

# Public Document Pack



## Regulatory Sub Committee

Thursday, 9 April 2026 3.30 p.m.  
Civic Suite, Town Hall, Runcorn

A handwritten signature in black ink that reads 'A. Johnson'.

**Chief Executive**

### **COMMITTEE MEMBERSHIP**

Councillor Pamela Wallace (Chair)  
Councillor John Abbott  
Councillor Colin Hughes

*Please contact Kim Butler on 0151 511 7496 or email  
[kim.butler@halton.gov.uk](mailto:kim.butler@halton.gov.uk) for further information.*

*The next meeting of the Committee is to be confirmed.*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	<b>1 - 12</b>
<b>2. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)</b>	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting during any discussion and voting on the item.	
<b>3. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - ROYAL, 1 HIGH STREET, RUNCORN, WA7 1AU</b>	<b>13 - 82</b>

**REGULATORY SUB COMMITTEE**

*At a meeting of the Regulatory Sub Committee on Thursday, 13 November 2025 at The Board Room - Municipal Building, Widnes*

Present: Councillors Wallace (Chair), Begg and Fry

Apologies for Absence: None

Absence declared on Council business: None

Officers present: M. Hope, K. Hesketh, E. Philpott and C. Harrison

Also in attendance: Mr. S. Selvaratnam (DPS) and one member of the public

**ITEM DEALT WITH  
UNDER DUTIES  
EXERCISABLE BY THE BOARD**

*Action*

**REGS5 MINUTES**

The minutes of the meeting held on the 14 July 2025 and 28 August 2025, having been circulated, were signed as a correct record.

**REGS6 APPLICATION TO REVIEW A PREMISES LICENCE -  
TODAYS EXTRA, 78 ALBERT ROAD, WIDNES, WA8 6JT**

This was the formal notification of a decision made by Halton Borough Council's Regulatory Sub-Committee at a hearing held under the Licensing Act 2003 ("the Act") on 13 November 2025 in the Boardroom at Municipal Building at 9:30am.

The hearing was held to hear an application made by Home Office Immigration Enforcement ("the Applicant") under Section 51 of the Act to review a premises licence at Todays Extra, 78 Albert Road, Widnes, WA8 6JT ("the Premises"). The hearing was triggered by a review application submitted by Home Office Immigration Enforcement and representation from Cheshire Police, Cheshire Fire and One Ward Councillor.

In attendance were:-

- 1) Members of the Regulatory Sub-Committee comprising Cllr Pamela Wallace (“Chair”), Cllr Victoria Begg and Cllr Mike Fry (collectively referred to as “the Sub-Committee”);
- 2) Andrew Halliwell – Home Office;
- 3) Lesley Halliday and Hollie Durkin – Cheshire Constabulary;
- 4) Kath Harkin – Cheshire Fire;
- 5) Councillor Philbin – Ward Councillor for Appleton;
- 6) Duncan Craig and Ian Rushton on behalf of the Premises Licence Holder namely Diamond 8 Retail Ltd;
- 7) Kim Hesketh – Licensing Manager; and
- 8) Malcolm Hope – Legal Advisor.

After the Chair had introduced the parties, the Legal Adviser outlined the procedure to be followed.

### **DETAILS OF THE APPLICATION**

The application was for a review of the premises licence submitted by Home Office Immigration Enforcement on the grounds that the premises had undermined the licensing objective of the prevention of crime and disorder. Application submitted by Home Office Immigration (Appendix A and supporting information Appendix C).

The application was supported by representations submitted by Cheshire Constabulary (Appendix E), Cheshire Fire (Appendix E) and one Ward Councillor (Appendix F), details of the representations were detailed in the report.

### **THE HEARING**

The Licensing Manager, Ms Hesketh summarised the contents of the report, referring to the appendices which included the review application (Appendix A), the premises licence for Today's Extra (Appendix B), the Premises Licence Review which included Case Summary, Licensed Premises History, Enforcement Visit: 4 April 2024, Enforcement Visit: 18 July 2025. Reasons for Review, Outcome Sought and Appendix Supporting Evidence (Appendix C), Cheshire Constabulary Representations which included supporting evidence (Appendix D), Cheshire Fire Representations (Appendix E), Ward Councillor Representation (Appendix F) and relevant sections of the Revised Guidance issued under section 182 of the Licensing Act 2003 (Appendix G) (“the Statutory Guidance”).

Ms Hesketh confirmed that since the report had been published, an application to Vary the Designated Premises Supervisor application had been submitted by Mr Rushton on behalf of the premises, the application was submitted on the 27 October 2025 with the last date for any representations being the 11 November 2025. Ms Hesketh confirmed that the only responsible authority who can object to the application was Cheshire Constabulary who did not submit any objections to the application but they would address their concerns when they presented their case.

Ms Hesketh also provided an update on the supporting information provided by Mr Rushton on the 12 November 2025 and confirmed that the three emails received from Mr Rushton had been sent to the members of the Sub- Committee and all relevant parties. All parties confirmed they had received the supporting documentation.

