

LICENSING DRIVER PANEL

Agenda

Date Tuesday 4 March 2025

Time 9.30 am

Venue Council Chambers, 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 Alex Bougatef 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

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, 27 February 2025.

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

MEMBERSHIP OF THE LICENSING DRIVER PANEL

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

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 - 8)

The Minutes of the meeting held on 11th February 2025 are attached for approval.

6 Order of Proceedings (Pages 9 - 10)

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/2025/13 (Pages 11 - 18)

The purpose of this report is to ask Members to review a dual driver licence where a conviction recorded against the licence holder 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/2025/14 (Pages 19 - 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.

10 DP/2025/15 (Pages 27 - 32)

The purpose of this report is to ask Members to review a dual driver licence where a conviction recorded against the licence holder 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.

11 DP/2025/16 (Pages 33 - 60)

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/2025/17 (Pages 61 - 66)

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/2025/18 (Pages 67 - 72)

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.

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LICENSING DRIVER PANEL

11/02/2025 at 9.30 am

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

Also in attendance

Elise Brophy- Licensing Officer

Susan Loftus- Licensing Projects & Hearings Officer

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**

Cllr Cllr Chowhan declared an interest in agenda item 10 and left the room for the panel hearing and decision making process.

4 **PUBLIC QUESTION TIME**

There were no Public Questions for this meeting to consider.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 14th January 2025 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/2025/07**

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 guidelines in the Council's Statement of Fitness and Suitability.

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

9

DP/2025/08

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 guidelines in the Council's Statement of Fitness and Suitability.

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

10

DP/2025/09

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/2025/10

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 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 shown remorse and undertaken rehabilitation activity since the conviction and has demonstrated no further offending behaviour.

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

12

DP/2025/11

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 guidelines in the Council's Statement of Fitness and Suitability.

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

13

DP/2025/12

The Panel considered a report to inform them of an application for a new Dual Driver's licence. As part of the application process the Applicant provided a medical examination report (D4) and a GP declaration form. Information on this form required the Applicant to attend Driver Panel.

RESOLVED that, based on the information provided to the Panel, having taken into account the reason the Applicant has appeared before the Panel, namely the medical examination report, the declaration from the GP, the report written by the Officer, their recommendations, the Applicant's comments and the Fit and Proper Standard test, the Applicant is not a fit and proper person and accordingly the application be REFUSED on the grounds that they did not meet the standard for a Fit and Proper person.

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

14

APPEALS UPDATE

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

The meeting started at 9.30am and ended at 1.01pm

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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