Falkirk Council

Title: Policy Development Panel: Review of Taxi Policies – Interim Report
Meeting: Executive
Date: 18 June 2019
Submitted By: Director of Corporate and Housing Services

1. Purpose of Report

- 1.1 The purpose of this report is to present the interim findings of the policy development panel, established to review taxi policies on a variety of areas relevant to the trade. The recommendations contained herein relate to taxi medicals and the frequency of the taxi tariff review.

2. Recommendations

2.1 The Policy Development Panel recommends that the Executive agree:-

- (1) to maintain the current policy which requires all new applicants for taxi and private hire driver licences to undergo a “Group 2” style medical assessment**
- (2) to raise the age at which the 5 yearly and annual medical assessments commence from 46 to 50**
- (3) to set a fee of £75 subject to regular review of the fee level;**
- (4) to establishing a formalised pool of GPs to carry out the taxi medical assessments by way of a contract**
- (5) to adopt the amended medical form; and**
- (6) to review the taxi tariff annually**

3. Background

- 3.1 The policy development panel (PDP) was established in 2018 by the Executive to review taxi related policies, in particular medical examinations for taxi and private hire car drivers, and vehicle specifications for taxi and private hire cars to ensure they remain robust and fit for purpose. In addition the PDP had regard to regularising the Taxi tariff review and also plans to consider a number of other areas which have come to light during the panel's considerations.
- 3.2 The panel comprised Councillor Murtagh (Chair), Councillors Binnie, Bisset, Hughes and Kerr. Councillor Kerr was replaced by Councillor Patrick during the process.

- 3.3 The panel met on 25 April 2018 to set out the scope of its review. It agreed to prioritise consideration of the taxi policies with the medical examinations reviewed in the first instance along with consideration of the frequency of the taxi tariff review. The panel has met on six occasions.
- 3.4 The panel has now concluded the first tranche of its review and its findings and recommendations in relation to taxi medicals and taxi tariff review frequency are set out in this report.

4. Review of Taxi Medicals

Legal Basis

- 4.1 Section 13(4) of the Civic Government (Scotland) Act 1982 provides any Council to require at any time for a taxi or a private hire car driver to attend a medical examination at the Council's expense. The purpose of this provision is to enable the Council as Licensing Authority to be satisfied that the driver is physically fit to drive a taxi or private hire car.
- 4.2 In 1998, the Council introduced a policy whereby all future applicants for taxi and private hire car drivers' licences would be required to meet the medical standards of fitness applicable to DVLA Group 2 Licenceholders and that the frequency of testing should also follow the DVLA Group 2 model. This meant that as well as new applicants, each licensed driver would be required to be medically examined at the ages of 46, 51, 56, 61 and annually thereafter.
- 4.3 The policy was introduced in the interest of public safety and in recognition that licensed taxi/ private hire car drivers could spend considerable time driving like the bus and lorry drivers who are required to hold DVLA Group 2 licences.

Reason for the review of policy

- 4.4 The practice of taxi/ private hire car drivers being examined locally by GPs has been in place since that decision, however there has been no formal agreement with the practices which provide the service during that time. The number of practices which do so has decreased over the years with only 1 GP now providing the service. The reasons cited by medical practices/ GPs withdrawing have ranged from the low fee paid (£40), to the medical form being outdated and not truly reflective of the current Group 2 medical.

Considerations

- 4.6 After the initial meeting in April that set out suggested areas for taxi policy review the PDP met in May 2018 and considered a scoping paper setting out the initial focus on taxi medical provision. The PDP instructed officers to benchmark with other local authorities in terms of whether they required licensed taxi/ private hire car drivers to attain certain medical standards of fitness.

