

**AGENDA FOR**  
**LICENSING HEARING SUB COMMITTEE**



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**To: All Members of Licensing Hearing Sub Committee**

**Councillors :** T Rafiq (Chair), D Quinn and M Walsh

Dear Member/Colleague

**Licensing Hearing Sub Committee**

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

<b>Date:</b>	Monday, 14 July 2025
<b>Place:</b>	Virtual meeting via Microsoft Teams
<b>Time:</b>	9.30 am
<b>Notes:</b>	<b>To view the virtual meeting online, please email m.cunliffe@bury.gov.uk or phone 0161 253 5399 who will provide you with a link to view the meeting via MS Teams or telephone you into meeting with the option of audio only.</b>

## **AGENDA**

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES OF THE LAST MEETING** *(Pages 3 - 12)*

The Minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on Thursday the 12<sup>th</sup> June 2025 are attached.

**4 APPLICATION FOR A CLUB PREMISES CERTIFICATE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF BOLTON WYRESDALE AMATEUR FOOTBALL AND SPORTS CLUB, 65 RADCLIFFE MOOR ROAD, BOLTON, BL2 6RF** *(Pages 13 - 38)*

A report from the Executive Director (Operations) is attached:-

**Minutes of:** LICENSING HEARING SUB COMMITTEE

**Date of Meeting:** 12<sup>th</sup> June 2025

**Present:** Councillor T Rafiq (in the Chair)  
Councillors I Rizvi and M Walsh  
  
M. Bridge (Licensing Unit)  
M. Cunliffe (Democratic Services)  
S. Kazam (Legal Services)  
R. Thorpe (Legal Services)

**Also in attendance:** Mr M Hamasalih (Applicant)  
Councillor L. Smith (Representor)

**Public Attendance:** The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public or press were in virtual attendance other than those listed above.

## 1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Operations Strategy).

## 2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

## 3 MINUTES OF THE LAST MEETING

The minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on Thursday the 24<sup>th</sup> April 2025 was attached to the agenda.

**Resolved:-** That the minutes of the Licensing Hearing Sub Committee held at 1.00pm on the 24<sup>th</sup> April 2025 be approved as a correct record.

## 4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF MELIS 2 LTD, 6 THATCH LEACH LANE, WHITEFIELD, M45 6BE

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Melis 2 Ltd, 6 Thatch Leach Lane, Whitefield, M45 6BE.

The applicant for the licence is Melis 2 Ltd, 6 Thatch Leach Lane, Whitefield, M45 6BE. Mr Mohammad Hamasalih of Owl Barn Hampsons Farm, Coal Pit Lane, Smithills, Bolton, BL1 7PE is the proposed Designated Premises Supervisor (DPS).

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

The Licensing Unit Manager presented the report and as part of the statutory process the responsible authorities and interested parties are entitled to make representations in relation to

the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.

Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-

- the prevention of crime and disorder
- public safety
- prevention of public nuisance and
- protection of children from harm

The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003.

**Opening Times:**

Monday to Sunday	12.00 till 23.30
New Years Eve	12.00 till 02.00

**Supply of Alcohol (on the premises only):**

Monday to Sunday	12.00 till 23.00
New Years Eve	12.00 till 02.00

**Late Night Refreshment (Indoors)**

Monday to Sunday	23.00 till 23.30
New Years Eve	23.00 till 02.00

**Dance (indoors)**

Monday to Saturday	12.00 till 23.30
New Years Eve	12.00 till 02.00

Due to the Live Music Act 2012, there is no need to licence this activity until after 23.00.

**Recorded Music (Indoors)**

Monday to Saturday	12.00 till 23.30
New Years Eve	12.00 till 02.00

Due to the Live Music Act 2012, there is no need to licence this activity until after 23.00.

The conditions contained in the operating schedule submitted by the applicant were contained at Appendix 1 in the agenda packs.

Three representations (Not two as stated in the report) had been received from interested parties and they had been invited to make their representations at the hearing. The representations were attached at Appendix 2 in the agenda packs.

