

# Public Document Pack

## LICENSING DRIVER PANEL

09/01/2024 at 9.30 am

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

Also in attendance:

- Rhys Attwell - Constitutional Services
- Laila Chowdhury - Constitutional Services
- Alan Evans - Group Solicitor
- Susan Loftus - Licensing Projects & Hearings Officer
- Nicola Lord - Principal Licensing 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**

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 5<sup>th</sup> December 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 **DP/2024/01**

The Panel considered a report to inform them of an application to review a 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 was referred to the 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 Licence Holder has appeared before the Panel, 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 be **SUSPENDED** for a period of two months, based on the Licence Holder not having an extensive history of motoring offences, the Licence Holder was not driving the vehicle at the time of the offence and as the Council had not received any complaints about him previously.

NOTE: The Licence Holder attended the meeting and addressed the Panel.

9

**DP/2024/02**

The Panel considered a report to inform them 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 was referred to the 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, the Applicant is not a fit and proper person and accordingly the application be **REFUSED** on the grounds that the Council's policy requires a ten year period to expire after the end of the Applicant's sentence before considering whether to grant him a licence.

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

10

**DP/2024/03**

The Panel considered a report to inform them 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 was referred to the 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 the Applicant is a fit and proper person and accordingly he be **GRANTED** a licence for a period of one year, with the licence to be renewed for a further period of two years if no complaints are received about the Applicant's conduct in the meantime.

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

11

**DP/2024/04**

The Panel considered a report to inform them 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 was referred to the 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 the Applicant is a fit and proper person on the grounds that he has no other convictions and no complaint history with Oldham Council and accordingly he be GRANTED a licence for a period of one year, with the remaining two years to be issued where no further incidents arise.

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

12

**DP/2024/05**

The Panel considered a report to inform them 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 was referred to the 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 and the Council's Statement of Fitness and Suitability, that 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 serious motoring offence and is currently being investigated for an offence of dishonesty by Wolverhampton Council.

NOTE: The Applicant did not attend the meeting to address the Panel.

13

**DP/2024/6**

The Panel considered a report to inform them 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 was referred to the 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 the Applicant is not a fit and proper person and accordingly the application be REFUSED on the grounds that he has a conviction for a violent offence.

NOTE: the Applicant attended the meeting and addressed the Panel

14

**APPEALS UPDATE**

The Panel considered an update on any appeals against the decisions of the Council's Licensing Driver's Panel.

**RESOLVED** that the Appeals Update be noted.

The meeting started at 9.32 am and ended at 11.46 am