

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 20th March 2026

Present: Councillor D Green (in the Chair)
Councillors D Quinn and M Walsh

Also in attendance: M. Bridge (Licensing Unit)
M. Cunliffe (Democratic Services)
C. Farrimond (Legal Services)
L. Scully (Legal Services)

A. Dixon (Representor)
PC P Ecclestone (GMP- Representor)
A. Gregson (Hospitality Training Solutions)
J. Gurhara (Applicant)
R. Watson (Bury Times)

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 were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Public Protection & Resilience) and A. Bucior (Public Protection).

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF DAILY CONNECTS, 480A BURY OLD ROAD, PRESTWICH, M25 1NL

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Daily Connects, 480a Bury Old Road, Prestwich, M25 1NL.

In making a decision, 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

The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are the relevant legislation.

The Licensing Unit Manager presented the report and explained the applicant for the licence is Mr Jasmeet Singh Gurhara, 27 St Marys Road, Prestwich, M25 1AQ. He is also the proposed Designated Premises Supervisor and would be represented at the hearing by Mr Anthony Gregson.

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

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 Where representations are made and not withdrawn Members are required to determine them.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 06.00 till 23.00

Retail sale of Alcohol
Monday to Sunday 06.00 till 23.00

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

Two representations had been received from interested parties including Greater Manchester Police, they had been invited to make their representations at the hearing. The representations were attached at Appendix 2 and Appendix 3 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.

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.

Mr Anthony Gregson, a Director of Hospitality Training Solutions who were acting as the agent on behalf of Mr Jasmeet Gurwara addressed the Sub Committee and informed Members the concerns of GMP had been addressed. Any risks had been identified with robust conditions and the counterfeit goods could be explained as stock inherited from the former business in September 2025. A full stock check had now been undertaken and this was a legacy issue with no links to criminality or future risks.

The lawful drug related paraphernalia had all been removed from sale and they accepted the context of the objection from GMP.

Mr Gurwara was a new operator and had obtained his licence earlier this year and had received staff training. CCTV at the entrance and till area would be implemented. The business had gone beyond the standard practices expected implementing new systems and had requested another visit by the Council and GMP prior to this hearing. All the licensing objectives would be upheld as detailed in the response letter to GMP sent on the 9th March regarding their submitted representations.

A Member questioned that this information had not been provided and Mr Gregson stated it had been sent to GMP and the Council. The Licensing Unit Manager circulated this information via the committee Clerk to panel Members for their information.

The Licensing Unit Manager questioned was this the applicant's first business and Mr Gurwara explained he already had a shop in Rochdale which was a similar business and he understood the operating schedule. A Member enquired if the other shop sold alcohol and Mr Gurwara stated no.

Mr Gregson added the 2 boxes of headphones found in the shop were located on a shelf and Mr Gurwara was unaware they were fake and his intention was to sell the stock to get his money back. Once notified by GMP concerns he removed these products.

Local resident Ms Amanda Dixon had concerns the applicant was being coached through the licensing process and asked a direct question if he know what proxy sales entailed. Mr Gurwara provided an explanation to the question and added CCTV outside his shop would show if any adults were trying to purchase alcohol for children.

A Member questioned if a full stock inventory had been provided on completion of purchasing the business.

A Member enquired how many staff would work in the store. Mr Gurwara confirmed two employees would be on the premises the majority of the time unless one had an appointment they needed to attend.

PC Peter Eccleston, the Bury District Licensing Officer presented a formal representation from Greater Manchester Police with regards to the application.

On Monday the 23rd February 2026, Greater Manchester Police, Bury Councils Trading Standards and Licensing Departments conducted a joint visit at the premises at approximately 13:25 hours.

Whilst present at the store, Kelly Halligan from Bury Councils Trading Standards, conducted an inspection of the shop and found four counterfeit headphones on display for purchase. Three of the headphones were marked with the Apple logo and labelled 'Apple AirPods' despite those on display were in fact full headsets. The remaining set were labelled as 'Beats' headphones. All four sets were subsequently seized. Photographs of the headphones have been included at Appendix A in the agenda packs. Also found on the premises was an array of drug paraphernalia including items which could be associated with the preparation, consumption and distribution of illicit drugs. Numerous photographs of those items were taken at the time and have been made available at Appendix B in the agenda packs.

Furthermore, there were packets of balloons on display for purchase which given it was primarily a vape shop, there are concerns considering there were no other items you would associate with celebratory events.

