

***LICENSING DRIVER PANEL  
Agenda***

Date Tuesday 3 September 2024

Time 9.30 am

Venue Lees Suite, 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, 29 August 2024.

MEMBERSHIP OF THE LICENSING DRIVER PANEL  
Councillors Byrne, Chowhan, Hamblett, Hindle, J. Hussain, S. Hussain (Chair) and Shuttleworth

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 - 14)  
The Minutes of the meetings held on 18 June 2024, 9 July 2024, 16 July 2024

are attached for approval.

6 Order of Proceedings (Pages 15 - 16)

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/2024/68 (Pages 17 - 22)

The purpose of this report is to ask Members to review a dual driver licence where 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 licence holder has been referred to this Panel for determination.

9 DP/2024/69 (Pages 23 - 28)

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/2024/70 (Pages 29 - 34)

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/2024/71 (Pages 35 - 44)

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/2024/72 (Pages 45 - 50)

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/2024/73 (Pages 51 - 56)

The purpose of this report is to ask Members to review a dual driver licence where 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 licence holder has been referred to this Panel for determination.

14 DP/2024/74 (Pages 57 - 64)

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.

15 Appeals Update 03.09.2024 (Pages 65 - 68)

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**  
**18/06/2024 at 9.30 am**

**Present:** Councillors Byrne, Hamblett, J. Hussain, S. Hussain  
(Chair) and Shuttleworth

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**

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**

The were no Public Questions for this meeting to consider.

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/2024/52**

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 Applicant has appeared before the Panel, namely: convictions, the report written by the Officer, their recommendations, the applicants comments and the Council's Statement of Fitness and Suitability the Applicant is not a fit and proper person and accordingly the licence is to be **SUSPENDED** for a period of 14 days as although Council Guidelines would suggest the revocation of the Licence, the Panel are satisfied that due to the mitigating circumstances, a 14 day suspension is more appropriate.

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

8

**DP/2024/53**

APPLICATION WITHDRAWN

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**DP/2024/54**

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 applicants 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** with accordance with the Council's guidelines relating to dishonest conduct.

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

10

**DP/2024/55**

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** in Council's Statement of Fitness and Suitability as insufficient time has passed since the convictions.

11

**DP/2024/58**

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: convictions, the report written by the Officer, their recommendations, the Driver's comments and the Council's Statement of Fitness and Suitability the Applicant is not a fit and proper person and accordingly the licence is to be **SUSPENDED** for a period of 5 Months on the

grounds that the number of driving convictions received over a short period of time calls into question the Driver's driving ability.

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

12

**DP/2024/57**

The Panel considered a report to inform them of an application for a new 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 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: his arrest and the allegations against him, 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 as on the balance of probabilities, the Panel is satisfied that the conduct of the applicant was contrary to the Council's statement of fitness and suitability.

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

13

**DP/2024/56**

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 in accordance with the Council's Statement of Fitness and Suitability.

NOTE: The Applicant attended the meeting and addressed the Panel

The meeting started at 9.34am and ended at 12.46pm

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**Licensing Driver Panel**  
**09/07/2024 at 9.30 am**

**Present:** Councillors Byrne, Hamblett, S. Hussain (Chair), J Hussain and Shuttleworth

Also in attendance  
Elise Brophy- 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 Councillor Azad.

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           **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 paragraph 1 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/2024/59**

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 in accordance with the Council's Statement of Fitness and Suitability as insufficient time has passed since the convictions.

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

8

**DP/2024/60**

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 Council's Statement of Fitness and Suitability, the Applicant is not a fit and proper person and accordingly the application be REFUSED in accordance with the Council's Statement of Fitness and Suitability as insufficient time has passed since the conviction.

9

**DP/2024/61**

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 in accordance with the Council's Statement of Fitness and Suitability as insufficient time has passed since the conviction.

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

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**DP/2024/62**

**RESOLVED** that the application be adjourned to a future meeting to give the Applicant the opportunity to attend the meeting.

11

**DP/2024/63**

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, application be GRANTED for a period of 18 months to be extended for a further period of 18 months if no further issues arise with the Applicant's conduct. However in recognition of the conviction received, the Licence will be suspended for the first 6 months.

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

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**DP/2024/64**

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 in accordance with the Council's Statement of Fitness and Suitability as insufficient time has passed since the conviction.

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

The meeting started at 9.32am and ended at 12:45pm

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**LICENSING DRIVER PANEL**  
**16/07/2024 at 9.30 am**

Present: Councillors Azad, Byrne, Hamblett, S. Hussain (Chair),  
Nasheen (Substitute) and Shuttleworth

Also in attendance  
John Garforth- Security, CCTV & Licensing Service Manager  
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 J Hussain.

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 meeting held on 11<sup>th</sup> June  
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/2024/67**

The Panel considered an application to review a licence, due to  
an undisclosed conviction 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:

1. Based on the information provided to the Panel, having  
taken into account the reason the Driver has appeared  
before the Panel, namely: a conviction, 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 is to be Revoked in accordance with the Council's Statement of Fitness and Suitability.

2. The Licence is to be revoked with immediate effect in the interest of public safety as the Panel are not satisfied that the Driver will not attempt to drive while under the influence of drugs.

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

9

**DP/2024/65**

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: a conviction, 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 is to be Revoked in accordance with the guidelines in the Council's Statement of Fitness and Suitability.

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

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**DP/2024/66**

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: a conviction, 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 is to be Revoked in accordance with the guidelines in the Council's Statement of Fitness and Suitability.

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

The meeting started at 9.30am and ended at 10:56am.

## **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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