

Minutes of:	LICENSING HEARING SUB COMMITTEE
Date of Meeting:	17 th September 2026
Present:	Councillor B Ibrahim (in the Chair) Councillors D Green and D Hill
Also in attendance:	L. Bell (Bury Council- Licensing Unit) M. Cunliffe Bury Council- (Democratic Services) S. Lyth – (Bury Council- Legal Advisor) L. Scully (Bury Council- Legal Advisor) M. Gholami (Applicant) G. Sherratt (Applicant's Kuits legal representative) M. Stevenson (Observing Kuits legal representative) Mr Shah (Observing- Pizza GoGo Head Office) Councillor A. Quinn (Representor)
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 or press were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by M. Bridge (Licensing Unit Manager), R. Hall (Environmental Health), 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 MINUTES OF THE LAST MEETING(S)

The Minutes of the last Licensing Hearing Sub Committee meetings held at 11.00am on the 17th August 2026 and 11.00am on the 27th August 2026 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held on the 17th August and the 27th August 2026 be approved as a correct record.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF PIZZA GO GO, 56 BURY NEW ROAD, PRESTWICH, M25 0JU

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Pizza GoGo, 56 Bury New Road, Prestwich, M25 0JU.

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 Deputy Licensing Unit Manager presented the report and explained the applicant for the licence is Mr Mansour Gholami, 58 Uplands Road, Billericay, Essex, CM12 0JS.

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	11.30 to 04.30
Non-Standard Timings	Listed under the operating schedule

Provision of Late Night Refreshment (Indoors and Outdoors)

Monday to Sunday	11.00 to 04.00
Non-Standard Timings	Listed under the operating schedule

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

Two representations had been received one from an interested party and one from a responsible authority, both of these were attached at Appendix 2 in the agenda packs.

It was noted that the responsible authority, Environmental Health were unable to be in attendance at the hearing.

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 Deputy Licensing Unit Manager informed the meeting that additional information had been circulated to the panel Members. This included further proposed conditions, email communications to Environmental Health and a map of the location including street view images along with information on the opening times for Dominos Pizza which was situated nearby.

The applicant's representative had also contacted both representors and offered the above additional information and further conditions which would see the premises closed to customers at 11.00pm and all business after that time conducted by way of delivery.

The Deputy Licensing Unit Manager placed on record that she had contacted both representors to confirm whether they wished to withdraw their representations in light of these additional conditions. Both declined the offer and wished for the hearing to continue.

Ms Gill Sherratt was in the company of Mr Mansour Gholami and addressed the committee providing an overview on the business which was open between 11.00am-11.00pm. The application was to extend the hours until 4.00am closing at 4.30am. The business was a franchise which had operated in the UK from 1987. The Headquarters were based in Essex and there were around 160 branches throughout the country with one nearby in Stockport.

Mr Gholami had over 20 years of experience in the food industry and had managed a number of branches setting up the Prestwich site. The location was formerly a Pizza Hut site and was refurbished with Mr Gholami living above the premises. He would manage the site full time with an assistant manager and a couple of part-time staff.

The business was well managed, with a 5-star food rating and no complaints had been submitted about the Bury site. The application was made to generate more revenue for the business beyond 11.00pm. Dominoes was only located 7 doors away and can operate until 5.00am.

Discussions had been held with Environmental Health so that the conditions upheld the licensing objectives. It was stated that all deliveries would be undertaken by one in-house driver (Increasing to 2 if there was business demand) and no deliveries would be undertaken by Uber or other taxis. There would be no waiting outside the premises and the delivery activities would be managed with conditions. Not one resident had objected and it was located on a busy road with background noise. There was also a 24-hour Shell garage nearby which was also close to residential properties.

Mr Gholami cared very much and would not want to disturb local people hence the safeguarding measures put in place. If there was a problem, then the licence could be called in for review. This business would create employment and if it fails there could be a detrimental

effect on the high street with empty shops potentially creating crime and disorder. This was a responsible operator with CCTV which aided the eyes and ears of the local community.

Members commented if there had been any consideration of closing earlier than the 4.00am time which had been applied for and questioned predictions of what may happen if unsuccessful.

A Member enquired if it was known how many more deliveries would be undertaken within the new time slots if granted. It was also a different situation to compare the site to Dominoes and Shell as it had a neighbouring residential property and parking outside.