After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent

application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken. In making its decision with regard to this application hearing, the steps the Sub-Committee can take are:

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

All licensing determinations should be considered on the individual merits of the application.

The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

The Sub-Committee was asked to determine what steps, as set out above, are appropriate for the promotion of the licensing objectives.

The Licensing Unit Manager explained that the licence had lapsed at the premises although this was for a different restaurant company which explains the application.

The applicant, Mr Hamasalih addressed the Sub Committee and informed Members that the restaurant building was in a good neighbourhood and would serve excellent food and listen to local residents. The business was not to open a club or late bar and it would be a warm and welcoming family restaurant for a nice meal.

In relation to possible issues about music disturbing residents, Mr Hamasalih stated this would be background music indoors only within responsible hours. The dance element was related to Mediterranean culture and any performances would be between 8.00-9.00pm.

Any issues related to anti-social behaviour would be covered by them as a responsible business via a full CCTV system, incident logs and the Challenge 25 scheme being implemented.

Mr Hamasalih confirmed the new business which had a restaurant in Wigan was not related to the previous business which was run from the site.

Members of the Committee questioned the number of covers and, service time and would the venue host weddings?

Mr Hamasalih stated there would be a maximum of 200 covers but anticipated it not being that full and the restaurant was more aimed at family meals and birthday celebrations. The last food orders would be taken at 10.00pm with customers leaving by 11.30pm and the building being closed after cleaning had been conducted for 11.30pm.

The Chair clarified that the report before the Committee stated capacity for 140 and not 200 covers. Mr Hamasalih explained that some extra chairs had been introduced with capacity inside covering a maximum of 150 and outdoor seating available for around 40 to 50 people. The external area was near to houses and only food would be available outside and the opportunity for customers to smoke. Mr Hamasalih was accepting of the original numbers contained in the report if it was minded to be approved.

A Member asked about the parking situation in the area and if the windows of the building are double glazed. Mr Hamasalih reported that the windows were double glazed and could be closed from 6.00-7.00pm with there being a front self-closing double door. Music would not be loud and the venue would be willing to accept a noise management policy. There was no private parking for the venue with customers utilising street parking.

The Licensing Unit Manager clarified that parking was not a consideration of the committee.

A Member questioned the noise levels from the collecting of waste glass and Mr Hamasalih confirmed a private company would collect the waste on a Monday or Thursday between 7.00am to 4.00pm. He could advise the company to come around midday should this be a problem.

A Member asked if there would be a contact number outside the premises for local residents to contact should there be any issues and Mr Hamasalih reported this would be done.

Councillor Lucy Smith who was in attendance at the meeting as a representor reported that there had been objections prior to the new ownership. The building was a retail outlet before transferring to a restaurant and since then the outside seating area had opened onto the street. The setting was in a highly residential area and if windows were open then noise levels would transmit to nearby homes. Councillor Smith was against granting the application within the hours submitted. The location was not ideal, there were too many covers and late night leavers would disturb local residents with noise.

Mr Hamasalih summed up that there would only be background music so customers could talk amongst themselves and windows could be closed early in the evening time. The venue would be well managed and not designed as a bar or nightclub.

The Licensing Unit Manager reminded Members of the Committee that due to the Live Music Act 2012, there was no need to licence music until after 11.00pm. He also reported that there was a review process available should there be any representations submitted from responsible authorities after approval of a licence if the promotion of the licensing objectives were not being met.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- a) the prevention of crime and disorder
- b) public safety

- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to the relevant provisions of the national guidance and the Council's licensing policy statement.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

### **Delegated decision**

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned in relation to:-

- the prevention of crime and disorder
- public safety, and
- protection of children from harm

However, Members had reservations about music, dance and noise from the restaurant impacting upon local residents in neighbouring properties and the surrounding residential area, causing concern for the promotion of the following licensing objective:-

- prevention of public nuisance

It was therefore agreed unanimously that the Sub- Committee **grant the application for a Premises Licence subject to conditions and to amend or modify existing or proposed conditions in order to promote the licensing objectives.**

