

Minutes of: LICENSING AND SAFETY COMMITTEE

Date of Meeting: 6th November 2025

Present: Councillor T Rafiq (in the Chair)
Councillors A Booth, R Brown, D Green, J Grimshaw, J Hook,
B Ibrahim, I Rizvi and M Walsh

Also in attendance: M Bridge- Licensing Unit Manager
A Bucior- Head of Public Protection
M Cunliffe – Democratic Services
R Everitt- Elections & Land Charges Manager
D Rice– Legal Advisor
B Thomson- Assistant Director Public Protection & Resilience

Public Attendance: No members of the public were present at the meeting.

LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors L McBriar and D Quinn.
There was no substitute representative for Councillors L McBriar and D Quinn.

LSP.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

LSP.3 MINUTES OF THE PREVIOUS MEETING

Delegated decision:

That the Minutes of the last meeting held on the 11th September 2025 be approved as a correct record and signed by the Chair.

LSP.4 PUBLIC QUESTION TIME

No questions had been pre submitted to the meeting and no members of the public were in attendance at the meeting.

LSP.5 OPERATIONAL REPORT

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

The Licensing Service had dealt with a number of compliance and enforcement matters between the 8th September and the 26th October 2025.

IMMEDIATE SUSPENSIONS

The Licensing Service have acted against 5 licensed private hire drivers due to them not being registered on the DBS update service or a certificate was no longer valid due to a change on their certificate. Following consultation with the Chair of the Committee it was decided to

immediately suspend five private hire drivers in the interests of public safety. Since this action has been taken one driver has cancelled his licence and one has obtained a new enhanced DBS Certificate and registered on the update service.

The Licensing Service have acted against a further eleven licensed private hire drivers due to them not being registered on the DBS update service or a certificate was no longer valid due to a change on their certificate. Following consultation with the Chair of the Committee it was decided to immediately suspend eleven private hire drivers in the interests of public safety.

The Licensing Service have acted against a one licensed private hire drivers due to him not being registered on the DBS update service. Following consultation with the Chair of the Committee it was decided to immediately suspend his private hire drivers in the interests of public safety

IMMEDIATE REVOCATION

The Licensing Service have revoked with immediate effect a private hire driver due to intelligence and conduct. Following consultation with the Chair of the Committee it was decided to immediately suspend his private hire drivers in the interests of public safety.

LICENSING HEARINGS SUB COMMITTEES

On the 3 October 2025, a Licensing Hearings Sub-Committee took place to consider an application for the grant of a premises licence at Prestwich Store, 3 Fairfax Road, Prestwich. The application had attracted representations from Trading Standards and Greater Manchester Police. After hearing the evidence, members decided to refuse the application.

On the 3 October 2025, a Licensing Hearings Sub-Committee was due to take place to consider an application for the grant of a premises licence at The Rock Convenience Store, 43 The Rock, Bury. The application had attracted representations from Trading Standards and an Interested party (Member of the Public). The Licensing Service were advised that the applicant wished to withdraw the application prior to the date of the scheduled hearing.

PARTNERSHIP WORKING

On 16 October Licensing Enforcement Officers visited seven premises across the Borough as part of Op Machine alongside officers from Greater Manchester Police, HMRC, Immigration, Trading Standards, Environmental Health and a tobacco dog. Operation Machine, is the ongoing NCA-coordinated operation to tackle money laundering and criminal use of cash-intensive high street businesses. 888 packets of illicit cigarettes and 108 pouches of hand rolling tobacco were seized as well as 199 illegal disposable vapes and 76 counterfeit toys and 10 counterfeit pairs of headphones with an approximate street value of £22,500.

SECOND TESTING STATION

Members will recall a report that was considered in relation to the Second Testing Station. Members decided to undertake a procurement exercise. Due to work demands within the Councils Procurement Section, resulted in the extension of the contract via Operational Decisions.

In July 2025 a notice was published on the Council's tendering portal, The Chest seeking expressions of interested parties to determine the level of interest within the marketplace of garages able to undertake the required HCV/PHV certificate of compliance tests. As with the previous process the main stipulation was that suitably qualified DVSA certified garages must

be based within the borough boundary. The notice was placed on the portal on Wednesday 30th July 2025 with a closing time and date for the registration of expressions of interest set at 17.00 on Sunday 31st August 2025. Eleven organisations submitted their interest, however only one organisation was located within the borough.

