

## ***LICENSING DRIVER PANEL Agenda***

Date Tuesday 11 June 2024

Time 9.30 am

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires 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 at least 24 hours in advance of the meeting.
  2. CONTACT OFFICER for this agenda is Constitutional Services 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, 6 June 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.

Please also note the Public attendance Protocol on the Council's Website

[https://www.oldham.gov.uk/homepage/1449/attending\\_council\\_meetings](https://www.oldham.gov.uk/homepage/1449/attending_council_meetings)

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 5 - 10)
- The Minutes of the 12 March 2024 held on 9 April 2024 are attached for approval.
- 6            Order of Proceedings (Pages 11 - 12)
- 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/2024/41 (Pages 13 - 26)
- 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.
- 9            DP/2024/46 (Pages 27 - 32)
- 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/2024/47 (Pages 33 - 38)
- 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/2024/48 (Pages 39 - 56)

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.

12 DP/2024/49 (Pages 57 - 68)

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/2024/50 (Pages 69 - 76)

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.

14 DP/2024/51 (Pages 77 - 82)

The purpose of this report is to inform Members of a review of a dual driver's licence, which, due to information received 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.

15 Appeal Update 11/06/2024 (Pages 83 - 86)

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 Regulatory Committee**  
**12/03/2024 at 9.30 am**

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

Independent Member: N/A

Apology for absence had been received from: N/A  
Councillors

Also Present: Susan Loftus - Licensing Projects & Hearings  
Officer

Nicola Lord - Principal Licensing Officer

Alan Evans - Group Solicitor

In Attendance: Rhys Attwell - Constitutional Services

Note:

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 **ORDER OF PROCEEDINGS**

**RESOLVED** that the Order of Proceedings be noted.

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 **DP/2024/36**

**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) the application was granted.

Note: The applicant attended the meeting and addressed the Panel.

8

**DP/2024/37**

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) the application was refused.

Note: The Applicant attended the meeting and addressed the Panel.

9

**DP/2024/38**

**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) the application was refused.

Note: the applicant attended the meeting and addressed the panel.

10

**DP/2024/39**

**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) the application was granted.

Note: The applicant attended the meeting and addressed the Panel.

11

**DP/2024/31**

**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) the application was refused.

Note: The application was heard in the applicants absence.

12

**DP/2024/40**

**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) the application was refused.

Note: the applicant attended the meeting and addressed the panel.

The meeting started at 9:32am and ended at 12:38pm.

**LICENSING DRIVER PANEL**  
**09/04/2024 at 9.30 am**

**Present:** Councillors Cosgrove, Hamblett, H. Harrison, J. Hussain  
and S. Hussain (Chair)

Also in attendance:  
Nicola Lord - Principal Licensing Officer  
Susan Loftus - Licensing Projects and Hearings Officer  
Alan Evans – Group Solicitor  
Durga Paul - Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Byrne.

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**

The were no Public Questions for this meeting to consider.

5 **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meetings held on 27th February 2024 and 5th March 2024 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 **DP/2024/41**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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** This application be adjourned to a future Licensing Driver Panel Meeting pending receipt of further information about the conviction.

NOTE: The Applicant attended the meeting with a translator who addressed the Panel on his behalf.

9

**DP/2024/24**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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 reason the Applicant has appeared before the Panel, namely: convictions, the report written by the Officer, their recommendations, and the Council's Statement of Fitness and Suitability, the Applicant is not a fit and proper person and accordingly the application be REFUSED as insufficient time has passed since the convictions.

10

**DP/2024/42**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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 reason the Applicant has appeared before the Panel, namely: convictions, the report written by the Officer, their recommendations, and the Council's Statement of Fitness and Suitability, the Applicant is not a fit and proper person and accordingly the application be REFUSED on the grounds that the Applicant has more than one conviction which demonstrates incidences of intimidating or violent behaviour.

11

**DP/2024/43**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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 reason the Applicant has appeared before the Panel, namely: a conviction, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, the Applicant is not a fit and proper person and accordingly the application be REFUSED on the grounds that the Applicant has within the last 5 years received a conviction



for a serious motoring offence and received a caution for a further offence.

NOTE: The Applicant attended the meeting and addressed the Panel.

12

**DP/2024/44**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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 reason the Applicant has appeared before the Panel, namely: convictions, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, the Applicant is not a fit and proper person and accordingly the application be REFUSED on the grounds that the Applicant has received 2 periods on disqualification for serious motoring offences within the last 3 years.

NOTE: The Applicant attended the meeting and addressed the Panel.

13

**DP/2024/34**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a conviction recorded against the Applicant calls in to 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 reason the Applicant has appeared before the Panel, namely: a conviction and other information received from Greater Manchester Police, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, 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 a violent offence and subsequent dealings with the Police demonstrating instances of further violent and intimidating behaviour.

NOTE: The Applicant attended the meeting and addressed the Panel.

14

**DP/2024/35**

The Panel considered an application to review a licence, due to the conduct of the Driver which calls in to 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 reason the Driver has appeared before the Panel, namely his: conduct, the report written by the Officer, their recommendations, the Driver's comments and the Council's Statement of Fitness and Suitability, the Driver is not a fit and proper person and accordingly the Licence be REVOKED with immediate effect on the grounds of public safety as the Driver represents a risk to passengers.

NOTE: The Driver and a translator attended the meeting and addressed the Panel.

15

**LICENSING DRIVERS PANEL APPEALS UPDATE**

**RESOLVED**

The Licensing Driver Panel Appeals Update was noted by the Panel.

The meeting started at 9.35am and ended at 1.42pm.

## **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.

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