

**LICENSING DRIVER PANEL**  
**Regulatory Committee**  
**Agenda**

Date Tuesday 13 November 2018

Time 9.30 am

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Kaidy McCann in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Kaidy McCann Tel. 0161 770 5151 or email [Kaidy.mccann@oldham.gov.uk](mailto:Kaidy.mccann@oldham.gov.uk)

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Thursday, 8 November 2018.

4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE LICENSING DRIVER PANEL IS AS FOLLOWS:  
Councillors A. Alexander, Briggs (Chair), Cosgrove (Vice-Chair), Garry, C. Gloster, Price and Shuttleworth

Item No

1 Apologies For Absence

2 Urgent Business

Urgent business, if any, introduced by the Chair



3           Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

4           Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

5           Minutes of Previous Meeting (Pages 1 - 4)

The Minutes of the Licensing Driver Panel held on 2<sup>nd</sup> October 2018 are attached for approval.

6           Exclusion of the Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

7           Local Government (Miscellaneous Provisions) Act 1976 Section 61 - Review of a Dual Drivers Licence (DP/2018/35) (Pages 5 - 10)

The purpose of this report is to ask Members to review a dual hackney carriage / private hire driver's licence, where convictions recorded against the applicant, who has been invited to today's hearing, call into question whether they remain a 'fit and proper' person to hold a licence.

8           Local Government (Miscellaneous Provisions) Act 1976 Application for Dual Driver Licence – (DP/2018/36) (Pages 11 - 16)

The purpose of this report is to inform Members of an application for a dual hackney carriage / private hire driver's licence; which, due to convictions recorded against the applicant, has been referred to this panel for determination.

9           Local Government (Miscellaneous Provisions) Act 1976 Section 61 - Review of a Dual Drivers Licence (DP/2018/37) (Pages 17 - 24)

The purpose of this report is to ask Members to review whether, as a result of a complaint from a member of the public, the holder of an existing dual hackney carriage / private hire drivers licence, remains a 'fit and proper' person to hold that licence.

10          Licensing Drivers Panel Appeals Update (Pages 25 - 30)

The purpose of this report is to provide Members with an update on any appeals against the decisions of the Council's Licensing Drivers Panel.



**LICENSING DRIVER PANEL**  
**02/10/2018 at 9.30 am**

**Present:** Councillor Briggs (Chair)  
Councillors A. Alexander (up to Item 7), Cosgrove (Vice-Chair),  
Garry, C. Gloster, Price and Shuttleworth

Also in Attendance:

David Smith	Principal Licensing Officer
Shamim Iqbal	Licensing Hearing & Projects Officer
David Joy	Solicitor
Sian Walter-Browne	Constitutional Services

1           **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2           **URGENT BUSINESS**

There were no items of urgent business received.

3           **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4           **PUBLIC QUESTION TIME**

There were no public questions received.

5           **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting held on 4<sup>th</sup>  
September 2018 be approved as a correct record.

6           **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that, in accordance with Section 100A(4) of the  
Local Government Act 1972, the press and public be excluded  
from the meeting for the following items of business on the  
grounds that they contain exempt information under paragraphs  
1 and 2 of Part 1 of Schedule 12A of the Act, and it would not,  
on balance, be in the public interest to disclose the reports.

7           **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1976 APPLICATION TO RENEW A DUAL DRIVERS  
LICENCE (DP/2018/27)**

Councillor Alexander left the meeting after hearing from all  
parties and before a decision was made. He took no part in the  
decision.

**RESOLVED** that, based on the information provided to the  
Panel, having considered the Applicant's previous convictions  
and taking into account Oldham Metropolitan Borough Council's  
conviction guidelines approved by the Licensing Committee in

November 2016, the application for the renewal of a dual hackney carriage / private hire driver's licence be granted subject to:-



1. The licence being suspended for a period of twelve months from 1<sup>st</sup> April 2018
2. The applicant applying within 28 days from 2<sup>nd</sup> October 2018 for a place on the taxi driver NVQ
3. The applicant being formally warned that all forms must be completed accurately

NOTE: the Applicant and his representative attended the meeting and addressed the Panel.

8 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1976 SECTION 61 - REVIEW OF A DUAL DRIVERS  
LICENCE (DP/2018/30)**

**RESOLVED** that, based on the information provided to the Panel, having considered the Applicant's previous convictions and taking into account Oldham Metropolitan Borough Council's conviction guidelines approved by the Licensing Committee in November 2016, the dual hackney carriage / private hire driver's licence be suspended for a period of 90 days.

NOTE: the Applicant and his representative attended the meeting and addressed the Panel.

9 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1976 APPLICATION FOR DUAL DRIVER LICENCE -  
(DP/2018/33)**

**RESOLVED** that, based on the information provided to the Panel, having considered the Applicant's previous convictions and taking into account Oldham Metropolitan Borough Council's conviction guidelines approved by the Licensing Committee in November 2016, the application for a dual hackney carriage / private hire driver's licence be refused.

NOTE: the Applicant and his representative attended the meeting and addressed the Panel.

10 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1976 SECTION 61 - REVIEW OF A DUAL DRIVERS  
LICENCE (DP/2018/34)**

**RESOLVED** that, based on the information provided to the Panel, having considered the Applicant's previous convictions and taking into account Oldham Metropolitan Borough Council's conviction guidelines approved by the Licensing Committee in November 2016, the dual hackney carriage / private hire driver's licence be suspended for a period of 90 days, subject to the production of the applicant's taxi driver NVQ certificate to the Licensing Office by no later than 4.00pm on 16<sup>th</sup> October 2018.

Should the certificate not be provided to the Licensing Office by this date, this matter is to be referred back to the Licensing Driver Panel for further consideration.

NOTE: the Applicant and his representative attended the meeting and addressed the Panel.



11

**APPEALS UPDATE**

**RESOLVED** that the up to date information on the appeals against the decisions of the Council's Licensing Driver Panel be noted.

The meeting started at 9.00 am and ended at 1.54 pm

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of the Local Government Act 1972.

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