

---

**Report to Regulatory Committee**

---

**Date of Meeting: 27 October 2020**

---

**Subject: Licensing of Taxi and Private Hire car drivers – medical certificate**

---

**Report by: Lindsay Thomson, Senior Manager: Legal & Governance**

---

**1.0 Purpose**

- 1.1. This report seeks a decision on extending the dis-application of standard condition 3 relating to medical certification. The Emergency Decision Making Forum agreed the dis-application on 3 April 2020 for a period of six months.

**2.0 Recommendations**

- 2.1. It is recommended that Committee
- 2.2. agree to dis-apply standard condition 3 for applicants for taxi and private hire driver applications until 25 March 2021 and
- 2.3. agree to require all to require all applicants who would have been subject to condition 3 during this period of time between 4 April 2020 and 25 March 2021 to submit a medical certificate certifying fitness to drive to the Council by 30 April 2021.

**3.0 Considerations**

- 3.1. The Regulatory Committee approved the current set of conditions in May 2018. Condition 3 currently provides that a driver of a taxi or private hire must obtain a Clackmannanshire Council pro –forma medical certificate in the following circumstances:-
- 3.1.1. All new applicants aged 55 or over or for renewals for those aged 55 or over
- 3.1.2. Every six years thereafter until the age of 65
- 3.1.3. Every year for those drivers aged over 65
- 3.2. The Clackmannanshire representative of the Scottish Taxi Federation (this organisation does not cover private hire drivers) has indicated previously that availability of GPs who can complete the pro-forma is limited and this is

increasingly the case as the pressure on local health service increases during the pandemic.

- 3.3. In April the EDMF met and agreed to dis-apply the standard condition for a period of 6 months. That decision has now expired and authority to extend it is sought. It is understood that the position remains challenging with reference to getting a certificate and that other local authorities nearby have taken the same approach.
- 3.4. Discussions have begun with the Council's own occupational health provider to see whether this may be an alternative, however this might require contract variation if the provider agrees to carry out the work.
- 3.5. It is recognised that there will be a temporary reduction in the assurance that the public can take in relation to taxi and private hire car drivers aged over 55 in Clackmannanshire. There is a risk that a taxi driver will not be fit to drive.
- 3.6. Removing the requirement for a certificate for a short period of time will reduce the pressure on GPs to provide this certification at a time when the GP service will be facing additional demands and a reduction in resource.
- 3.7. There is a cost pressure associated with the certificate for drivers who all pay for the certificate. At this time of financial uncertainty for taxi drivers and private hire drivers and in light of government advice to avoid public transport, this measure will reduce the cost pressure of continuing to hold a licence.

#### **4.0 Sustainability Implications**

- 4.1. None – this should continue to allow new applications to come forward even if they would ordinarily have to provide a medical certificate. The cost of the certificate is borne by the applicant or licence holder so there is no financial impact on the licence holder.

#### **5.0 Resource Implications**

##### *5.1. Financial Details*

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes x

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

##### *5.4. Staffing*

#### **6.0 Exempt Reports**

- 6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No x

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

### (1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐  
Our families; children and young people will have the best possible start in life ☐  
Women and girls will be confident and aspirational, and achieve their full potential ☐  
Our communities will be resilient and empowered so that they can thrive and flourish ☐

### (2) **Council Policies** (Please detail)

## 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

The recommendation mitigates the impact the current difficulty in meeting standard condition three on older drivers.

## 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

## 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

**Report to EDMF on 3 April 2020**

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Lindsay Thomson		2084

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Lindsay Thomson	Senior Manager, Partnership & Performance	Signed: L Thomson