#### **HOME OFFICE IMMIGRATION ENFORCEMENT**

Mr Halliwell explained that the premises had been visited on two separate occasions where there was in total of 4 illegal workers at the premises, during both visits to the premises the Designated Premises Supervisor, Mr Dinesh Fernando was present.

The Officer provided further details which was included with the case summary which was included at Appendix C of the report pack, and further information relating to the civil penalty notice which had been issued to Red Cherry Retail Limited, which currently remained at £107,000. The Officer confirmed that another civil penalty notice had been issued to Red Cherry Retail Limited for the sum of £45,000 and this was in relation to the enforcement visit on 18 July 2025. Red Cherry Retail Limited refused to accept this civil penalty notice and the remaining outstanding balance was £152,000.

Questions were asked to the Home Office Officer who provided the answer where they were able to provide the answers to the questions.

#### **CHESHIRE CONSTABULARY**

Officers from Cheshire Constabulary provided information following a visit to Todays Extra on the 18 July 2025. During the visit they encountered problems with the CCTV on the premises and tried to gain access by speaking

to members of staff, who were unable to assist. They spoke to Mr Fernando on the telephone who was also unable to provide the password to the CCTV. Officers eventually they gained access to the CCTV system but felt they were being obstructed. They also believed that submitting an application during the review process added additional complications to the matter. Officers again visited the premises on the 11 November 2025, where the new Designated Premises Supervisor (DPS) was not present at the premises. Staff at the premises were aware there was a new male at the premises but was not sure in what capacity. Officers also noted that there was a number of documents removed from the premises which was concerning. Officers referred to the documents provided by Mr Rushton on the 12<sup>th</sup> November to support Today's Extra review application that there was also a number of outdated documents and information.

Questions from the Sub-Committee were asked to the Officers from Cheshire Constabulary in relation to the CCTV and if an obstruction had occurred, the Officers felt that DPS at the time were obstructing Officers. In relation to a question asked by the Sub-Committee in relation to disregarding the law, Officers confirmed that they had disregarded the law multiple times.

### **CHESHIRE FIRE**

An Officer from Cheshire Fire explained that there was a Prohibition Notice on the premises from 2021, this was due to the mezzanine level. They had since completed unannounced visits and confirmed they were satisfied in relation to the mezzanine level of the shop but the Prohibition Notice was still in place due to some concerns regarding fire exits signs and fire exits being blocked. Officers confirmed that another visit would take place at the premises in due course.

Members of the Sub-Committee sought clarification from the Officer regarding the Prohibition Notice. The Officer outlined the rationale for issuing the Notice, the steps required to remedy the identified issues, and the procedures that had been followed.

### **WARD COUNCILLOR**

The Ward Councillor explained about the area he represented and that it was part of the Town Centre. There was a concern with the premises whereby on two separate occasions illegal workers had been encountered at the

premises but indicated he would like to hear further from the Legal Representative acting on behalf of Todays Extra.

**LEGAL REPRESENTATIVE ON BEHALF OF  
TODAYS EXTRA**

Mr Duncan provided an update regarding the premises, he further went on to explain that the Director of Diamond 8 Retail Ltd and the previous DPS were husband and wife. He further explained that he was not aware of the additional Civil Penalty Notice which had been issued to the company.

Mr Duncan explained that no official instalment plan had been arranged but the Company had agreed to make payments for the outstanding amount and agreed last week to make payments of £2800.00 a month.

Mr Duncan confirmed he did not agree with Cheshire Constabulary comments regarding the application to Vary the DPS as he believed this simplified the matter as this removed the previous DPS and a new DPS was in situ. He further explained that the new DPS had held a personal licence for the past 5 years and ran two other premises in Accrington and Merseyside. The new DPS would have the day-to-day control at Todays Extra and would visit the premises daily ensuring compliance.

Mr Duncan confirmed he did not dispute that there were staff employed illegally and conceded that the Right to Work checks were not completed.

Mr Rushton confirmed that he had visited the premises before the hearing to ensure that the premises were compliant and completed an audit check of the premises, (the audit check was provided to all parties on the 12 November 2025). Mr Rushton confirmed that the premises were compliant and that he had seen the Right to Work checks for staff working at the premises.

Further information was provided that the premises was a big store and 25% of the business was alcohol and employed 8-10 workers.

Mr Duncan explained that the debt would not be able to be paid to the Home Office if no licence existed. He further explained that there was the option to modify the conditions or suspend the premises licence. A new DPS was in place already at the premises.

The Sub-Committee asked questions to the Legal

Representatives.

All parties summoned up accordingly.

### **THE DETERMINATION**

The Sub-Committee considered the application, the representations from Cheshire Police, Cheshire Fire and one Ward Councillor and the verbal submissions heard from the Applicant's agent at the hearing.

In doing so, the Sub-Committee resolved to **REVOKE** the Premises Licence for Todays Extra, 78 Albert Road, Widnes.

