

## **LICENSING DRIVER PANEL**

### **Agenda**

Date Tuesday 8 February 2022

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 Constitutional Services in advance of the meeting.

2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email [constitutional.services@oldham.gov.uk](mailto:constitutional.services@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, 3 February 2022.

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 Byrne, Cosgrove (Vice-Chair), Garry, C. Gloster, McLaren, Shuttleworth and Taylor (Chair)

#### 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 - 2)

The Minutes of the meeting of the Licensing Driver Panel held on 11<sup>th</sup> January 2022 are attached for approval.

6           Order of Proceeding LICENSING Driver Panel (Pages 3 - 4)

7           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.

8           Review for a Dual Driver Licence (DP/2022/01) (Pages 5 - 30)

The purpose of this report is to ask Members to review a Dual Driver's licence; which, due to a conviction against the applicant calls in to question their fitness and propriety to be a suitable person to hold such licence. As such the application has been referred to this Panel for determination.

9           Review for a Dual Driver Licence (DP/2022/02) (Pages 31 - 52)

The purpose of this report is to ask Members to review a Dual Driver's licence; which, due to information received relating to the holder, calls in to question their fitness and propriety to be a suitable person to hold such licence. As such the licence has been referred to this Panel for review.

10          Review for a Dual Driver Licence (DP/2022/03) (Pages 53 - 58)

The purpose of this report is to ask Members to review whether, as a result of convictions obtained, the holder of an existing dual hackney carriage/private hire driver licence remains a fit and proper person to hold that licence.

11          Appeals Update (Pages 59 - 62)

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.

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**LICENSING DRIVER PANEL**  
**11/01/2022 at 9.30 am**

**Present:** Councillor McLaren (Chair)  
Councillors Byrne, Cosgrove (Vice-Chair), Garry and C. Gloster

Also in Attendance:

Elise Brophy	Licensing Projects and Hearing Officer
Nicola Lord	Principal Licensing Officer
Sumayya Rawat	Solicitor
Sian Walter-Browne	Assistant Constitutional Services Officer

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Shuttleworth and Taylor.

**RESOLVED** that Councillor McLaren be elected as Chair for the duration of the meeting.

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 of the Licensing Driver Panel held on 9<sup>th</sup> November 2021 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           **REVIEW FOR A DUAL DRIVER LICENCE (DP-2022-01)**

**RESOLVED** that, based on the information provided to the Panel, having considered the Driver's conduct and taking into account Oldham Metropolitan Borough Council's 'Statement of Fitness and Suitability (Private Hire & Hackney Carriage)', approved by the Council in March 2018, the current dual hackney carriage/private hire driver's licence be suspended to the date of the next meeting of the Licensing Driver Panel. The Driver to attend that meeting and produce to the Panel documentation including the hire agreement, his driving licence, his passport and evidence of his change of name.

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



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- 8            **REVIEW FOR A DUAL DRIVER LICENCE (DP/2022/02)**  
**RESOLVED** that, consideration of this matter be deferred to the next meeting to give the Driver a further opportunity to attend.

- 9            **APPEALS UPDATE 11.01.2022**  
**RESOLVED** that the up to date information on the appeals against the decisions of the Council's Licensing Driver Panel and those made under delegated powers be noted.

The meeting started at 9.30 am and ended at 10.38 am

## **LICENSING PANEL (DRIVERS) ORDER OF PROCEEDINGS**

### **Hackney Carriage and Private Hire Drivers Applications and Reviews**

Panel Members and Officers introduce themselves

1. The Licensing Officer will introduce the Applicant/Driver and their representative (if they have one).
2. The Licensing Officer will introduce the application/review and the reasons for bringing it to the Panel.
3. The Applicant/Driver and their representative will be offered the opportunity to add any further information.
4. Members or Officers may then question the Applicant/Driver and the Licensing Officer.
5. The Licensing Officer will then summarise.
6. The Applicant/Driver and their representative will be offered the opportunity to summarise their case.
7. All parties will be asked to leave the room while the Panel considers the matter and will be brought back in to be informed of the Panel's decision.

Licensing Officer will leave with the Applicant/Driver and their representative and explain to them outside the meeting what happens next.

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