

LICENSING DRIVER PANEL
05/12/2023 at 9.30 am



Present: Councillor S. Hussain (Chair)
Councillors Byrne, Cosgrove, Hamblett, H. Harrison and
J. Hussain (Vice-Chair)

Also in Attendance:

Laila Chowdhury	Constitutional Services
Alan Evans	Group Solicitor
Susan Loftus	Licensing Projects & Hearings Officer
Nicola Lord	Principal Licensing Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Wahid.

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 7th
November 2023 be approved as a correct record.

6 **ORDER OF PROCEEDINGS**

RESOLVED that the Order of Proceedings be noted.

7 **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.

8 **DP2023/28**

The Panel considered a report to inform them of an application
for a new Dual Driver's licence, which due to a caution calls in to
question their fitness and propriety to be a suitable person to
hold such a licence. As such, the application has been referred
to this panel for determination.

RESOLVED that, based on the information provided to the Panel, having taken into account the report written by the Officer, the reasons the Applicant has appeared before the Panel, Officer recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, that on this occasion the Applicant is not a fit and proper person and accordingly the application be **REFUSED** on the grounds that the Applicant has received three cautions for fraud and deception since 2014 and the Council' Statement of Fitness and Suitability requires 10 years after the date of conviction before an application will be considered.

NOTE:

The Applicant attended the meeting and addressed the Panel.

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DP/2023/29

The Panel considered a report to inform them of an application for a new Dual Driver's licence which, due to a conviction, called into question their fitness and propriety to be a suitable person to hold such a licence. As such the application was referred to the Panel for determination.

RESOLVED that, based on the information provided to the Panel, taken into account the reasons the Applicant has appeared before the Panel, the report written by the Officer, Officer recommendations, the Applicants comments and the Council's Statement of Fitness and Suitability, that on this occasion, the Applicant is a fit and proper person accordingly the application be **GRANTED** for a period of one year with the license to be renewed for a further period of two years if no further issues arise.

NOTE:

The Applicant attended the meeting and addressed the Panel.

DP/2023/30

The Panel considered a report to inform them of an application for a new Dual Driver's licence which, due to a conviction, called into question their fitness and propriety to be a suitable person to hold such a licence. As such the application was referred to the Panel for determination.

RESOLVED that, based on the information provided to the Panel, having taken into account the reasons the Applicant has appeared before the Panel, the report written by the Officer, Officer recommendations, the Applicants comments and the Council's Statement of Fitness and Suitability, that on this occasion, the Applicant is not a fit and proper person and accordingly the application be **REFUSED** on the grounds that the Applicant has a conviction for using a vehicle without insurance within the last five years and the Applicant failed to

inform the Council of their conviction that Wolverhampton Council revoked the Applicant's previous licence in 2019.



Oldham
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NOTE:

The Applicant attended the meeting and addressed the Panel.

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DP/2023/31

The Panel considered a report to inform them of an application for a new Dual Driver's licence which, due to a conviction, called into question their fitness and propriety to be a suitable person to hold such a licence. As such the application was referred to the Panel for determination.

RESOLVED that, based on the information provided to the Panel, having taken into account the reasons the Applicant has appeared before the Panel, the report written by the Officer, Officer recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, that on this occasion the Applicant is not a fit and proper person and accordingly the application be **REFUSED** on the grounds that the Council's Statement of Fitness and Suitability requires a period of five years after a conviction for driving without insurance.

NOTE:

The Applicant attended the meeting and addressed the Panel.

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DP/2023/32

The Panel considered a report to ask Members to review whether, as a result of a conviction, the holder of an existing dual hackney carriage / private hire drivers licence, remains a 'fit and proper' person to hold that licence.

RESOLVED that, based on the information provided to the Panel, having taken into account the reasons the Licence Holder has appeared before the Panel, the report written by the Officer, Officer recommendations, the Licence Holder's comments and the Council's Statement of Fitness and Suitability, that the Licence Holder is not a fit and proper person and accordingly the Licence Holder's licence be **REVOKED** on the grounds that the Licence Holder has recently been convicted of an offence involving dishonesty by providing incorrect details of the driver of the vehicle.

NOTE:

1. The Applicant attended the meeting and addressed the Panel.
2. The Principal Licensing Officer confirmed that paragraphs 5.2 – 5.3 of the report referred to the Licence Holder.

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DP/2023/33

The Panel considered a report to ask Members to review whether, as a result of a conviction, the holder of an existing dual hackney carriage / private hire drivers licence, remains a 'fit and proper' person to hold that licence.



RESOLVED that, based on the information provided to the Panel, having taken into account the reasons the Licence Holder has appeared before the Panel, the report written by the Officer, Officer recommendations, the Licence Holder's comments and the Council's Statement of Fitness and Suitability, the Panel found that although the Licence Holder has received a caution for common assault and battery, Greater Manchester Police have confirmed that the seriousness of the offence was low and that the Licence Holder has a previously unblemished record and that the Licence Holder disclosed the caution to the Council immediately and the Panel unanimously decided that the Licence Holder be given a final written warning in relation to their conduct.

NOTE:

1. The Applicant attended the meeting and addressed the Panel.
2. In accordance with Rule 16.3 of the Council Procedure Rules, Councillors Byrne, Cosgrove and H. Harrison requested that their votes against the decision be recorded.

The meeting started at 9.34 am and ended at 12.49 pm