**The Sub-Committee carefully considered the representations and evidence provided which could lead to public nuisance. It was therefore unanimously resolved to modify some conditions of the licence in order to promote the licensing objectives.**

The amendments to the following conditions (Underlined and highlighted in bold below) submitted in the application for the grant of a Premises Licence under Part 3 of the Licensing Act 2003 was as follows:-

#### **Opening Times:**

Monday to Sunday	12.00 till <b><u>23.00</u></b> <b><i>(From 23.30)</i></b>
New Years Eve	12.00 till 02.00

#### **Supply of Alcohol (on the premises only):**

Monday to Sunday	12.00 till 23.00
New Years Eve	12.00 till 02.00

#### **Late Night Refreshment (Indoors)**

Monday to Sunday	23.00 till <b><u>23.00</u></b> <b><i>(From 23.30)</i></b>
New Years Eve	23.00 till 02.00

#### **Dance (indoors)**

Monday to Saturday	12.00 till <b><u>23.00</u></b> <b><i>(From 23.30)</i></b>
New Years Eve	12.00 till 02.00

*Due to the Live Music Act 2012, there is no need to licence this activity until after 23.00.*

## **Recorded Music (Indoors)**

Monday to Saturday	12.00 till <b>23.00</b> <i>(From 23.30)</i>
New Years Eve	12.00 till 02.00

*Due to the Live Music Act 2012, there is no need to licence this activity until after 23.00.*

The amendment to conditions submitted in the operating schedule submitted by the application was as follows:-

### Public safety

PS1: The maximum number of persons (including staff) allowed at the premises shall not exceed 140.

**The amendment was that the number of 140 persons would be for internal areas only and not include the use of any external areas.**

### The prevention of crime and disorder

CD2: An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or antisocial nature;
  - ii. All crimes reported to the venue, or by the venue to the police;
  - iii. All ejections of patrons;
  - iv. Any complaints received;
  - v. Seizures of drugs or offensive weapons;
  - vi. Any faults in the CCTV system;
  - vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.
- Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

**The amendment was to CD2, Point iv, that any complaints received, this would also include noise complaints and be recorded in a noise management policy and available for inspection by Environmental Health Officers.**

### Operating Schedule

#### General

G01: Prominent, clear notices shall be displayed at every public entrance stating the actual operating hours of the premises.

### The prevention of crime and disorder

CD1: All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.



v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.

vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for at least 12 months.

CD2: An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

i. Any incidents of disorder or of a violent or antisocial nature;

ii. All crimes reported to the venue, or by the venue to the police;

iii. All ejections of patrons;

iv. Any complaints received, including noise complaints and be recorded in a noise management policy and available for inspection by Environmental Health Officers.

v. Seizures of drugs or offensive weapons;

vi. Any faults in the CCTV system;

vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

CD3: The premises shall install, operate, and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police. All public areas of the licensed premises including entry and exit points will be covered. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All equipment must have a constant and accurate time and date generation. All recordings will be stored for a minimum period of 31 days with date and time stamping. Recordings will be made available immediately upon the request of an authorised officer of a responsible authority throughout the entire 31 day period. The CCTV system will be capable of downloading images to a recognisable viewable format. The CCTV system will capture a minimum of 4 frames per second. The CCTV system will be fitted with security functions to prevent recordings being tampered with, i.e., be password protected.

CD4: All alcohol on display will be in such a position so as not to be obscured from the constant view of the staff.

CD5: There shall be no self-service of alcohol on the premises.

CD6: In the event that an incident occurs for which the police have been called, the crime scene shall be preserved to enable police to carry out a full forensic investigation.

#### Public safety

PS1: The maximum number of persons (including staff) allowed at the premises shall not exceed 140, this was for internal areas only and not including use of any external areas.

PS2: The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties on the premises.

## The prevention of public nuisance

PN1: A telephone number shall be made available and displayed in a prominent location where it can conveniently be read from the exterior of the premises by the public for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection and copying by an authorised officer of a responsible authority throughout the trading hours of the premises.

