

# AGENDA FOR

## LICENSING AND SAFETY COMMITTEE



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**To: All Members of Licensing and Safety Committee**

**Councillors :** T Rafiq (Chair), A Booth, R Brown, D Green, J Grimshaw, J Hook, B Ibrahim, L McBriar, D Quinn, I Rizvi and M Walsh

Dear Member/Colleague

### **Licensing and Safety Committee**

You are invited to attend a meeting of the Licensing and Safety Committee which will be held as follows:-

<b>Date:</b>	Thursday, 11 December 2025
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	A drop in briefing for Members will take place at 6.30pm in the Council Chamber.

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

### **3 MINUTES OF THE PREVIOUS MEETING** *(Pages 5 - 10)*

The minutes of the meeting held on the 6<sup>th</sup> November 2025 are attached. Members of the Licensing and Safety Committee are asked to consider whether these are a correct record of the meeting, and if so, to formally approve them.

### **4 PUBLIC QUESTION TIME**

Questions are invited from members of the public present at the meeting on any matters for which this Committee is responsible. Questions from members of the public may only be asked if notice has been given no later than midday two days before the day of the meeting.

A questioner who is present at the meeting and who has submitted a written question may, at the discretion of the Chair, ask one supplementary question. A supplementary question must arise directly out of the original question or the reply. A question must relate to an item included on the agenda, referenced in the Minutes or an area to which the committee has responsibility. Approximately 30 minutes will be set aside for Public Question Time if required.

### **5 OPERATIONAL REPORT** *(Pages 11 - 18)*

A report from the Executive Director (Corporate Core) is attached.

### **6 URGENT BUSINESS**

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

### **7 EXCLUSION OF PRESS AND PUBLIC**

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

### **8 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES** *(Pages 19 - 48)*

A report from the Executive Director (Corporate Core) is attached.

<b>Minutes of:</b>	<b>LICENSING AND SAFETY COMMITTEE</b>
<b>Date of Meeting:</b>	6 <sup>th</sup> November 2025
<b>Present:</b>	Councillor T Rafiq (in the Chair) Councillors A Booth, R Brown, D Green, J Grimshaw, J Hook, B Ibrahim, I Rizvi and M Walsh
<b>Also in attendance:</b>	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
<b>Public Attendance:</b>	No members of the public were present at the meeting.

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**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 11<sup>th</sup> 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 8<sup>th</sup> September and the 26<sup>th</sup> 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 30<sup>th</sup> July 2025 with a closing time and date for the registration of expressions of interest set at 17.00 on Sunday 31<sup>st</sup> 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 20<sup>th</sup> November 2020 with an effective date of the 7<sup>th</sup> 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 7<sup>th</sup> 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 17<sup>th</sup> September 2025 until the 22<sup>nd</sup> 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 12<sup>th</sup> 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 3<sup>rd</sup> 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)**

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<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing and Safety Committee
<b>Meeting date:</b>	11 December 2025
<b>Title of report:</b>	Operational Report
<b>Report by:</b>	Executive Director (Corporate Core)
<b>Decision Type:</b>	N/A Report for information only
<b>Ward(s) to which report relates</b>	All

### **Executive Summary:**

A report to advise members on operational issues within the Licensing service.

### **Recommendation(s)**

That the report be noted.

