

*PART A

Report to: Licensing Committee
Date of meeting: 14 September 2015
Report of: Head of Community and Customer Services
Title: Chauffeur Knowledge Tests

1.0 **SUMMARY**

1.1 The Council is responsible for licensing private hire vehicles and drivers. This currently includes licensing some private hire drivers under different criteria as chauffeurs. The Committee is asked to consider whether it is appropriate to maintain this distinction and whether one common set of criteria ought to apply to all private hire drivers.

2.0 **RECOMMENDATIONS**

2.1 That officers review the current chauffeur scheme and bring a report to a future Licensing Committee with any recommendations for changes following appropriate consultation, and whilst this officer review is occurring any new applicants for “chauffeur” private hire driver licences be required to first complete the Council’s knowledge test before being granted a licence.

Contact Officer:

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Report approved by: Alan Gough, Head of Community and Customer Services

3.0 **DETAILED PROPOSAL**

3.1 The Council is responsible for licensing private hire operators, drivers and vehicles. The Committee has set policies controlling the criteria by which those licences may be granted, refused or revoked and the licences are subject to reasonable conditions governing their use.

- 3.2 On 3 October 2001 the then-Environmental Health and Licensing Committee approved the introduction of a slightly separate scheme to licence chauffeurs. This was to accommodate a small number of businesses that were affected by the introduction of compulsory private hire licensing in London on the grounds that they provided a higher degree of discretion and security for their passengers, who typically at the time included film companies, royalty and other passengers requiring a high degree of security and discretion.
- 3.3 The key differences between routine private hire licensing and chauffeur licences are:
- (1) applicants for chauffeur driver licences do not take the council Knowledge Test
 - (2) applicants for chauffeur driver licences do not take the Driver and Vehicle Standards Agency driving assessment if they have some form of advanced driving qualification (such as the Institute of Advanced Motorists' certificate)
 - (3) chauffeur vehicles are exempt from the need to display a licence plate on the rear of their vehicles but still have to display a licence identification sign in the front windscreen
 - (4) chauffeur drivers are exempt from the need to wear (but must still possess) a drivers' identification badge
 - (5) chauffeur vehicle operators have to supply monthly records to the licensing team of the journeys they undertake to demonstrate they fulfil the exemption requirements.
- 3.4 Chauffeur drivers are subject to the same criminal record and medical checks, licence conditions and enforcement as all other private hire drivers.
- 3.5 There are only currently eleven chauffeur drivers, six of whose licences were granted for the first time within the last year. There are also only currently eleven chauffeur vehicles, and four operators.
- 3.6 Officers believe there is no longer a need for chauffeurs and private hire drivers to be differentiated. The licensees perform the same job, and there is a view that applicants will try and become licensed as "chauffeurs", particularly to avoid taking the Knowledge Test and considering the current high demand for driver licences (with approximately 100 candidates currently applying).
- 3.7 Officers intend to consult with existing operators on the proposal that in future only private hire vehicle, driver and operator licences are issued, subject to the same criteria and conditions.

4.0 **IMPLICATIONS**

4.1 **Financial**

- 4.1.1 The fees for chauffeur and private hire licences are the same and there are no financial implications.

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 Applicants who are refused a licence or are aggrieved by the conditions of a licence may appeal to the magistrates' court. The recommendation is not to impose more onerous conditions on applicants but to ensure there is a level playing field within the private hire sector.

4.3 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Appeal to magistrates against refusal/licence conditions	1	2	2
<i>Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service's Risk Register.</i>			

Background Papers

File Reference

Private hire vehicle operators