

AGENDA FOR

LICENSING HEARING SUB COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Website: www.bury.gov.uk

To: All Members of Licensing Hearing Sub Committee

Councillors: B Ibrahim (Chair), A 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:-

Date:	Wednesday, 23 rd September 2026
Place:	Virtual meeting via Microsoft Teams
Time:	11.00 am
Notes:	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.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearing Sub Committee are asked to consider whether they have an interest in any matter on the agenda, and, if so, to formally declare that interest.

3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF DISCOUNT FOOD AND WINE, 165-167 STAND LANE, RADCLIFFE, M26 1JR *(Pages 3 - 24)*

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



		Classification Open / Closed	Item No.
Meeting:	Licensing Hearings Sub-Committee		
Meeting date:	23 September 2026		
Title of report:	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Discount Food and Wine, 165-167 Stand Lane, Radcliffe, M26 1JR		
Report by:	Executive Director (Corporate Core)		
Decision Type:	Council		
Ward(s) to which report relates	Radcliffe West		

Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Discount Food and Wine, 165-167 Stand Lane, Radcliffe, M26 1JR

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 VS House Limited, 2 Fairywell Road, Timperley, Altrincham, WA15 6XA. The proposed Designate Premises Supervisor is Mr Sasikumar Rajakulasingam of 2 Fairywell Road, Timperley, Altrincham, WA15 6XA
- 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 Sunday 06.00 to Midnight

Retail Sale of Alcohol (Off the premises)

Monday to Sunday 06.00 to Midnight

The Operating Schedule is attached at Appendix 1.

Following discussions with Public Health in their capacity as a responsible authority have mediated with the applicant and it has been agreed that the application hours for the Retail sale of alcohol are amended to:

Monday to Sunday 08.00 to 23.00

Following discussions with Greater Manchester Police in their capacity as a responsible authority have mediated with the applicant and it has been agreed that the following conditions can be added to the licence:

Prevention of Crime and Disorder

All staff authorised to sell alcohol shall be trained in the following:

- Relevant age restriction in relation to relevant products.
- Prevention of underage sales.
- Prevention of proxy sales.
- Maintaining a refusals log or book.
- Recognising signs of drunkenness and vulnerability.
- How to refuse service
- Entering sales correctly into the point of sales / till so that prompts are shown as appropriate.
- The conditions listed in the operating schedule of the premises license.
- Offences committed under the Licensing Act
- The four licensing objectives.

Documented staff training records shall be kept for each member of staff. Regular staff training shall be conducted at regular intervals and at no more than 6-month intervals. All training records shall be made available upon request from the police or an authorised officer of the local authority.

The CCTV system is to be maintained in good working order and be in operation at all times the premises is open to members of the public or specific timings.

The CCTV recordings have a constant and accurate date and time stamp taking into account daylight saving time.

The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.

4.0 REPRESENTATIONS FROM INTERESTED PARTIES

- 4.1 One interested party has made a representation against this application and will shortly give their reasons for making their representations. The representations are attended at Appendix 2.

5.0 ADDITIONAL INFORMATION

- 5.1 The Licensing Service have provided additional information showing the location of the premises and identified licensed premises in the vicinity of the Discount Food and Wine, see appendix 3

6.0 OBSERVATIONS

- 6.1 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.

7.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003

- 7.1 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.
- 7.2 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.
- 7.3 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.

8.0 CONCLUSION

- 8.1 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.

- 8.2 In reaching the decision, regard must be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 8.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.
- 8.4 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
- 8.5 All licensing determinations should be considered on the individual merits of the application.
- 8.6 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.
- 8.7 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.
- 8.8 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.

Community impact/links with Community Strategy

Not Applicable

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.

Equality Analysis	<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:

Risk / opportunity	Mitigation
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.