- 4.7 The results of the benchmarking exercise were considered by the PDP at the June 2018 meeting and illustrated a mixed approach with 15 local authorities having some form of self-declaration on the application and 13 following the Group 2 equivalent. The PDP agreed that the Council should maintain the policy position of requiring the Group 2 medical for drivers, however further consideration should be given to the frequency of medicals.
- 4.8 At the October 2018 meeting the PDP agreed that the frequency of medicals should be adjusted from ages 46, 51, 56, 61 and annually thereafter to 50, 55, 60, 65 and annually thereafter. In addition, it agreed to existing medical forms being enhanced to more accurately reflect the current DVLA Group 2 medical examination. Officers were also instructed to commence a consultation with local medical practices to ascertain their willingness, or otherwise, to participate in a revised arrangement. Officers confirmed that the Taxi Forum would be consulted on proposals.
- 4.9 At the January 2019 meeting the PDP was advised that the Taxi Forum was supportive of the current policy and the suggested change to frequency. The forum had however expressed concern at the prospect of any medical provider being based outwith the Falkirk Council area due to potential distances drivers may require to travel to. The PDP considered the consultation responses from the 26 medical practices. Details of current annual medical cost projections and also costs of medicals if they had been subject to inflationary rises in the intervening period since the fee was last increased, were also considered.
- 4.10. The PDP having taken into account the passage of time since the last increase agreed that it should be recommended to the Executive that a new fee level should be set at £75 per medical. An adjusted medical form was also considered and approved. The PDP also considered different methods of delivery of the medical and officers were also instructed to write out once again to all 26 practices in light of the potential increase in fee levels to ascertain any further interest. In addition, the view of the Council's procurement team were to be sought in relation to the formalisation of any subsequent agreement with the Council / medical practices.
- 4.11 At the April 2019 meeting the PDP considered the results of the follow up consultation with the local medical practices. The PDP also had regard to officer discussions regarding procurement, mindful that best value should be achieved in securing an arrangement with local medical practices. The Council's Procurement officers had indicated that given the nature of the contract, an exemption in the Council's Contract Standing Orders to formal procurement competition, could apply. The PDP noted that advice and approval had been sought and obtained from the Chief Governance Officer on an exemption in this regard.

5. Taxi Tariff review

- 5.1 The Council has a duty to review taxi fares and scales from time to time. The most recent review concluded last year with a substantial increase agreed following a period of no change. The issue of when a review takes place was discussed with the Taxi Forum and also at the early meetings of the PDP. The Forum and PDP were both supportive of officer suggestions that the review should be regularised and undertaken annually as this would result in a greater certainty in the process for both the trade and officers .
- 5.2 The panel wished to consider the timing of any process before making a recommendation and were satisfied that the process undertaken last year, which allowed for consultation over the summer period and change of tariff rate at the end of September, was appropriate for the trade and council alike. The recommendation to annualize this process would therefore aim to continue this pattern and see a tariff review reported to June executive as a general best practice method.

6. Next steps

- 6.1 The next tranche of the PDP review is due to commence with a meeting scheduled before the summer recess. The meeting will focus on the composition of the taxi and private hire car fleet.

7. Implications

Financial

- 7.1 There is no direct financial impact on the Council as the increase in medical fee proposed will be offset by the reduction in anticipated medicals resulting in cost neutrality.

Resources

- 7.2 There are no resource implications arising from the report.

Legal

- 7.3 The legal implication arising from the report recommendations is that the Council continues to fulfil its duty to fix taxi fare scales at regular intervals in terms of Section 17(2) of the Civic Government (Scotland) Act 1982.

Risk

- 7.4 None identified.

Equalities

- 7.5 This report does not have any direct impact on protected groups. The requirement to undertake a medical applies to all applicants. The requirement to fix fares is statutory.

Sustainability/Environmental Impact

- 7.6 There is no environmental impact arising from the contents of the report.

8. Conclusions

- 8.1 This report presents the findings of the panel for consideration in relation to taxi medicals and the taxi tariff review process.

Director of Corporate and Housing Services

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Date: 6 June 2018

Appendices

Appendix 1 – Medical Form

List of Background Papers:

Scoping paper and Notes of PDP meetings.

Application
Licence No.

FALKIRK COUNCIL
Form of Medical Examination for an Applicant for a Licence to Drive a Taxi/Private Hire Car

The Council (Licensing Authority) requires to be satisfied as to the physical fitness of an applicant for a Taxi/Private Hire Car Drivers Licence before a licence can be issued to them. In this connection the Council relies upon the advice of its approved Consultant Medical Practitioners.

Applicant's Name	
Address	<div style="border-top: 1px dotted black; border-bottom: 1px dotted black; height: 60px;"></div>

Declaration by Applicant

I declare that all information given by me in connection with the medical examination to which this form relates is true.

Signed.....Date.....

NOTES FOR MEDICAL PRACTITIONER

1. This certificate is for the confidential use of Falkirk Council. Any fee charged is payable by the Council
2. The examination should be carried out to the standard required in terms of the D.V.L.A. Group 2 Drivers Standards.
3. Any person who makes any false statement in connection with the application for a licence is liable to prosecution, and Falkirk Council would suggest that the applicant should be so warned before the examination is made and the applicant should be requested to sign the above declaration.
The examination should only take place if the applicant has provided you with photographic identification.
The applicant has been advised of the need to produce identification.
4. Special attention should be directed to the condition of the arms, hands, legs and feet, and particularly to the joints of the upper and lower extremities.

