

Public Document Pack
LICENSING DRIVER PANEL
06/02/2024 at 9.30 am



Present: Councillor S. Hussain (Chair)
Councillors Cosgrove, Hamblett, H. Harrison, J. Hussain (Vice-Chair) and Sheldon (Substitute for Councillor Byrne)

Also in Attendance:

Laila Chowdhury	Constitutional Services
Alan Evans	Group Solicitor
John Garforth	Trading Standards & Licensing Manager

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor 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**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Licensing Driver Panel meeting held on 9th January 2024 and 16th January 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/2024/09**

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 for conspiracy to supply drugs, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, the Applicant's conduct since leaving prison in 2016 has demonstrated that the Applicant is a fit and proper person and accordingly the application be GRANTED for a period of one year with the licence to be renewed for a further period of two years, if the Council receives no complaints about the Applicant's conduct in the meantime.

NOTE:

1. DP/2024/09 was Deferred from the Driver Panel meeting on 16th January 2024, to obtain further information from Greater Manchester Police.
2. The Applicant attended the meeting and addressed the Panel.
3. That in accordance with Part 4, Paragraph 16.3 of the Council's Constitution, Councillor Cosgrove voted against this decision and Councillor Hamblett abstained.

9

DP/2024/14

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, 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 the Applicant had four speeding convictions in 2022, he was disqualified from driving in 2023 and he admitted to the Panel that he had deliberately provided false details to the Police for an earlier speeding offence.

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

10

DP/2024/15

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, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability that the Applicant is a fit and proper person as his conviction for failing to give information as to the identity of driver related to a vehicle he had sold six months earlier and accordingly he be GRANTED a licence for a period of one year, with the licence to be renewed for a further two years if no complaints are received about the Applicant's conduct in the meantime.

NOTE: The Applicant attended the meeting to address the Panel.

11

DP/2024/16

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 for driving without insurance and plying for hire, 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 Council's policy requires a period of five years after conviction for the Applicant's offences before the Council will consider their application.

NOTE: The Applicant attended the meeting to address the Panel.

12

DP/2024/17

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 for driving without insurance, the report written by the Officer, their recommendations, the Applicant's comments and the Council's Statement of Fitness and Suitability, the Applicant is a fit and proper person as he was unaware that his car insurance had been cancelled and accordingly the application be GRANTED for a period of one year with the licence to be renewed for a

further period of two years if the Council receives no complaints about the Applicant in the meantime.

NOTE: The Applicant attended the meeting to address the Panel.



13

DP/2024/19

The Panel considered a report to review a Dual Driver's 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 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 Licence Holder has appeared before the Panel, namely: a conviction for driving without insurance, the report written by the Officer, their 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 six months from the date on which the Licence Holder provides an up to date medical certificate and that their licence be monitored for a period of 12 months after the suspension ends and brought before the Panel if there are complaints about him during that time.

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

14

APPEALS UPDATE 06.02.24

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 9.30 am and ended at 1.14 pm.