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

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

LICENSING ACT 2003

Conditions consistent with the operating schedule

General

1. CCTV, STAFF TRAINING, CHALLENGE 25, INCIDENT LOG

The prevention of crime and disorder

1. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.
2. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request. Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 6 months.
3. Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.
4. There shall be CCTV in operation at the premises and;
 - a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
 - b) if the premises are not open, and subject to the tests set out by virtue of GDPR, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.
 - c) CCTV shall record continuously and be retained for not less than 31 days.

Public safety

1. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer.
The log will record the following:
 - a. All crimes reported to the venue.
 - b. All ejections of customers.

- c. Any incidents of disorder (disturbance caused by either one person or a group of people).
- d. Any faults in the CCTV system or searching equipment or scanning equipment.
- e. Any refusal of the sale of alcohol during the hours the premises is licensed to sell it.

The prevention of public nuisance

- 1. The premises shall not operate irresponsible alcohol promotions or deep-discount sales designed to encourage excessive purchasing.
- 2. Staff shall take reasonable steps to discourage anti-social behaviour linked to alcohol sales in or immediately outside the premises.
- 3. Notices shall be displayed at the premises advising customers to leave quietly and respect neighbours.

The protection of children from harm

- 1. A "Challenge 25" age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and staff shall be trained in respect of the policy.
- 2. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age.
- 3. The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union.
- 4. Posters shall be displayed in prominent positions around the premises advising customers of the Challenge 25 policy in force at the premises.
- 5. A record shall be maintained recording every occasion when the sale of alcohol has been refused. The record shall;
 - a) give the date and time of the occasion; a brief description of the customer and the name of the member of staff who refused to sell the alcohol.
 - b) be kept at the Premises and available for inspection by authorised officers of the Licensing Authority and the Police at all times the Premises are open.

Appendix 2

Representations from Interested Party

FORMAL REPRESENTATION BY WARD COUNCILLOR

To: Bury Council Licensing Authority / Licensing Sub-Committee

I am writing in my capacity as a ward councillor for Radcliffe West to formally object to the application for a premises licence for **Discount Food & Wine, 165 - 167 Stand Lane, Radcliffe.**

I have concerns about both the proposed operation of the premises and, in particular, the proposed hours of operation, which are stated as:

Monday - Sunday: 06:00 - midnight

This would allow the premises to operate for **18 hours every day**, including the sale of alcohol from early morning through to midnight.

I believe the application requires particularly careful consideration in the context of the surrounding residential area, the existing availability of alcohol from other nearby premises, and the information previously submitted by the applicant in relation to the proposed use of the premises.

Significant change in use

The premises have previously been used for indoor sporting activities, including martial arts and karate.

The proposed use as a convenience store incorporating the sale of alcohol represents a significant change in the nature of the activity taking place at the premises.

The previous use did not involve the routine sale of alcohol or the potential for customers to purchase alcohol throughout the day and into the late evening.

The Licensing Authority should therefore carefully consider the potential impact of this change on the character and amenity of the surrounding neighbourhood.

Inconsistency with Planning Application 72140 : I wish to draw the Sub-Committee's attention to Planning Application Ref: 72140, which relates to a Lawful Development Certificate for the proposed use of these premises.

The application documentation was signed by the applicant on 9th July 2025 and indicated that the proposed opening hours would be:

06:00 - 22:00 hours

The current licensing application now seeks opening hours of:

06:00 - midnight

This represents a two-hour extension beyond the hours previously put forward in the planning process.

In my view, this raises an important question for the Licensing Authority:

- Why has the applicant changed the proposed operating hours from 22:00 to midnight?
- What evidence has been provided to demonstrate a demand or operational need for opening until midnight in this location?

No justification appears to have been provided to explain why the hours originally presented as appropriate for the proposed use are now considered insufficient.

The earlier planning submission suggests that the applicant themselves previously considered **06:00 – 22:00hrs** to be an appropriate operating period for the premises. In the absence of any clear evidence supporting the need for extended opening until midnight, I believe the Licensing Sub-Committee should attach significant weight to the hours set out in the earlier planning application.

I have particular concerns regarding the proposed hours from 0600 hrs until midnight, seven days a week.

