

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 3rd March 2026

Present: Councillor T Rafiq (in the Chair)
Councillors B Ibrahim and M Walsh

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

C. Hall (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 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 10.00am on the 18th December 2025, 11.30am on the 18th December 2025, 10.00am on the 19th December 2025 and 11.30am on the 19th December 2025 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held at 10.00am on the 18th December 2025, 11.30am on the 18th December 2025, 10.00am on the 19th December 2025 and 11.30am on the 19th December 2025 be approved as a correct record.

4 CONSIDERATION TO SUSPENSION / REVOCATION OF A PERSONAL LICENCE

The Licensing Unit Manager informed the Committee that the licence holder, Mr D. Lealand was not in attendance at the meeting. A number of attempts had been made to contact him via emails and telephone calls which had been unanswered with voicemail messages left. A notice was sent to Mr Lealand giving him 28 days to permit him to make representations in relation to this matter.

A letter for the hearing was sent in February along with an email containing the virtual meeting link and no communications had been received back via the contact methods exhausted.

Given the above information, Members of the Licensing Hearing Sub Committee were in agreement that the hearing was to proceed and take place in his absence.

The Licensing Authority had submitted a report for consideration to suspend/revoke a Personal Licence granted under the Licensing Act 2003, for a licence holder who had been convicted of a relevant offence.

In making a decision, the steps the Sub-Committee can take are:-

- To revoke the personal licence if it is considered necessary for the promotion of the crime prevention objective to do so; or
- To suspend the personal licence.
- Take no action

The Licensing Unit Manager presented the report which related to a notice that had been given to a personal licence holder stating the intention to suspend or revoke the personal licence due to the licensing authority being notified of a relevant conviction.

The Licensing Act 2003 and the Policing and Crime Act 2017 is the relevant legislation.

A Personal Licence is defined by the Act as a licence which is granted by a Licensing Authority to an individual which authorises that individual to supply alcohol, or authorise the supply of alcohol, in accordance with a Premises Licence.

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 Service.

The Licensing Act 2003 was amended by the Policing and Crime Act 2017 to give a licensing authority the power to suspend a personal licence for up to six months or to revoke a personal licence where the licensing authority becomes aware that the holder of a personal licence has been convicted of a relevant offence.

As part of the statutory process, the licensing authority must serve a notice on the personal licence holder of their intentions and advising the licence holder that they have 28 days to make representations to the notice.

Before deciding whether to suspend or revoke a licence the licensing authority must give consideration to:-

- any representations made by the licence holder
- any decision of a court
- any other information which is considered relevant.

The licensing authority had complied with all the necessary procedural requirements.

The Licensing Authority received notification from Greater Manchester Police that the licence holder had been arrested in May 2025 for the relevant offence of driving a motor vehicle with excess alcohol, among other motoring offences. He was almost 3 times over the prescribed limit with readings taken and pleaded guilty to this offence in August 2025 and was sentenced on the 8th December 2025 to 23 months disqualification and a community order.

The Licensing service contacted the licence holder to ask him to return his Personal Licence for endorsement as he had not done this voluntarily and had not advised the Court that he was a Personal Licence Holder.

Mr Lealand's Personal Licence was endorsed and returned to him on the 12th January 2026.

The Licensing Authority served a notice by post on Mr Lealand dated the 12th January 2026, which was attached at Appendix 1 of the agenda pack.

The licence holder did not submit any representations to the notice before the end of the 28-day period.

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 issued by the Secretary of State.

A Member asked about the previous history of the licence holder and the Licensing Unit Manager stated all the historic information was detailed within the report.

A Member enquired if there was a scale of seriousness related to various offences which could match up with the possible recommendations. The Licensing Unit Manager reported that if the court had been notified of Mr Leyland being a personal licence holder than they could have removed his licence. He also referenced the representations by GMP in relation to a premises licence hearing involving this individual as a DPS.

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 the prevention of crime and disorder.

It was therefore agreed that the Sub-Committee **revoke the personal licence for the promotion of the prevention of crime and disorder licensing objective.**

Reasons by the Sub-Committee included:-

- The position of a personal licence holder held a wide range of responsibility, including the prevention of crime and disorder
- A criminal history may underline the licencing objectives, the Council's licensing policy requires a Premises Licence Holder to be someone who will assist in the fight against crime
- The nature and seriousness of the offence committed being almost three times over the prescribed drink drive limit, leading to the Court imposing a 23 months disqualification and a community order for a relevant offence
- Lack of transparency and honesty including non-disclosure to the courts about holding a personal licence.
- Lack of transparency and honesty, failed to notify the Council of his conviction as soon as possible, as required to do so by the Licensing Act 2003

- A suspension was deemed not appropriate due to his conviction for a serious offence and lack of honesty.

Due to the non-attendance of Mr Leyland, the Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 10.30am and ended at 11.00am)