PN2: No deliveries (in relation to licensable activities) to the premises shall take place between 23:00 hours and 07:00 hours.

PN3 During the hours of operation of the premises, sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the area immediately outside the premises.

PN4: No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 07:00 hours on the following day.

## The protection of children from harm

CH1: All staff, supervisors and managers must be trained in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol and then at least every 12 months. Training shall be signed and documented. Training records must be kept on the premises and be made available for inspection and copying to an authorised officer of a responsible authority on request. The documentation relating to training should extend back to a period of at least 12 months and should specify the time, date and details of the persons both providing the training and receiving the training.

CH2: There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

CH3: The premises shall display prominent signage indicating at any point of sale that a Challenge 25 scheme is in operation.

CH4: An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.

**COUNCILLOR T RAFIQ**  
**Chair**

**(Note: The meeting started at 1.00pm and ended at 2.25pm)**

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Classification	Item No.
Open / Closed	

<b>Meeting:</b>	Licensing Hearings Sub-Committee
<b>Meeting date:</b>	14 July 2025
<b>Title of report:</b>	Application for a Club Premises Certificate to be granted under the Licensing Act 2003 in respect of Bolton Wyresdale Amateur Football and Sports Club, 65 Radcliffe Moor Road, Bolton, BL2 6RF
<b>Report by:</b>	Executive Director (Corporate Core)
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	Radcliffe North and Ainsworth

### Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Bolton Wyresdale Amateur Football and Sports Club, 65 Radcliffe Moor Road, Bolton, BL2 6RF.

### Recommendation(s)

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

### 1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

## **2.0 INTRODUCTION**

- 2.1 The applicant for the licence is Bolton Wyresdale Amateur Football and Sports Club Plc, 31 Knightswood, Beaumont Chase, Bolton BL2 6RF. Mr Stan Crawford of 31 Knightswood, Beaumont Chase, Bolton BL2 6RF is the proposed Secretary. The applicant has requested that Club Premises Certificate if granted by Members today to commence from the 16 August 2025.
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.
- 2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-
- the prevention of crime and disorder
  - public safety
  - prevention of public nuisance and
  - protection of children from harm

## **3.0 THE APPLICATION**

- 3.1 The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

### **Opening Times:**

Monday to Saturday	12.00 to 23.00
Sunday	12.00 to 22.30

### **Supply of Alcohol by or on behalf a club to the order of a member of the Club (on the premises only):**

Monday to Saturday	12.00 to 23.00
Sunday	12.00 to 22.30

### **Recorded music (indoors)**

Wednesday to Saturday	18.00 to 23.00
Sunday	18.00 to 22.30

The conditions contained in the operating schedule submitted by the applicant are attached at Appendix 1.

The club rules are contained at Appendix 2

#### **4.0 REPRESENTATIONS FROM AN INTERESTED PARTY**

4.1 13 representations have been received from interested parties.

4.2 These representations attached at Appendix 3.

#### **5.0 OBSERVATIONS**

5.1 After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

#### **6.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003**

6.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

6.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

6.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

#### **7.0 CONCLUSION**

7.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and

- the protection of children from harm.
- 7.2 In reaching the decision, regard must be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 7.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.
- 7.4 In making its decision with regard to this grant hearing, the steps the Sub-Committee can take are:
- To grant the application in the terms requested
  - To grant the application subject to conditions
  - To amend or modify existing or proposed conditions
  - To refuse the application
- 7.5 All licensing determinations should be considered on the individual merits of the application.
- 7.6 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 7.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 7.8 The Sub-Committee is asked to determine what steps, as set out in 8.4 above, are appropriate for the promotion of the licensing objectives.

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### **Community impact/links with Community Strategy**

Not Applicable

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### **Equality Impact and considerations:**

*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.*

*The public sector equality 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>	

### **Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
There are no specific issues from the report other than potential costs/risks associated with legal appeals.	