### **Key considerations**

Not applicable

#### **1.0 BACKGROUND**

1.1 The report advises Members on operational issues within the Licensing service.

#### **2.0 COMPLIANCE/ENFORCEMENT**

##### **2.1 27 October to 2 November**

##### **Client**

Intelligence 1

Enforcement 6

**Premises**

Enforcement 7

**Vehicles**

Enforcement 3

Complaint 2

2.2 **3 to 9 November**

**Client**

Complaint 2

Enforcement 4

Intelligence 1

**Premises**

Complaint 2

Enforcement 2

Intelligence 2

Multi Agency 1

**Vehicles**

Enforcement 5

2.3 **10 to 16 November**

**Client**

Complaint 3

Enforcement 3

**Premises**

Compliance 6

Enforcement 8

**Vehicles**

Enforcement

2.4 **17 to 23 November**

**Client**

Complaint 4

Enforcement 23

Intelligence 1

**Vehicles**

Complaint 2

Enforcement 3

**2.5 24 to 30 November**

**Client**

Complaint 3

Enforcement 5

**Premises**

Intelligence 2

Multi Agency 1

**Vehicles**

Enforcement 6

**3.0 LICENSING HEARINGS SUB- COMMITTEE**

- 3.1 Following a request from Greater Manchester Police on the 11 November 2025 for a summary review of the premises licence for Overdraught, 28-30 Blackburn Street, Radcliffe, M26 1NQ. The Licensing Authority are obliged to hold a hearing within 48 hours of the receipt of the police application to consider whether interim steps should be imposed to promote the Licensing Objectives.

The Licensing Hearings Sub-Committee considered the application on the 13 November 2025. Members resolved to modify the conditions of the licence with immediate effect in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean immediate interim steps were necessary for amendments to the current premises licence under the licensing objectives recommended by GMP for the Prevention of Crime and Disorder:-

In addition to the current conditions:-

- A SIA registered door company will be employed by the License Holder / Designated Premises Supervisor. A minimum of two door supervisors will be employed between the times of 9pm until close of business every Friday, Saturday, Sunday of bank holidays and other key dates throughout the year including but not limited to Good Friday, Christmas eve, Boxing Day, New Years Eve.

- The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
- Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
- No further games of pool will be allowed from 10.00pm and all cues and balls will be securely stored either within the table itself or office.
- From 9pm onwards, all glassware will be swapped out for polycarbonate and all glass bottles will be decanted into said polycarbonate glasses.
- Frequent glass collecting throughout the evening to prevent any glassware being used as potential weapons.
- CCTV system to be reviewed and upgraded where required to ensure all CCTV cameras are able to record HD format at a minimum of 24 frames per second with enough storage capacity for a minimum of 28 days footage. CCTV cameras to be installed on external walls to cover all entrances/exits. DPS must ensure that the CCTV equipment has a constant and accurate date and time generation as well as regularly serviced at 3 monthly intervals which should be recorded. Said records must be made available for inspection by a police officer or authorised officer of the Licensing Authority upon request

The evidence presented at the meeting had demonstrated the following licensing objectives had not been met and failed the:-

- The prevention of crime and disorder

The reasons by the sub-committee, included:-

- Lack of confidence with the management of the premises.
- This was the 3<sup>rd</sup> serious incident related to the premises under a 2-year period.
- Previous advisory letters not adhered to in full.
- No industry standard door supervision in place for entry or exit of the premises.

The Full review of the premises licence would be held on the 3 December at 10.30am. An update of the decision of the Licensing Hearings Sub-Committee will be given at the meeting this evening

#### **4.0 IMMEDIATE SUSPENSIONS**

- 4.1 The Licensing Service have immediately suspended a further 26 drivers for either not being registered on the update service or the certificate has changed since the last certificate has been issued.

## 5.0 PARTNERSHIP WORKING

- 5.1 The Licensing Service have submitted two prosecutions files for illegally plying for hire, no insurance and one driver was unlicensed. These drivers were from another Licensing Authority within Greater Manchester.
- 5.2 The Licensing Service alongside the APHA (Animal and Plant Health Agency) visited a farm following a complaint regarding the welfare of Cattle. An improvement notice was issued by APHA. A revisit was undertaken on the 27 November and the findings were XXXX.

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### Community impact / links with Community Strategy

Not applicable

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### Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

<b>Equality Analysis</b>	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
None	.

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**Consultation:**

Not applicable

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**Legal Implications:**

Not applicable

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**Financial Implications:**

Not Applicable

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**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
None	

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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