

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

Date Tuesday 5 April 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, 31 March 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 Licensing Driver Panel held on 8<sup>th</sup> February 2022 are attached for approval.

6       Order of Proceeding (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 paragraph(s) 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 of a Dual Driver Licence (DP/2022/05) (Pages 5 - 10)

Subject to any relevant information that may arise or be disclosed following the writing of this report, and / or any relevant information presented to the hearing, Members are asked to consider whether the applicant is a fit and proper person to hold a licence; however, it is officer's recommendation that the driver's licence suspended for a period of time as determined by members.

9       Appeals Update 05.04.2022 (Pages 11 - 16)

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**  
**08/02/2022 at 9.30 am**



**Present:** Councillor Taylor (Chair)  
Councillors Byrne, Cosgrove (Vice-Chair), Garry, McLaren and  
Shuttleworth (Items 1-

Also in Attendance:

Elise Brophy	Licensing Projects and Hearing Officer
Alan Evans	Group Solicitor
John Garforth	Trading Standards & Licensing Manager
Sian Walter-Browne	Assistant Constitutional Services Officer

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 of the Licensing Driver Panel held on 11<sup>th</sup> January 2022 be approved as a correct record.

6      **ORDER OF PROCEEDING LICENSING DRIVER PANEL**

**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      **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, no further action be taken and the current dual hackney carriage/private hire driver's licence be restored with immediate effect.

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

9      **REVIEW FOR A DUAL DRIVER LICENCE (DP/2022/02)**

**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 for a period of 60 days.

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

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**REVIEW FOR A DUAL DRIVER LICENCE (DP/2022/03)**

**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 revoked with immediate effect.

NOTE: the Driver did not attend the meeting and the Panel resolved to proceed in his absence.

11

**APPEALS UPDATE**

**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 12.05 pm

## **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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