

Minutes of:	LICENSING HEARING SUB COMMITTEE
Date of Meeting:	2 nd July 2026
Present:	Councillor B Ibrahim (in the Chair) Councillors D Quinn and M Walsh
Also in attendance:	M. Bridge (Bury Council- Licensing Unit) M. Cunliffe Bury Council- (Democratic Services) PC P. Ecclestone (Greater Manchester Police) K. Halligan (Bury Council- Trading Standards) Shelagh Lyth – (Bury Council- Legal Advisor) Councillor G. Staples- Jones M. Mustafa (Applicant) R. Reynolds (Representor) J. Chittick (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 other members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

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

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING(S)

The Minutes of the last Licensing Hearing Sub Committee meetings held at 10.30am on the 14th April 2026 and 10.30am on the 24th April 2026 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held on the 14th April 2026 and the 24th April 2026 be approved as a correct record.

4 AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF BUBBLE GUM CITY, 10 BOLTON ROAD WEST, RAMSBOTTOM, BL0 9ND

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Bubble Gum City, 10 Bolton Road West, Ramsbottom, BL0 9ND.

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 Panel would make a decision on the day of the hearing and the parties would be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

The Licensing Unit Manager presented the report and explained the applicant for the licence is Bubble Gum No1 Limited, 10 Bolton Road West, Ramsbottom, BL0 9ND. The proposed Designated Premises Supervisor had not been specified at the time of the application.

At this stage of the hearing, Mr Mustafa reported that he had been granted a personal licence via Bolton Council.

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 was for the grant of a Premises Licence under Part 3 of the Licensing Act 2003.

Opening Times:

Monday to Sunday	08.00 to 22.00
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Retail Sale of Alcohol (Off the premises):

Monday to Saturday	08.00 to 22.00
Sundays	10.00 to 22.00

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

Three representations had been received from interested parties and this was attached at Appendix 2 in the agenda packs.

Trading Standards in their capacity as a responsible authority would give their reasons for making a representation. The representation was attached at appendix 3 in the agenda packs.

Greater Manchester Police in their capacity as a responsible authority would give their reasons for making a representation. The representation was attached at appendix 4 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.

The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.

A Member asked had there been any reports in relation to this store prior to the current ownership taking control. The Licensing Unit Manager commented that there had only been reports since the application had been submitted.

Mr Mustafa commented that he had read many negative Facebook posts online and felt this was because there was a shop next door to his business. He was accompanied online at the meeting by a friend to help with any translation issues as he spoke better English than himself. He added there was another shop around 100 metres further down the road and he also worked in the next-door business which was a barbers shop.

Mr Mustafa was cutting a customer's hair yesterday and they were talking negatively about immigration issues and the application but they were unaware that Mr Mustafa ran that business as well. He had encountered one problem a few months ago which he had reported but felt the nice posts on Facebook got deleted from the Ramsbottom social media pages. He also informed the meeting that he had previously ran a business in Brighton for three years and wanted to work in this area.

Mr Reynolds questioned how the law would be upheld in relation to the sale of alcohol when rules were being broken with the current supply of tobacco products. Mr Mustafa stated he sold nothing wrong and if he was caught selling one wrong cigarette then the shop could be closed.

The Licensing Unit Manager questioned Mr Mustafa about the application and asked if he could confirm the four licensing objectives to the committee.

Mr Mustafa was unable to answer the question and upon further investigations by the Licensing Unit Manager it was revealed that he had not been granted a personal licence by Bolton Council as stated earlier in the meeting and to date had not submitted an application.

Councillor Staples- Jones reported that there had been a breach of two licensing objectives and felt the applicant was not a fit and proper person to hold an alcohol licence. Lots of shop owners follow the law and all his further information was contained in the written representations submitted.

The Council's legal representative advised the Committee that a fit and proper person is not associated with the wording of the four licensing objectives as it's a premises related application.

K. Halligan from Bury Council's Trading Standards department reported:-

On the 8th May 2026, an application was received for Bubble Gum City, 10 Bolton Road West, Ramsbottom, BL0 9ND. The applicant was Bubble Gum No 1 Ltd, and the DPS is Mr. Mohammed Aref Mustafa, of 367 Tonge Moor Road, Bolton, BL22JR. Mohammed Mustafa has the lease on Bubblegum city, for 10 Bolton Road West, Ramsbottom, BL0 9ND, which commenced on the 1st December 2025, his name is spelt differently on the lease, as Muhammad Are Mustafa. The shop has been known as Bubblegum City since July 2025 but was under different ownership until the 1st December 2025.