This is a very extensive operating period for premises situated within a predominantly residential area.

The proposed hours would potentially result in customers arriving at and leaving the premises from early morning until late at night, with the associated potential for:

- Noise and disturbance;
- Customers congregating outside the premises;
- Anti-social behaviour;
- Litter and discarded alcohol containers;
- Vehicle movements and associated noise;
- Public nuisance; and
- Increased activity in the surrounding residential streets.

The late-night element is of particular concern. Residents living close to the premises should not be exposed to unnecessary disturbance until midnight on a seven-day-a-week basis.

I therefore believe the proposed hours should be subject to particularly careful scrutiny.

There is already an established off-licence/convenience store at the junction of Jackson Street and Stand Lane, within 400 metres to the proposed premises, which currently remains open until 2300hrs.

There are also shops at Chapelfield, including a Post Office incorporating a convenience store operating until 1900hrs, together with other nearby premises where alcohol is available for purchase.

The Licensing Authority should consider whether the additional provision, particularly with proposed alcohol availability potentially extending until midnight every day, could contribute to cumulative problems within the neighbourhood.

Residential location

The premises are situated within a predominantly residential area. The proposed opening pattern would create a substantial period during which the premises could generate customer activity.

I am particularly concerned about the impact on residents during the evening and late-night period.

The potential for customers to congregate outside the premises, noise, litter, alcohol-related behaviour and general disturbance should be properly assessed before a licence is granted.

Proximity to a primary school

The premises are also located close to a primary school.

I recognise that proximity to a school does not automatically prevent the granting of a premises licence.

However, it is a relevant consideration when assessing the overall circumstances of the application, particularly in relation to the protection of children from harm.

The proposed operation would make alcohol available from 0600hrs until midnight, seven days a week, and the Licensing Authority should satisfy itself that appropriate measures are in place to prevent underage sales and minimise the potential impact on children and families using the surrounding area.

Licensing objectives

As Ward Councillor, I am particularly concerned that the proposed operation could have implications for the following licensing objectives.

1. Prevention of crime and disorder

The introduction of another alcohol outlet, with proposed sales potentially continuing until midnight, could increase opportunities for alcohol-related disorder and anti-social behaviour. Although this area of Radcliffe is generally quieter because its considered 'residential' the anti-social behaviour changes from commercial shoplifting to neighbourhood nuisances such as youths hanging around street corners.

An increase in shoplifting incidents cannot be discounted.

2. Prevention of public nuisance

The location within a residential area makes the potential for noise, disturbance, litter and customers congregating outside particularly important considerations. Local residents have

reported youths and young adults gathering in groups around street corners and near the small businesses operating along Stand Lane.

3. Public safety

The increased movement of customers and vehicles to and from the premises, particularly during evening and late-night hours, should be properly considered. This particular section of Stand Lane suffers from anti-social driving including speeding and whilst the road experiences regular collisions, generally resulting in minor injuries, it has also been the site of a fatality linked to intoxication. As a result, road safety remains a particularly sensitive and concerning issue for local residents.

4. Protection of children from harm

The proximity of a primary school and the proposed availability of alcohol throughout the day and into the late evening require appropriate safeguards, including robust age-verification procedures and staff training.

Cumulative impact

This application should not be considered in isolation.

There are already other Convenience stores / off-licences and supermarkets operating in the area.

1. Convenience store at Jackson Street and Stand Lane, 400 metres away operating 0700 - 2300hrs.
2. Premier Express convenience store, 34 Stand Lane,
0.4 miles away operating 0700 - 2200hrs.
3. Asda supermarket, 0.8 miles away
operating 0600hrs - midnight Monday - Friday
0600 - 2200hrs Saturday and 1000 - 1600hrs Sunday
4. Lidl supermarket, 0.8 miles away,
operating 0800 - 2200hrs Monday - Saturday
1000 - 1600hrs Sunday

The proposed premises would therefore add another alcohol outlet to the locality.