I certify that I have this day examined the applicant who has provided photographic identification and find him/her to be fit/unfit to meet the standards required in terms of the DVLA Group 2 Drivers Standards to undertake duties as a taxi/private hire car driver and that the answers to the questions overleaf are correct to the best of my knowledge and belief. **Delete as necessary*

Signature, etc. of qualified and Registered Medical Practitioner	
Address	<div style="border-top: 1px dotted black; border-bottom: 1px dotted black; height: 40px;"></div>
Date	

	Reply to be written in this column
<p>1. Visual Assessment</p> <p>Indicate Acuity of vision by Snellen test type. <i>(At least 6/9 in the better eye and at least 6/12 in the other (corrective lenses may be worn). The uncorrected vision should be at least 3/60 in either eye)</i></p> <p>If glasses/lenses were used were the reading taken with the applicant's own glasses?</p> <p>Is the applicant's field of vision by hand test satisfactory?</p> <p>Does the applicant suffer from any other defect of vision which would affect his fitness to act as a licensed driver?</p> <p>If YES, please give details</p> <p>Do you consider that the applicant should wear glasses/lenses when driving?</p>	<p>Without glasses/lenses</p> <p>R.Eye <input type="text"/> L.Eye <input type="text"/></p> <p>With glasses/lenses</p> <p>R.Eye <input type="text"/> L.Eye <input type="text"/></p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p>
<p>Does the applicant suffer from any defect of hearing?</p> <p>If YES, do you consider that it would interfere with the efficient performance of his duties as a licensed driver?</p>	<p>YES / NO</p>
<p>2. Neurological disorders</p> <p>To the best of your judgement is the applicant subject to any of the following conditions likely to affect efficient performance of duties as a licensed driver?</p> <p>Epilepsy</p> <p>Vertigo</p> <p>Stroke or TIA (Transient Ischaemic Attack)</p> <p>Chronic Neurological disorder e.g. Parkinson, Multiple Sclerosis</p>	<p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p>
<p>3. Diabetes mellitus</p> <p>Does the applicant have diabetes mellitus?</p> <p>If yes is it treated by –</p>	<p>YES / NO</p> <p>(i) Diet alone <input type="checkbox"/></p> <p>(ii) Diet and tablets <input type="checkbox"/></p> <p>(iii) Insulin injection <input type="checkbox"/></p>

<p align="center">4. Cardiac</p> <p>Does the applicant suffer from any heart related disorders including coronary artery disease, cardiac arrhythmia and hypertension?</p> <p>(a) Give blood pressure reading for the applicant</p> <p>Do you consider the applicant's blood pressure to be satisfactory having regard to age and particularly given the applicant's responsibility for the safety of the travelling public?</p>	<p>YES / NO</p> <p><input type="text"/> Diastolic <input type="text"/> Systolic</p> <p>YES / NO</p>
<p>5. Psychiatric illness</p> <p>Does the applicant show any evidence of being addicted to the excessive use of alcohol, tobacco or drugs?</p> <p>Does the applicant have a history of or show any evidence of any psychiatric illness?</p> <p>Does the applicant show any evidence of cognitive impairment/dementia</p>	<p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p>
<p align="center">6. General</p> <p>Has the applicant any deformity or loss of limbs?</p> <p>If YES, give details – would this interfere with the efficient performance of his duties as a licensed driver? (See Note 4)</p> <p>Does the applicant have any lung disorders?</p> <p>Does the applicant have hearing difficulties?</p> <p>Is the applicant receiving treatment for cancer?</p> <p>Is the applicant taking any medication currently that could have a side effect that could affect safe driving?</p>	<p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p> <p>YES / NO</p>
<p>In your opinion is the applicant generally fit to carry out duties of a licensed driver as regards:-</p> <p align="right">bodily health,</p> <p align="right">temperament</p>	<p>YES / NO</p> <p>YES / NO</p>
<p>Is there any abnormality present which the Licensing Authority should be aware of which is not referred to in the above questions?</p> <p align="right">If YES, please give details.</p>	<p>YES / NO</p>
<p>Is there any other matter relating to the health of the applicant which you would wish to draw to the attention of the Licensing Authority?</p> <p align="right">If YES, please give details.</p>	<p>YES / NO</p>