

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 4th November 2025

Present: Councillor T Rafiq (in the Chair)
Councillors L McBriar and M Walsh

Also in attendance: M. Bridge (Bury Council- Licensing Unit Manager)
M. Cunliffe (Bury Council- Democratic Services)
K. Halligan (Bury Council- Trading Standards)
L. Bell (Bury Council- Licensing Unit)
D. Rice (Bury Council- Legal Services)
PC P. Ecclestone (Greater Manchester Police)
G Sherratt (PLH Legal representative)
F. Qasmpur (Premises Licence Holder)
T. Heatley (Observer)
R. Everitt (Bury Council- Observer)

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.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Operations Strategy) and A. Bucior (Head of 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 meeting held on the 23rd September 2025 and 3rd October 2025 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held on the 23rd September 2025 and 3rd October 2025 be approved as a correct record.

4 APPLICATION FROM AN RESPONSIBLE AUTHORITY FOR A REVIEW OF THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT EXPRESS MINI MARKET, 46 BOLTON STREET, BURY, BL9 0LL

The Executive Director for Corporate Core had submitted a report relating to an application pursuant to section 51 of the Licensing Act 2003 from a Responsible Authority for a review of the premises licence in respect of Express Mini Market, 46 Bolton Street, Bury, BL9 0LL.

Before any discussions took place, G, Sherratt, the legal representative on behalf of the Premises Licence Holder requested a 10 minute adjournment to cross reference additional paperwork and documents which had recently been made available via GMP. The panel granted this request and the meeting started again after this short period of time.

Upon reconvening the meeting, K. Halligan from Bury Council's Trading Standards Department made an application for all of the representations to be made in private excluding members of the public.

The Panel duly considered the application and passed a resolution excluding members of the public from part of the hearing under regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, on the basis that the public interest in doing so outweighed the public interest in the hearing taking place in public, in view of the information to be discussed.

Therefore, the two observers in attendance at the hearing left the virtual meeting at this stage.

The Licensing Unit Manager, Mr M. Bridge presented the report to Members of the Sub-Committee and consideration of the options available which also included a recommendation to revoke the licence detailed in the report. The panel were reminded that three documents of additional information had been circulated to them from Democratic Services ahead of the hearing from the Licensing Department, Trading Standards and GMP.

The Licensing Unit Manager also drew attention to page 19 of the report and the paragraph titled section 11.27. This paragraph should be disregarded and the following information should replace it:-

Section 11.27 states the following.

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- For the sale or storage of smuggled tobacco and alcohol.

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

At the time of the submission of this review application, the Premises Licence in respect of Express Mini Market, 46 Bolton Street, Bury, BL9 0LL. The Premises Licence holder is Mr Faraydn Qasmpwr, 156 Deane Road, Bolton, BL3 5DL. He is also the designated Premises Supervisor.

The Responsible Authority has complied with all the necessary procedural requirements laid down by the Act.

As part of the statutory process the Responsible Bodies and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of the application by placing a Notice on the premises, at the Council Offices and on the Council website. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them.

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

- a) the prevention of crime and disorder
- b) public safety
- c) prevention of public nuisance and
- d) protection of children from harm

The current licensable activities are as follows:

- a. Opening Hours
Monday to Sunday 06.00 to 23.00
- b. Retail Sale of Alcohol (Off the Premises)
Monday to Sunday 06.00 to 23.00

The review application was attached at appendix 1 within the agenda pack. Trading Standards would expand upon the reason(s) for their application to review the Premises Licence in relation to the premises. The representation was attached at appendix 2 within the agenda pack.

Greater Manchester Police would expand upon the reason(s) for their representation in relation to the premises. The representation was attached at appendix 3 within the agenda pack.

The conditions attached to the premises licence were contained within Appendix 4 of the agenda pack.

Section 182 Licensing Act Guidance was included in the report with the amendment previously stated in relation to section 11.27.

After hearing the representations made and the evidence presented, Members were 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.

After hearing all the representations the Sub-Committee then duly retired to consider the matter and all of the information provided.

The Members of the Sub-Committee 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:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented at the meeting by all parties.

DELEGATED DECISION

The Sub-Committee carefully considered the representations and evidence provided and therefore unanimously **resolved to revoke the licence** due to the multiple breaches and the consequent risk to the public, including the safety of Children in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean this action was necessary.

All of the evidence was considered with care and the Sub-Committee was satisfied that there were causes for concern so far as the promotion of the Licensing Objectives were concerned.

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

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

The Sub-Committee found the situation very serious and concerning with the premises operating in such a way to undermine the licensing objectives. The evidence and supporting documents presented were deemed sufficient evidence to revoke the licence.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 10.45am and ended at 1.25pm)