### **Consultation:**

Not Applicable

### **Legal Implications:**

Yes, under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

### **Financial Implications:**

The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

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**Report Author and Contact Details:**

***For further information on the details of this report, please contact:***

Mr M Bridge  
Licensing Office  
Town Hall  
Bury  
Telephone No: 0161 253 5209  
Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

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**Background papers:**

List of Background Papers:-  
Application form  
Representations received

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

Term	Meaning

# **Appendix One**

## **Operating Schedule submitted by the applicant**

## **Conditions Consistent with The Operating Schedule**

### **General**

- Ensure all staff are trained in recognizing and preventing potential crime and disorder, including procedures for dealing with intoxicated customers, security protocols, and conflict resolution.

### **Crime and Disorder**

- Suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.
- Spirits will be located behind the counter.
- Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken.
- A zero-tolerance policy towards drugs, violence, and anti-social behaviour will be enforced.

### **Public Safety**

- The premises will comply with all relevant health and safety, fire safety, and building regulations.
- Regular risk assessments will be carried out to identify and manage hazards.
- Clearly marked fire exits and escape routes will be kept unobstructed and illuminated at all times.
- A first aid kit will be available on-site and key staff will be trained in basic first aid.
- Electrical and gas equipment will be regularly tested and certified.
- Emergency Procedures: Develop and practice emergency procedures for various scenarios, such as fire, medical emergencies, or security breaches.

### **Prevention of Public Nuisance**

- Noise Control: Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours. All customers will be asked to leave quietly.
- Waste Management: Manage waste effectively to prevent litter and odors, ensuring that all waste is collected regularly and stored appropriately.
- Lighting: Ensure adequate lighting to enhance visibility and prevent accidents, while also minimizing light pollution to neighboring properties.

- Parking: Manage parking to avoid congestion and prevent public nuisance, ensuring that parking spaces are clearly marked and accessible.

### **Protection of Children from Harm**

- Staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
- All staff will be trained for UNDERAGE SALES PREVENTION regularly.
- A register of refused sales shall be kept and maintained on the premises.

# **APPENDIX TWO**

## **Club Rules**

## **Bolton Wyresdale Amateur Football and Sports Club**

### **MEMBERSHIP AND CLUB RULES**

This document outlines the fundamental rules and expectations for all club members to ensure a safe, respectful and enjoyable environment.

#### **1. Name, address and objective**

Bolton Wyresdale Amateur Football and Sports Club  
65 Radcliffe Moor Road  
Bolton  
BL2 6RF

#### **Its objective shall be**

- To support sporting, social, recreational and cultural activities and events in which Bolton Wyresdale teams participate.
  - To provide and maintain high quality facilities for its members
2. An applicant for membership must submit a signed and dated application to the management, accompanied by a fee for Membership, stating their: • Name / Address / Date of Birth / Telephone Number / Email Address
  3. The membership application will be reviewed by the Management and if approved, at least 48 hours must pass between people being admitted to membership.
  4. Members may bring guests and their children to the club. The member is responsible for their guests and must sign them in on the guest register at the bar upon arrival. Members shall at no time leave the club whilst their guests are on the premises. Management reserve the right to forbid entry of any guests.
  5. Management reserve the right to ask any member and their guests to leave the premises if they believe they are not adhering to the club rules.
  6. If your previous membership has expired, you shall no longer receive the benefits of membership until full payment has been made.
  7. The purchase and supply of alcohol on the club premises is in the control of the management. Members and their guests shall be supplied with alcohol in accordance with the permitted hours laid out in the Licensing Act, and fixed by the Club Management.
  8. Alcohol may not be sold to or consumed on the premises by any person under the age of 18. We operate a challenge 25 programme and our bar staff have the right to refuse anyone who cannot produce valid ID.
  9. If the conduct of any member, either within or outside of the Club premises, shall in the opinion of the management have a detrimental effect to the club or its members, the management reserve the right to revoke their membership without

reimbursement (Examples of conduct which would be unacceptable include; racist remarks or behaviour, malicious damage to club property, members failing to take responsibility for their guests and children. Insulting, aggressive or unnecessary behaviour towards staff, management, other club members or their guests. Using social media to discuss issues with the club, its members or staff. Any incidents where the Police have been called to assist with an issue of behaviour at the Club)

10. Children are only permitted in the club or on the grounds when supervised by an adult member. The member takes full responsibility for the behaviour of their children and their guest's children whilst in the premises of the club.