I believe the Licensing Sub-Committee should carefully consider whether the additional availability of alcohol and the proposed extended operating hours could contribute to cumulative problems within this residential neighbourhood.

Requested outcome

For the reasons set out above, I formally object to the application in its proposed form.

In particular, I object to the proposed hours, seven days a week, and believe these hours are excessive for premises operating as an alcohol-selling convenience store within a residential area.

I also ask the Sub-Committee to have regard to Planning Application 72140, signed on 9 July 2025, which proposed opening hours of 0600 - 2200hrs. In the absence of compelling evidence demonstrating a need for later opening, I do not consider that a midnight closing time has been justified.

I respectfully ask the Licensing Sub-Committee to refuse the application if it is not satisfied that the proposed operation would promote the licensing objectives.

If the Sub-Committee is nevertheless minded to grant the application, I request that the hours and conditions are significantly restricted to reflect the residential nature of the area and to protect local residents.

At a minimum, consideration should be given to:

- Restricting the hours during which alcohol may be sold;
- A substantially earlier closing time, not exceeding **22:00hrs**
- Robust **Challenge 25** age-verification procedures;
- Comprehensive staff training and refresher training;
- CCTV covering the premises and external areas;
- An incident/refusal log;
- Measures to prevent customers congregating outside;
- Measures to deal promptly with litter and discarded alcohol containers;
- Clear procedures for dealing with anti-social behaviour;
- Restrictions on the display and promotion of alcohol where appropriate; and
- A clear management plan for preventing public nuisance during the evening.

I would also ask the Sub-Committee to give proper consideration to the existing licensed premises in the immediate locality and the cumulative effect of introducing another alcohol outlet with proposed trading hours extending from 6am until midnight, seven days a week.

