

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

Date Tuesday 14 June 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 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

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, 9 June 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, C. Gloster, McLaren, Shuttleworth, Surjan (Chair) and Wilkinson

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 held on 8th February 2022 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 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.

7 Private Hire Vehicle Advertisement Request (DP/2022/04) (Pages 3 - 10)

The purpose of this report is to ask Members to review a request for permission to have private hire vehicle(s) wrapped in line with the use of the vehicle(s) for "Driving Miss Daisy", a service used to give assistance to people with mobility needs.

8 Review of a Dual Driver Licence (DP/2022/05) (Pages 11 - 20)

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. In addition, concerns have arisen as to the applicant's medical fitness. As such the application has been referred to this Panel for determination.

9 Review of a Dual Driver Licence (DP/2022/06) (Pages 21 - 26)

The purpose of this report is to ask Members to review a Dual Driver's licence, which, due to convictions 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.

10 Review of a Dual Driver Licence (DP/2022/07) (Pages 27 - 64)

The purpose of this report is to ask Members to review a Dual Driver's licence, which, due to complaints made against the licence holder calls in to question their fitness and propriety to be a suitable person to hold such licence. As such

the matter has been referred to this Panel for determination.

11 Review of a Dual Driver Licence (DP/2022/08) (Pages 65 - 70)

The purpose of this report is to ask Members to review a Dual Driver's licence, which, due to convictions 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.

12 Licensing Drivers Panel Appeals Update (Pages 71 - 74)

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
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 11th 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.

10

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

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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