11. The club must be used respectfully. If any member, their children, their guests or guests' children cause damage to club property, the member will be asked to reimburse the club in full or partial payment towards replacement or repair of the damages. Failure to reimburse the club could result in your membership being revoked. A clean-up fee of £25.00 applies to vomit/toilet related incidences.

12. The changing rooms and showers are not to be used by children unless supervised by an adult.

13. No Smoking or Vaping within the club premises or grounds.

14. No Dogs are permitted within the club premises or grounds.

15. Only activities permitted by the management will be allowed to take place on the Club premises.

16. Only food and drink purchased from the bar may be consumed on the premises, under no circumstances should you bring in your own food or drink.

17. Visiting teams will be considered temporary members for the duration of their visit and must comply with all Club Rules.

18. We are members of the Bolton Wyresdale Amateur Football and Sports Club. Any person with an 'exclusion order' will be refused access to enter our premises as it is a serious offence to enter a licensed premise in breach of an exclusion order.

19. We have a zero-tolerance policy to all drug related incidents. Any member thought to be involved will be asked to leave and their membership will be immediately revoked without reimbursement. Any members guests involved will be asked to leave and will be permanently forbidden access to the club and its premises.

20. Parking is available within the car park. The users of the carpark do so at their own risk. The club will not accept liability or responsibility for any accidents, damage or loss of property or vehicles.

21. Any member found breaking any of the club rules could have their membership revoked without reimbursement. All matters arising out of, or not provided in these rules, shall be dealt with by the Club Management.



## **APPENDIX THREE**

### **Representations from Interested Parties**

To Bury Licensing Authority,

We are writing to object to the premises music and alcohol license application for Wyresdale Football Club located at Radcliffe Moor Road, Bradley Fold. Our objection is based on the following concerns:

**The prevention of crime and disorder.**

Increased Crime/Disorder:

We are concerned that the granting of an alcohol licence from 12pm until 11pm seven days a week and a music licence from 6pm Wednesday to Sunday will lead to potential increased crime and disorder in this area. There is already a problem with drug taking and drug dealing at the car park on Browns Road south of the site of the football club. There is every likelihood that this will be increased as will general crime and public disorder caused by alcohol consumption.

Cumulative Impact:

The area is already well served by a number of licensed premises. The Top Bull pub on Bury Road, immediately north of the proposed licensed premises, Radcliffe Masonic Hall on the junction of Radcliffe Moor Road and Bury New Road, immediately east of the site, Dobbies Sports and Social Club slightly further down Radcliffe Moor Road and the Queens pub on Bradley Lane, slightly further south of the site. Half a mile further down Radcliffe Moor Road is the Sparking Clog pub.

We are concerned that adding another licensed premises will only add to the existing risk of crime and disorder (anti-social behaviour, public intoxication, violence etc.) that is inherent to alcohol consumption.

As the premises licence application is also associated with a football club, it is to be expected that the issues outlined above will be of a magnitude higher as is commonly experienced in the vicinity of other football clubs.

**Public safety.**

Increased Risk of Accidents

We are concerned that increased alcohol consumption and traffic throughout the day and late night activities is likely to lead to more road traffic accidents (in an

area already suffering from a high level of RTAs) and other alcohol-related incidents.

### **Unsafe Environment**

We are concerned that the granting of a music and alcohol licence will lead to a less safe environment for local residents and those people who visit the area to use the country park and lodges (parents with young children, dog walkers etc). The football club will have very limited parking and inevitably cars will be parked along the neighbouring roads. This is already a problem with Radcliffe Masonic Lodge when they have events on and will only be made worse.