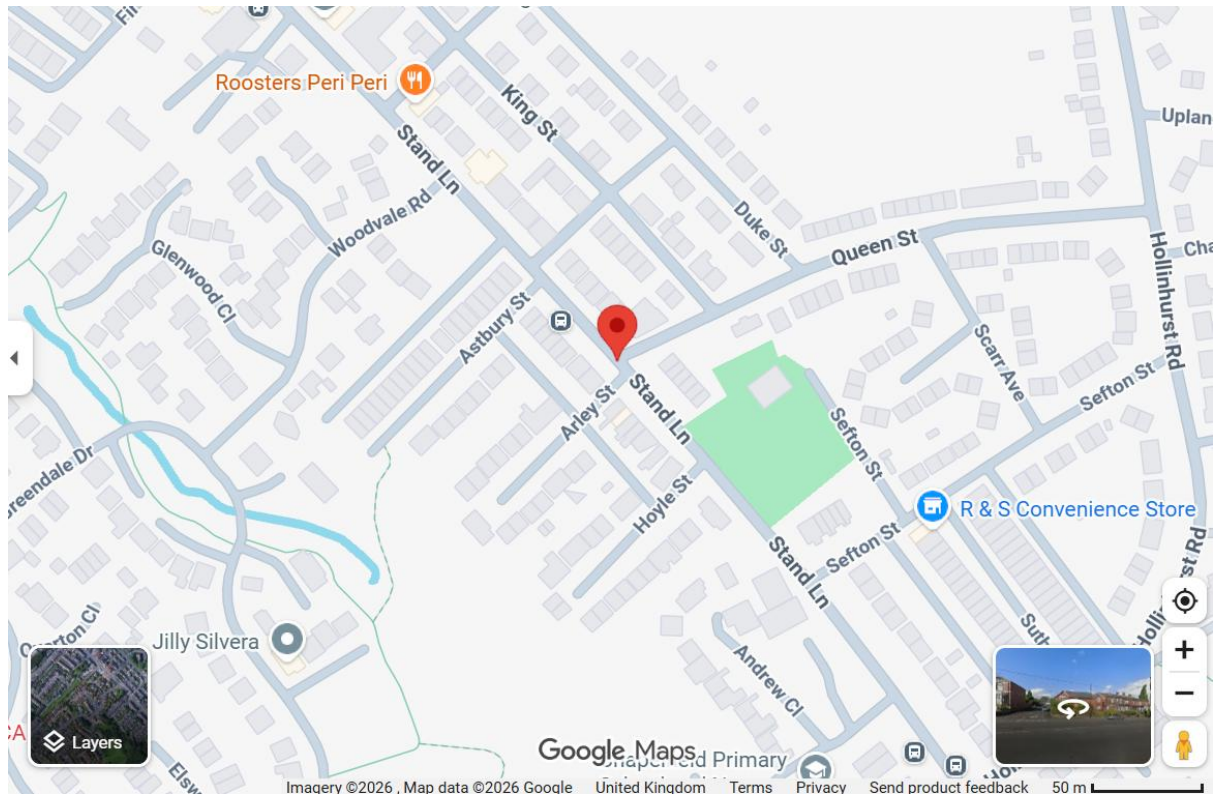
Appendix 3

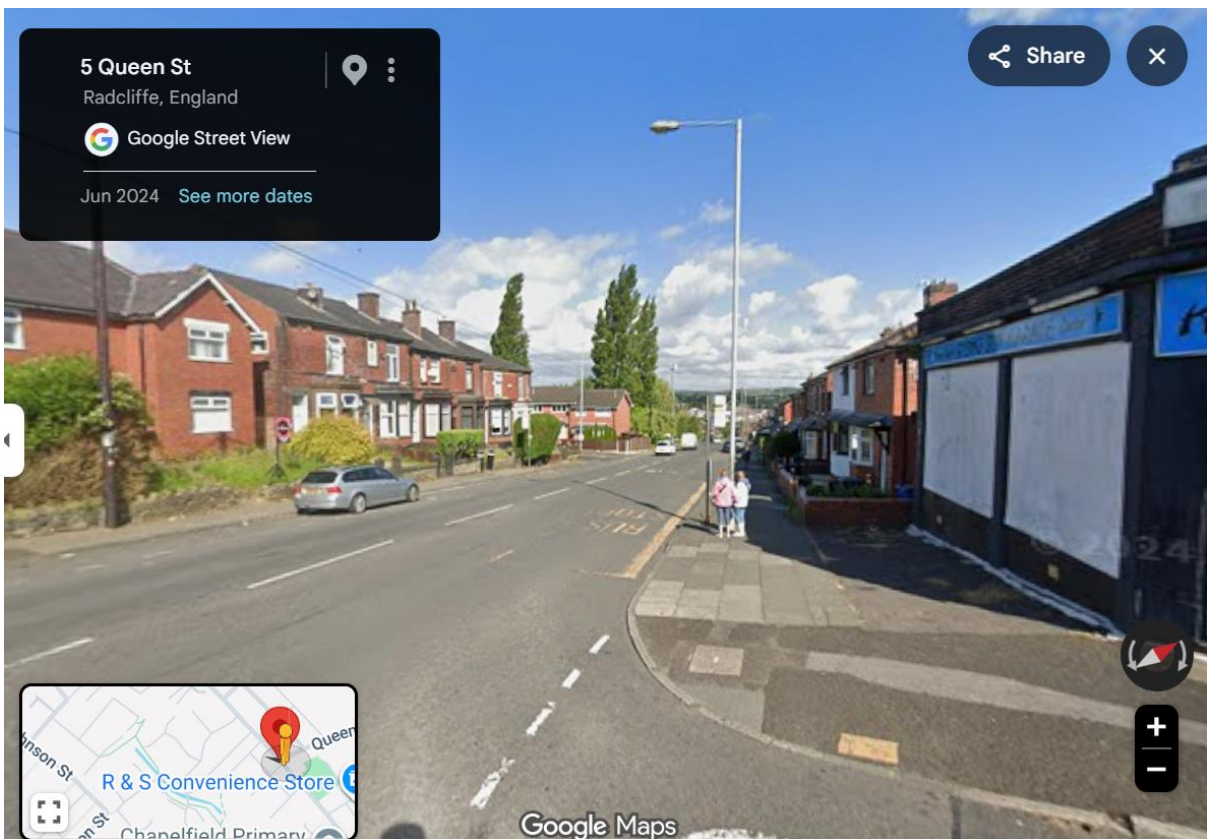
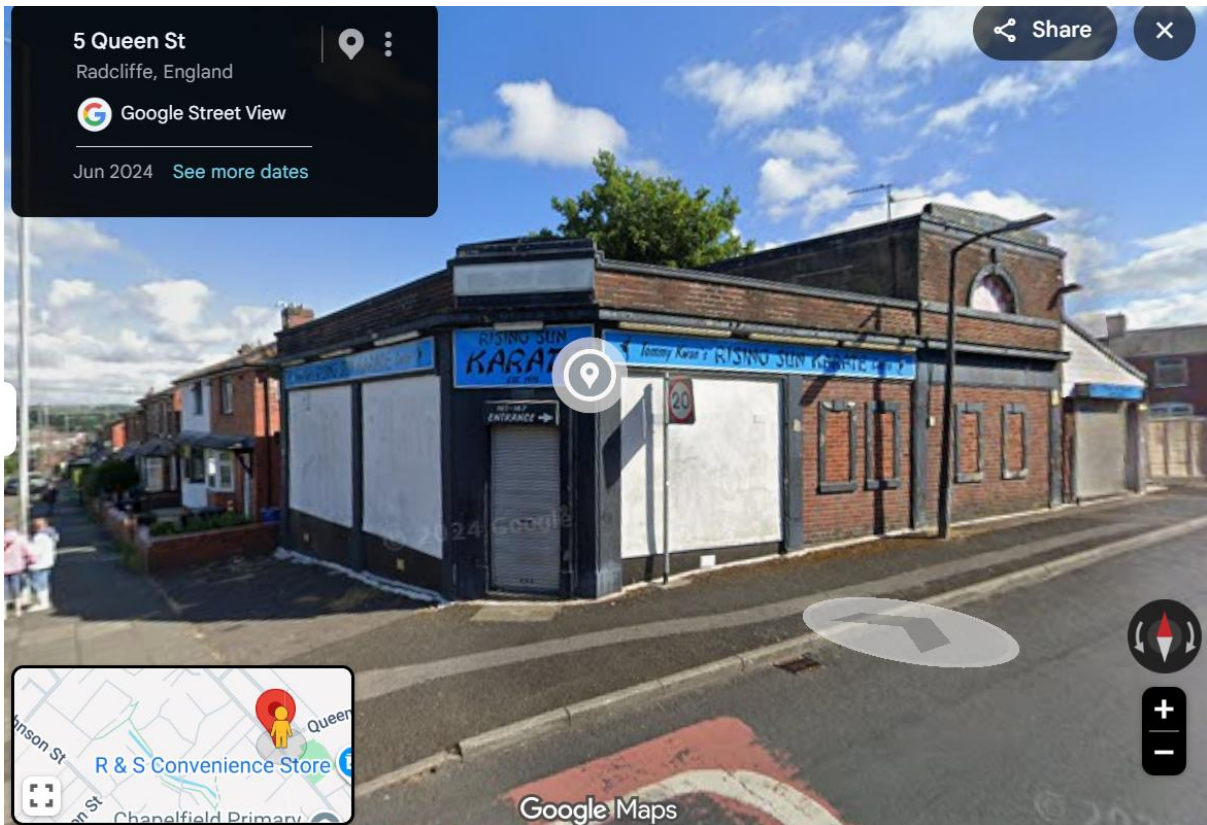
Additional Information

Description of Premises

Convenience Store

Location of premises





4. The Bay – 219 Stand Lane

Alcohol On and Off, Exhibition of Films, Late Night Refreshment, Performance of Dance, indoor sporting events and Live and Recorded Music

Monday to Saturday	11.00 to 01.30
Sunday	12noon to 01.30

This page is intentionally left blank