

LICENSING DRIVER PANEL
01/10/2024 at 9.30 am

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

Also in attendance
Elise Brophy- Licensing Officer
Susan Loftus- Licensing Projects & 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/2024/49**

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to convictions 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.

This report appeared before the Panel at a previous meeting and was deferred following a request to the Police for additional information. Officers were unable to obtain any additional information so it has returned to 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 guidelines in the Council's Statement of Fitness and Suitability.

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

8

DP/2024/75

Application withdrawn

9

DP/2024/76

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to convictions 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 guidelines in the Council's Statement of Fitness and Suitability.

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

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DP/2024/77

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to convictions 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 guidelines in the Council's Statement of Fitness and Suitability.

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

11

DP/2024/81

The Panel considered an application to review a licence, due to convictions 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 Driver is not a fit and proper person and accordingly the licence is to be **SUSPENDED** for a period of 28 days as the Driver has held a licence with Oldham Council since 2017 with no previous complaints about his behaviour, the Panel considered that a suspension was the most appropriate sanction.

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

12

DP/2024/78

The Panel considered a report to inform them of an application for a new Dual Driver's licence, which, due to a complaint recorded against the Applicant by another licensing authority 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 complaint about his conduct, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, the Applicant is deemed to be a fit and proper person and accordingly the application is **GRANTED** for a probationary period of twelve months to be extended for a further 2 years if no complaints about the Applicant are received in the meantime. The decision to grant the licence was made on the grounds that the Applicant has continued to work as a Private Hire Driver since the incident with no further complaints about his behaviour.

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

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APPEAL UPDATE 01/10/2024

RESOLVED that, the appeals update was noted by the panel.

The meeting started at 9.30am and ended at 1.22pm