### **The prevention of public nuisance.**

#### Noise Nuisance

We are concerned that there will be a noise nuisance from this venue, from the late-night music, people and increased traffic. In developing the football club site, they have already (possibly illegally) removed all the trees which bordered the south of the site and created a natural sound barrier. Noise from traffic on Bury Road is already louder to the residents on Browns Road and Boundary Drive who will now also suffer additional noise due to music etc., should the licence be granted. Householders have the right to the quiet enjoyment of their homes and gardens and this will severely detract from this right.

#### Public Disorder

The proposed licence will lead to increased levels of public disorder, including shouting, littering and generally disruptive behaviour. As with the risks outlined relating to alcohol consumption, these risks will only be exacerbated by the fact that this is a football club premises.

#### Disruption to Residents

There will be an overall impact on the wellbeing of residents in particular and the wider public in general due to the increased noise and disturbances.

### **The protection of children from harm.**

Access to Alcohol by Minors

We are concerned that children will be exposed to alcohol and other potentially dangerous activities associated with alcohol and the premises.

Unsafe Environment for Children

We are concerned that what is currently a tranquil and safe environment for children will become a less safe environment for them due to alcohol consumption, higher traffic flow and general anti-social behaviour related to licensed premises.

We request that you carefully consider these concerns and deny the license application.

Dear Licensing Team,

I am writing to formally oppose the application for an alcohol and music licence at Wyresdale FC. My concerns stem from the significant impact this establishment has already had on our community and local environment.

As you may be aware, the team using these facilities is from outside our borough. Their presence has contributed to the destruction of our green belt land, severely affecting local wildlife and diminishing the natural spaces that once made our area so special. Granting this licence will only further exacerbate the issue, encouraging increased footfall and noise pollution, disrupting the peace and safety of our neighbourhood.

The introduction of alcohol sales raises additional concerns, including the potential for antisocial behaviour, increased disturbances, and safety risks for residents.

Furthermore, live music events will lead to excessive noise levels, negatively affecting the quality of life for those living nearby. With Dobbies, Tin head brewery, The Top Bull and The Queens all within a short walk it seems ill-considered if their application is to be granted.

I urge the council to consider the long-term consequences of this application and to prioritise the well-being of our local community and environment over commercial interests. Please take into account the voices of concerned residents who wish to preserve the character and tranquility of our area.

I would appreciate confirmation that my objection has been received and considered.

Thank you for your time.

Dear Sir/Madam,

We wish to object strongly as to the proposed music and alcohol licence applied for by the above club on Radcliffe Moor Road in Radcliffe.

As concerned residents we live directly opposite the site and have been dismayed to see this development unfold on arable land having met strong opposition from many people over a period of time.

However the licence would be unnecessary given the provision and alternative venues in a very close proximity:

Dobbies Social Club, The Masonic Hall, The Top Bull pub and the Garden Centre (Daytime). All are well established and clearly meet local needs in this rural community. A late licence with additional noise, parking, lighting and 11pm or later closure would not benefit our area and cause potential congestion and noise. Purely for financial gain of an unestablished club. A 52 weeks a year potential licence would be over generous for such a small club whose durability and sustainability are already much questioned by locals.

Hello,

I have recently moved to XXXXX. I moved because of the quiet area. I am not please to hear they have applied for a music licence, I believe the sound will carry and overall ruin the peacefulness of the area, not to say the overall lodge and fishing outstanding area community.

I want to write my objection to the licence.

Should you wish for me to express my wish in another way, please let me know.

8 June 2025

**OBJECTION TO WYRESDALE FOOTBALL CLUB (RADCLIFFE MOOR ROAD/BURY NEW ROAD) MUSIC AND ALCOHOL LICENCE APPLICATION**

To Whom It May Concern,

We are writing to **strongly object** to Wyresdale Football Club's application for a music and alcohol licence on Radcliffe Moor Road.

