

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

Date Tuesday 9 January 2024

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, 4 January 2024.

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, Hamblett, H. Harrison, J. Hussain, S. Hussain (Chair) and Wahid

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 meeting of the Licensing Driver Panel held on 5<sup>th</sup> December 2023 are attached for approval.

6       Order of Proceedings (Pages 5 - 6)

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       DP/2024/01 (Pages 7 - 12)

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       DP/2024/02 (Pages 13 - 18)

The purpose of this report is to inform Members of an application for a new Dual Driver's licence, which, due to a conviction 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.

10      DP/2024/03 (Pages 19 - 24)

The purpose of this report is to inform Members of an application for a new Dual Driver's licence, which, due to a conviction 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.

11      DP/2024/04 (Pages 25 - 30)

The purpose of this report is to inform Members of an application for a new Dual

Driver's licence, which, due to a conviction 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.

12 DP/2024/05 (Pages 31 - 36)

The purpose of this report is to inform Members of an application for a new Dual Driver's licence, which, due to a conviction 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.

13 DP/2024/6 (Pages 37 - 44)

The purpose of this report is to inform Members of an application for a new Dual Driver's licence, which, due to convictions 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.

14 Appeals Update (Pages 45 - 48)

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

This page is intentionally left blank



**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 7<sup>th</sup>  
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.

9

**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.

10

**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.

NOTE:

The Applicant attended the meeting and addressed the Panel.

11

**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.

12

**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.

13

**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



## **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. Members and the Applicant/Driver and their representative may question the Licensing Officer
4. The Applicant/Driver and their representative will be offered the opportunity to make representations or add any further information.
5. Members or Officers may then question the Applicant/Driver.
6. The Licensing Officer will then summarise.
7. The Applicant/Driver and their representative will be offered the opportunity to summarise their case.
8. 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.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank