

## REQUEST FOR MEDICAL EXEMPTION

### Request to be medically exempt from duties imposed under Equality Act 2010 and Licence Conditions for a Taxi or Private Hire Car (PHC) Driver

**This application must be fully completed and submitted together with the correct fee to:**

Licensing Section  
The City Of Edinburgh Council  
249 High Street,  
Edinburgh EH1 1YJ

**PLEASE REFER TO THE FEE LIST FOR DETAILS OF THE FEE PAYABLE**

**ALL QUESTIONS MUST BE ANSWERED IN TYPESCRIPT OR BLOCK CAPITALS**

**IF YOU HAVE NOTHING TO RECORD, YOU MUST STATE "NOT APPLICABLE" OR "NONE"**

**PLEASE READ THESE NOTES CAREFULLY BEFORE COMPLETING THE FORM**

**Please be advised that you are not exempt from Licence Conditions and your duties as specified in the Equality Act 2010 until the outcome of your request is determined and you have been notified of the decision in writing.**

You should be aware that the Council will only issue **temporary** exemptions.

When we receive this application for exemption we will refer you for assessment by the Council's Medical Assessment provider.

After considering the recommendations made by the Council's Medical Assessment provider, we will decide whether you will receive an exemption certificate or not, what it will cover, and how long any exemption will last for.

If an exemption is granted, you will be issued with an Exemption Certificate. This Exemption Certificate must be displayed at all times on the passenger doors and on the windscreen of the Licensed Vehicle, so that it can be read by passengers before they enter the Licensed Vehicle.

**If you wish to be considered for another exemption when you renew your licence**, you will need to submit another form and be reassessed by the Council's Medical Assessment provider. The administration fee will apply again.

If you have not been granted an exemption and you fail to fulfil your duties as detailed below, you may be subject to prosecution. If found guilty you will be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000).

**If you are granted an exemption certificate you will be exempt from the following duties imposed by your licence conditions and the Equality Act 2010:**

***Licence Conditions***

You should refer to your licence conditions and take note of the terms of the following conditions as applicable:

Taxi Driver: Assistance Dog; 114 (a) – (b)  
Wheelchair passenger assistance: 131(a) – (d)

PHC Driver: Assistance Dog: 195 (a) – (b)  
Wheelchair passenger assistance: 215 (a) - (d)

131 / 215. The Driver shall give such reasonable assistance to passengers or potential passengers to access the Licensed Vehicle as is required. In particular:

- (a) in relation to persons with obvious mobility difficulties the Driver shall make appropriate enquiries of that person to identify their preferred method of accessing the Licensed Vehicle and seating requirements;
- (b) in relation to passengers who use wheelchairs the Driver must ascertain whether the passenger wishes to remain within their wheelchair and if so must help the passenger to get into and out of the Licensed Vehicle; the Driver must also load the wheelchair into the Licensed Vehicle; the Driver must also offer to load the passenger's Luggage into and out of the Licensed Vehicle;
- (c) the Driver shall make use of the Licensed Vehicle's step as and when required and make reasonable enquiries of passengers, where appropriate, to ascertain this;
- (d) the Driver shall take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort.

114 / 195. Where a Licensed Vehicle has been Hired:

- (a) by or for a disabled person who is accompanied an Assistance Dog; or
- (b) by a person who wishes such a disabled person to accompany that person in a Licensed Vehicle, the holder of a Licensed Vehicle shall carry the Assistance Dog and allow it to remain with the disabled person and shall not make any additional charge for doing so.

## ***Equality Act 2010***

### **S.165 - Passengers in wheelchairs**

(4) The duties are—

- (a) To carry the passenger while in the wheelchair;
- (b) Not to make any additional charge for doing so;
- (c) If the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- (d) To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- (e) To give the passenger such mobility assistance as is reasonably required.

(5) Mobility assistance is assistance—

- (a) To enable the passenger to get into or out of the vehicle;
- (b) If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- (c) To load the passenger's luggage into or out of the vehicle;
- (d) If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

(6) This section does not require the driver—

- (a) Unless the vehicle is of a description prescribed by the Secretary of State, to carry more than one person in a wheelchair, or more than one wheelchair, on any one journey;
- (b) To carry a person in circumstances in which it would otherwise be lawful for the driver to refuse to carry the person.

## **Assistance Dogs**

### **S.168 - Assistance dogs in taxis**

(1) This section imposes duties on the driver of a taxi which has been hired—

- (a) by or for a disabled person who is accompanied by an assistance dog, or
- (b) by another person who wishes to be accompanied by a disabled person with an assistance dog.

(2) The driver must—

- (a) carry the disabled person's dog and allow it to remain with that person;
- (b) not make any additional charge for doing so.

PART 1 – LICENCE HOLDER DETAILS		
1.1	Full name	
1.2	Date of birth	Place of birth
1.3	Home Address	
	Postcode	
1.4	Contact Phone number	
1.5	Mobile	
1.6	Contact email address	

PART 2 – CURRENT LICENCE DETAILS			
State whether you are a Taxi or Private Hire Car (PHC) driver			Taxi <input type="checkbox"/>
			PHC <input type="checkbox"/>
CEC Licence (driver) no.		Expiry date of licence	/ /

PART 3 – EXEMPTION REQUESTED			
3.1	Please state what you require a medical exemption from	Carrying Wheelchairs Users	<input type="checkbox"/>
		Carrying Assistance Dogs	<input type="checkbox"/>
3.2	On what grounds are you requesting the exemption	On medical grounds	<input type="checkbox"/>
		Other*	<input type="checkbox"/>
*please provide brief details below			

**PART 3 – DECLARATION**

In making this application you should be aware that the City of Edinburgh Council will hold the information supplied by you ('data') for its purposes as local licensing authority. If you wish to check or amend the data held, or request deletion of data, you should contact the Council Solicitor (Licensing) on the details above. In processing the data it will be disclosed to the police and other public bodies involved with licensing enforcement. By submitting this application you are giving your consent for your information to be held and processed for the stated purposes

The Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes

I hereby make application in the above terms and certify that the information given is true and correct.

Signature of Applicant	Date
	/ /