The football club was pitched as being necessary for the health and well-being of young people and adults as it would provide a space for them to play football, despite objections from residents that fell on deaf ears regarding the hugely negative impact that this would have on the area. The area is a hotspot for traffic collisions and accidents to begin with and is one of the most polluted roads in the country (Source: Manchester Evening News)

Residents have already been negatively affected by the building works on the field on Radcliffe Moor Road and Bury New Road. Our homes have been covered in debris and dust and allergies have been impacted by the digging up of what once was a wonderful habitat for wildlife. Since work began, there have been no sightings of deer, owls, birds of prey – I could go on. The negative impact that this so-called sports venture has had on residents already has been despicable. Our mental health has suffered immeasurably. We attempted to object the building of this football club when plans were first proposed but sadly, we were lied to and completely dismissed when plans were put through and accepted without giving residents a chance to be heard or further object. There are already at least 3 existing football clubs within a 2-mile radius, this football club being built is completely ridiculous and unnecessary.

However, residents had no choice but to deal with the negative impacts of this building work in the – apparent – name of health and well-being. Now we are being told that the football club would like to apply for a music and alcohol licence. Well, if this so-called health sports venture really is for the health and well-being of individuals so that they can play football then we would like our voices to be heard in hugely objecting to this. Not only would the noise pollution and potential risks of drunken football crowds disrupt our lives massively, the health and wellbeing of users of this football club would be massively impacted. Why on earth would there be a need for music and alcohol at a football club if the club is solely being built there for health and well-being purposes? This was the original argument for building the club in the original application. There was no mention of a club house being built to residents. There are plenty of local public houses within the vicinity that individuals can support if they would like to have an alcoholic drink and listen to music.

I sincerely hope that you will take our objection seriously and on board. The impact that this football club has already had on us here at 73 Bury New Road is no small thing. We are miserable, our homes are completely disgusting due to debris and dust, my breathing has worsened, we can't sleep because work starts as early as 7:30am some days and the noise is unbearable. Once flood lights are



installed and the club is up and running our lives here will be even more miserable.

Please help us to keep the impact of this club to the misery of what it already is and no more.

I object due to the public nuisance granting a licence would mean. Rowdiness due to over indulgence of alcohol, noise when leaving the premises late at night, noise of music and also the noise and amount of traffic that would ensure from granting such a licence. The building of the football club has already caused traffic jams with 4 way traffic lights. Also when the football fields are in full use the amount of cars will cause havoc also children running around everywhere could cause danger to life if not properly supervised.

I have just received notice of the above proposal which I strongly object to, as this will not only create extra groups of people coming to the club, also traffic, which at the moment is a serious situation for the residents already living in the area. Vehicles approaching Radcliffe Moor Road from Bury New Road going to the bottom of Radcliffe Moor Road and also coming up the said road. The residents objected to the proposal of the football club from the offset but to no avail, even with objections coming in from this area I think that the application will still go ahead. The area will also invite youths congregating within the area and could cause problems socially.

Good morning,

I would like to object to the application of an alcohol and music licence that Wyresdale Football club, located at Radcliffe Moor Road has put in.

The area has already gone through significant change with the football pitches being built. Our area is becoming overpopulated as it is. The wildlife have nowhere to go, the football pitches will already cause light pollution and now they want to cause noise pollution with loud music that will really carry over the lodges. This will all end with anti social behaviour. The area used to be so nice to take your family now it's an eyesore.

Hi

I would like to object to the granting of a music and alcohol licence for this club. I am a local resident and have already voiced concerns in relation to the problems and accidents that will be caused by additional traffic and parking in attending this club for football matches. This will only be made worse if events are allowed at this club.

The purpose of this club destroying green belt land was sold to us as being a good thing in order to provide a sporting facility for children and young people in the local area, not for an events facility.

This is a children's football club. A ball hasn't even been kicked on the pitches as yet and the club are already planning to hold events?

The Masonic Hall is available for events, another facility in this area is not needed or welcomed.

Dear Sirs

I wish to object to the application of music and alcohol at the premises of the new build Wyresdale Football Club on Radcliffe Moor Road. I live on the Bradleyfold estate and my property is back to back with Pennine Pets factory, and I do believe the noise generated from the club if this licence is granted will resound and echo off this building and cause disturbance to the residents, especially as the trees surrounding Starmount Lodges have been felled and the area is open completely now so the noise will travel.