On the 9th December 2025, intelligence was received that Bubblegum city was selling illegal cigarettes, for £5 a packet.

On the 5th January 2026, a test purchase was carried out at Bubblegum City, 20 Lambert and Butler were purchased for £5. The cigarettes were counterfeit and the normal retail price of a packet was between £15 and £16.

On the 29th January 2026, a visit was carried out to Bubblegum City with partners from Greater Manchester Police, Licensing and Wagtails. Present in the shop was Khdir Shekha of 110 Eldon Street, Bolton. Seized where 31 unsafe toys were also breached the Trade Marks Act.

On the 20th May 2026, further intel was received, which suggested that Bubblegum City was selling fake cigarettes, which are not legal.

Seven complaints had been filed against the premises in relation to illicit cigarettes and selling products to children.

A Member enquired that the spelling of the name was different between the stated owner and DPS. K. Halligan confirmed there was a difference between the spelling on the lease and the name via Companies House. The Licensing Unit Manager questioned this and it was a mistake by the licensing consultant when the application was submitted.

A Member asked if there had been any criminal activity at the store before December 2026. K. Halligan reported there had been the sale of illicit toys, tobacco and alcohol but Mr Mustafa was not the owner then.

A Member asked if the counterfeit vapes and cigarettes had been tested for danger levels. K. Halligan reported that vapes and cigarettes had not been chemically tested but the cigarette was counterfeit.

PC P. Ecclestone from Greater Manchester Police also reported that:-

On the 8th May 2026, an application was received from Bubble Gum City, 10 Bolton Road West, Ramsbottom. The applicant is Bubble Gum No1 ltd which is registered to the same address. According to companies house, there is only one registered director; Mohammad Aref Mustafa who is also the proposed DPS, although the forename is spelt slightly differently on the license application as Mohammed.

The shop has been known as Bubble Gum City since July 2025 and during this period several intelligence logs have been received by Greater Manchester Police however ownership changed in early December 2025.

Since this date, Greater Manchester Police has conducted a joint visit with partners from Trading Standards, Licensing, and Wagtails on the 29th January 2026. Present in the store was Khdir Shekha of 110 Eldon Street, Bolton. During the course of the visit, 31 unsafe toys which breached Trade Mark Act were seized.

Further to the above, GMP have received intelligence logs relating to the premises the contents of which included the following:-

- March 2026 – information received which states that workers are selling Killa nicopods to underage children.
- May 2026 – Workers of Bubblegum City are selling counterfeit cigarettes and tobacco. They are selling packets of Lambert and Butler silver for £5 per pack

To add further weight, PC Eccleston had received a complainant from a member of the community who family member had been into the store on the 23rd May 2026 and purchased a packet of Lambert and Butler cigarettes for £5. Considering the normal retail price for a packet of Lambert and Butler cigarettes in the UK is approximately £15 - £16, it is obvious that this was not legitimate and upon checking, the packet was confirmed as counterfeit (photograph of Lambert & Butler cigarettes and corresponding till receipt included at appendix A in the agenda pack). This was shown on the screen during the meeting to Members of the Committee.

Under the circumstances, it was quite clear that there was no regard for the licensing objectives nor the law and if granted there was a serious risk that the licensing objectives will be undermined certainly with regards the Prevention of Crime and Disorder and Protection of Children from Harm. As such GMP are asking that serious consideration be given to the refusal of the premises license application in its entirety.

A Member asked if visits to the store had taken place prior to the change in ownership and it was reported that visits had occurred prior to December 2025 but these factors were not relevant to the hearing today.

Mr Mustafa in summing up stated it was easy to say someone has sold items to children, he would never do that and you would have to prove it.

K Halligan of Trading Standards in her closing remarks said that the activities breached 2 of the Licensing Objectives and would recommend refusal.

PC P. Ecclestone in his closing remarks stated that misinformation had been provided earlier in the hearing about having a personal licence which was untrue. There was a clear lack of knowledge about the licensing objectives and at least 2 of these had already been undermined and invited the Committee to give serious consideration to refusal.

At this stage Mr Mustafa was asked if he had any final comments and he said that he had not.

Upon questioning the Licensing Unit Manager clarified the Council did not have a culminative impact policy so that would not be a consideration of the committee. He further clarified that car parking issues are also not relevant.

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 all 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 failure to recall any of the four relevant licensing objectives when questioned by the Licensing Unit Manager.

Confidence in the application was further questioned by evidence of the permitted sale of counterfeit goods which also undermined the licensing objectives.

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 B IBRAHIM
Chair

(Note: The meeting started at 10.00am and ended at 11.20am)