The concessionary contract will commence for the provision of private hire and hackney carriage vehicle testing for the period from 01 November 2025 to 31 October 2026 with options to extend for two further twelve-month periods until 31 October 2028.

Delegated decision:

It was agreed that the report be noted.

LSP.6 LICENSING ACT 2003 - REVIEW OF THE STATEMENT OF LICENSING POLICY

The Licensing Act 2003 requires the Local Authority as Licensing Authority to prepare and publish a statement of licensing policy at least every five years. The existing policy was agreed by the Council on the 20th November 2020 with an effective date of the 7th January 2021.

The Licensing Unit Manager presented the policy to the Committee which could be accepted, amended or rejected but to comply with the statute a revised policy had to be agreed by full Council by the 7th January 2026.

It was recommended that the attached draft statement of licensing policy be accepted without amendment. Widespread consultation had not revealed any major problems with the existing policy.

For background information the Licensing Act 2003 regulates the sale and supply of alcohol, the provision of regulated entertainments and the provision of late night (hot) refreshment.

The Act required the Local Authority as Licensing Authority, to carry out a review of its Statement of Licensing Policy every 5 years and to publish the result.

A copy of the revised Statement of Licensing Policy was attached at Appendix 1 in the agenda packs.

Consultations had been undertaken for a 5-week period between the 17th September 2025 until the 22nd October 2025. A full list of consultees was attached at Appendix 2 in the agenda packs.

The consultation had also been published on the Council's website and feedback was attached at Appendix 3 in the agenda packs.

In conclusion, the current policy had been in existence for five years and to date has not been challenged formally or informally.

Feedback from consultees had been minimal and the policy can be reviewed at any time during the five-year cycle to take account of emerging issues.

The policy would need to be agreed by full Council at the meeting on the 12th November 2025 if a special Council Meeting is to be avoided.

The Licensing Unit Manager added there had been an addition at section 28.8 in relation to the Terrorism (Protection of Premises) Act 2025, also known as Martyn's Law, which received Royal Assent on the 3rd April 2025.

The Government intends for there to be an implementation period of at least 24 months before the Act comes into force. This will allow the SIA's new function to be established, whilst ensuring those responsible for premises and events had sufficient time to understand the new obligations to enable plans to be prepared appropriately.

A Member asked about issues of drink spiking and the Licensing Unit Manager did not have the data to hand but if there were problems then GMP would investigate which could call a review process.

A Member enquired about the requirement that applicants for any premises licence were responsible for placing an advertisement at the premises and in a local newspaper. Did this apply to a paper copy or would an online newspaper suffice. The Licensing Unit Manager stated this was part of the act being reviewed as whilst it currently needed including in a newspaper circulated for the local area the costs associated with high and newspaper purchases are lower now due to online publications being available.

A Member commented on the late night Levy and would this impact local businesses if implemented. The Licensing Unit Manager explained 60% of costs are awarded to the police and 40% to the local authority but the number of licensed premises impacted would be low as it covered a fixed time between midnight to 6.00am.

A Member commented asked about section 42 of the report in relation to Champagne bottles must be secured to a table or ice bucket and must only be dispensed by a member of staff who is trained in the responsible service of alcohol. The Licensing Unit Manager repeated a process of review would be conducted if there were problems at a particular venue and they would speak to the Premises Licence Holder or GMP could call a review.

Delegated decision:

It was agreed that the attached draft statement of licensing policy be accepted without amendment.

LSP.7 URGENT BUSINESS

No urgent business was reported at the meeting.

LSP.8 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.9 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES

Licence Holder 12/2025

The Executive Director (Corporate Core) submitted a report relating to client number 12/2025, who was in attendance at the meeting alongside a friend who was helping to represent them. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the client and representative was presented by the Licensing Unit Manager and set out the reasons for him being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case which was included in the report contained within the private agenda pack.

Members asked a number of questions to clarify some points of the circumstances in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder and his representative.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the powers granted under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to suspend the licence for a period of 6 months.**

The Committee concluded that the Licence Holder was not a fit and proper person and this action was taken on the grounds of public safety and their conduct falling below the standards expected of a licensed driver.

While the suspension/revocation was not being imposed with immediate effect, the driver was advised that the suspension would take effect from 21 days from receipt of the notice which would be issued in writing by the Licensing office.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 7.00pm and ended at 8.40pm)