Although none of these items are illegal to possess and sell in the UK, taken together there are serious concerns regarding the licensing objectives being upheld certainly in relation to the Prevention of Crime and Disorder, Public Safety and Protecting Children from Harm.

As the inspection continued the business owner and proposed DPS, Mr Jasmeet Gurwara arrived at the store. Mr Gurwara obtained his personal license qualification on the 9th December 2025 and his personal license from Bury Council on the 6th January 2026. As we discussed the issues and concerns regarding the sale of the above items, he was asked what the four licensing objectives were under the Licensing Act 2003 and unfortunately he was not able to name any or elaborate further which when you consider that this is someone who has recently obtained their personal license qualification you would expect him to have at least some level of knowledge and understanding.

Furthermore, after reviewing the premises license application itself and the volunteered conditions proposed under the four licensing objectives, there are concerns that the premises license would be further undermined from the outset. Considering this is a premises requesting to sell alcohol for 17 hours a day, seven days a week there is minimal information as to how those objectives will be upheld.

As a minimum, you would expect to see information relating to incident recording, delegation of authority notices which indicate which staff are authorised to sell alcohol, refusals register/logs, the types of acceptable forms of identification when conducting identification checks and specifics around what training will be provided to staff i.e. prevention of proxy sales, prevention of underage sale, selling alcohol to those that are vulnerable or in an already intoxicated state.

There are question marks over what quality of training will be made available and provided to staff given the apparent lack of knowledge and understanding by the proposed DPS.

A Member asked about the drug related products displayed in photographic evidence and an explanation was provided around THC and CBD oils. Whilst the packets were empty the intention of the product was related to the sale of drugs.

PC Eccleston shared on screen the photographs taken in the store during the visit for greater clarity.

Ms Dixon was worried about the impact in this location with litter being a public nuisance along with vermin from waste bins from the store. There was no litter provision provided for customers and litter would damage the local environment. She added the protection of children from harm could not be met as school children walk past the store and there were already crime and disorder issues in the area. She repeated that Mr Gurwara was being helped through the process and he could not answer simple licensing requirements.

PC Eccleston repeated he was not confident the applicant knew the licensing objectives and how to uphold them along with the conditions submitted not being enforceable and required amending.

Mr Gregson stated that there had been no crime committed selling the drug related products and this was left over from the previous vape shop business. Mr Gurwara had taken a financial loss with the stock now not for sale.

The Council's legal advisor requested that the Licensing Unit Manager clarified that there was no Cumulative Impact Policy in the Borough. This was the case and the Licensing Unit Manager added need was not a consideration.

In summing up the Licensing Unit Manager had concerns licensing objectives would not be upheld if the application was granted following the evidence from representors.

Ms Dixon added the store was not aware they were selling illegal goods before the representations were submitted and lacked confidence that safeguarding would be in place for children and families in the local area.

PC Eccleston summarised that the licence would undermine the licensing objectives and if the visit had not taken place the goods for sale mentioned previously would still be on sale today.

Mr Gregson summed up that the headphones were old stock and those items had not been sold before or since. His client had passed the relevant licensing exams and knew how to promote the objectives and Mr Gurwara felt under pressure to answer questions during the visit. The conditions can be made more robust if GMP were not happy with the wording of them and he requested the licence be approved.

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 causes for concern so far as the promotion of the licensing objectives were concerned in relation to:-

- Prevention of crime and disorder
- Public safety
- The protection of children from harm

There was a lack of confidence, ability and knowledge that the licensing objectives could be upheld by the applicant which was evidenced by failing to recall the 4 relevant licensing objectives when questioned on a visit by GMP, despite sitting an exam one month prior.

The conditions submitted within the operating schedule were also deemed not acceptable and given the lack of confidence in the applicant to uphold the four licensing objectives the Sub-committee felt imposing conditions would not be sufficient.

Confidence in the applicant was further undermined by evidence of the permitted sale of counterfeit goods which were clearly fake had continued after the application was submitted and this was a criminal offence.

In addition, the sale of drug related paraphernalia (whilst not illegal) found on display in the shop after the application for a premises licence was made also undermined the licensing objective for the prevention of crime and disorder.

It was therefore agreed unanimously that the Sub- Committee **refuse the application.**

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

COUNCILLOR D GREEN
Chair

(Note: The meeting started at 10.30am and ended at 12.20pm)