Ms Sherratt hoped there would be demand but no formal business study had been undertaken to assess the predicted income for the extra hours. No residents had raised any concerns and there were also two parking spots at the rear of the premises that could be utilised.

A Member commented on the make up of the population in that area and it was stated that licensing conditions can't be made on religious grounds. Dominoes have a licence until 5.00am, 7 days a week and choose their own timings.

A Member asked would there be a restriction on the number of delivery drivers if demand was there and it was answered no as conditions would be managed accordingly.

A Member questioned the driver code of conduct and what issues to reduce noise had the business thought about.

Ms Sherratt confirmed the external extraction flue had a silencer installed on it and the code of conduct document can be inspected to check it was being signed by staff responsible for conducting deliveries.

Councillor Alan Quinn was present at the meeting as a representor and had initial concerns about the site being a magnet for anti-social behaviour with the extended hours. Upon hearing all the information presented, he was minded to withdraw his objections as there would be no entry into the premises beyond 11.00pm. He was also unaware of the Dominos conditions and considered that there had been no complaints made to himself as a ward Councillor.

A Member wondered if there would be signage at the premises to indicate the store was closed after 11.00pm as members of the public may try and gain access if the lights were still on. Ms Sherratt confirmed that the shutters would be rolled down over the whole shop front and this could be conditioned if deemed appropriate.

Ms Sherratt in summing up felt there would be minimal impact in the local area and that the business was a responsible operator running for a number years without any problems. The manager cared about the area as he lived above the store and would not want to cause any disruption which would be helped by the relevant policies and procedures being in place.

Councillor Alan Quinn in his summing up formally withdrew his objections to the application having considered all the information presented.

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 no major causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed that the Sub- Committee unanimously **grant the application with the amended conditions in the updated operating schedule (which had been put forward as additional ones by the applicant in open correspondence between the responsible authority and the Applicant's representative prior to the meeting). This was also subject to a condition further modified by the Committee detailing that the front shutters be pulled down and lights turned off after 11.00pm. The Sub Committee decided that these conditions offered as amended would further the licensing objectives and further assist to reduce the likelihood of public nuisance in relation to this premises.**

Operating Schedule

General

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority upon request.
4. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
5. The premises shall maintain an Incident Log and public liability insurance.
6. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
7. The exterior of the premises shall be cleared of litter at regular intervals.
8. Where deliveries are to operate from the premises, where appropriate the premises licence holder must instruct delivery riders and drivers not to cause a noise nuisance when making deliveries or whilst waiting outside the premises for collections.
9. The emptying of bins into skips, deliveries to the premises and refuse collections will not take place between 11pm and 7am.

Non-standard timings

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour on the day British Summer Time begins to disapply its effect.

The Premises

1. The customer entrance will close at 23:00, other than where access is required for staff or in an emergency. The door will be locked, **front shutters pulled down, lights off** & no customers will be permitted to enter the premises after that time.
2. Drivers shall use the parking facilities available at the premises when collecting orders.
3. Deliveries after 23:00 will be undertaken only by drivers directly employed by the business and that third-party delivery platforms will not be used.

Conduct of Deliveries

4. The premises will display prominent notice at the entrance/exit of the premises informing customers that the premises close at 23:00.
5. Drivers will be trained in the process of delivering food to customers and that their conduct forms part of the business's responsibility for minimising disturbance to neighbouring residents. The training will include (but not limited to):
 - To be considerate of nearby residential properties
 - Drivers to leave and return to the premises quietly and promptly, without lingering or congregating outside.
 - To avoid unnecessary vehicle noise, such as closing doors quietly & to switch off vehicle engines when stationary.
6. Any new driver will be trained before undertaking late-night deliveries. The training will be recorded and provided to the authorities for inspection upon request.
7. The premises licence holder will maintain a written driver code of conduct. The code will be signed by staff responsible for conducting deliveries and those records will be provided to the authorities for inspection upon request.
8. Any complaint received concerning noise or disturbance associated with the late-night operation will be recorded and, where appropriate, investigated by the premises licence holder.

Waste

9. No waste shall be moved from the premises, or external bins emptied, during the period between 23:00 and 04:00, save where necessary for health and safety reasons.

COUNCILLOR B IBRAHIM
Chair

(Note: The meeting started at 11.00am and ended at 12.30pm)