### **REASONS FOR THE DETERMINATION**

In reaching its decision, the Sub-Committee took into consideration The Licensing Act 2003 and Regulations made thereunder, Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003, The Council's Statement of Licensing Policy, The cases of:

- R (on the application of Hope, Glory Public House Ltd) [2011] EWCA Civ 31; and
- R (Bassetlaw District Council) v Worksop Magistrates' Court [2008] EWHC 3530 (Admin).

The Sub-Committee was aware of, and took into account, any implications that may arise from the Human Rights Act 1998.

The reasons for the decision were:-

- 1) The Sub-Committee in reaching its decision had due regard for its Public Sector Equality Duty under Section 149 of the Equality Act 2010 and considered that in reaching its decision that it fulfilled its duty under the Act;
- 2) At the outset of the hearing, legal advice was given on the scope of the hearing and the power and discretion of the Sub-Committee (Annex I). The parties made no representations as to that advice;
- 3) The Sub-Committee found that there had been failures to promote the crime prevention objective and that this was not disputed by the premises. There was clear evidence of illegal working, with illegal workers being paid 'cash in hand' at rates below minimum wage, which the Sub-Committee saw as deliberately exploitative, especially in light of the evidence from the Fire Service of sleeping at the premises. The crime prevention objective was positively undermined;

- 4) Whilst the premises may have taken steps to improve practices via a change of DPS and new staff training, such practices should already have been in place but were not, and Cheshire Constabulary had identified that requirements of the premises licence in respect of CCTV and record keeping had not been complied with; and
- 5) The Sub-Committee was not satisfied that the Licensing Objectives would be promoted if the Premises Licence continued and determined that the appropriate and proportionate step in the circumstances was to revoke the licence.

*Meeting ended at 11.48 a.m.*

**REGULATORY SUB COMMITTEE**

*At a meeting of the Regulatory Sub Committee on Monday, 15 December 2025 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Wallace (Chair), Begg and Fry

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, E. Philpott and C. Harrison

Also in attendance: None

**ITEM DEALT WITH  
UNDER DUTIES  
EXERCISABLE BY THE BOARD**

REGS1 APPLICATION TO REVIEW A PREMISES LICENCE -  
RUNCORN KEBAB HOUSE, 70 HIGH STREET,  
RUNCORN, WA7 1JH

*Action*

This is the formal notification of a decision made by Halton Borough Council's Regulatory Sub-Committee at a hearing held under the Licensing Act 2003 ("the Act") on 15 December 2025 in the Civic Suite at Runcorn Town Hall.

This hearing was held to review the premises licence for the premises known as "Runcorn Kebab House", located at 70 High Street in Runcorn, ("the Premises") in light of an application made under section 51 of the Licensing Act 2003 on behalf of the Secretary of State ("the Applicant").

In attendance were:-

1. Members of the Regulatory Sub-Committee comprising Cllr Pamela Wallace ("Chair"), Cllr Victoria Begg and Cllr Mike Fry (collectively referred to as "the Sub-Committee");
2. Jack O'Brien ("Immigration Enforcement");
3. Hollie Durkin ("Cheshire Police");
4. Kim Hesketh ("Licensing Manager"); and

5. Emily Philpott (“Legal Adviser”)

Not all parties arrived on time and the Sub-Committee resolved to wait 10 minutes before commencing the hearing. During this time, the above representative from Immigration Enforcement arrived with apologies. However, the Premises Licence Holder, Mr Mustafa Hassan Ahmed Omar Abdalla, did not attend.

The hearing began at 1:40pm. After the Chair had introduced the parties, the Legal Adviser outlined the procedure to be followed. She confirmed that as the Premises Licence Holder was not in attendance, the Sub-Committee first needed to determine whether to hear the matter in his absence or adjourn. She explained that the Licensing Manager had posted notice of the hearing to his last known address by Royal Mail tracked delivery on 18 November 2025 and had hand delivered a further copy on 5 December 2025. However, no response had been received from Mr Abdalla. In fact, no correspondence had been received from Mr Abdalla since around 2022. The Licensing Manager went on to explain that whilst there had been a recent application to transfer the premises licence to Runcorn Fresh Bites with immediate effect as detailed further in her report, they had since withdrawn that application. As such, they were no longer part of the review proceedings and were not attending today.

The Sub-Committee found that the Premises Licence Holder had been served with adequate notice of the hearing and, in accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005, determined to hold the hearing in the Premises Licence Holders absence.

**THE HEARING**

The Licensing Manager confirmed to the Sub-Committee that this was an application by Immigration Enforcement to review the premises licence following immigration offences at the Premises. She confirmed that the annual fee had not been paid since 2022 and the licence had therefore been suspended. The Licensing Manager summarised the contents of her report, referring to the appendices which included the premises licence (Appendix A), the Application and supporting documentation (Appendix B and C) and the representation and supporting documentation submitted on behalf of Cheshire Police (Appendix D) and relevant sections of the Revised Guidance issued under section 182 of the Licensing Act 2003 (Appendix E) (“the Statutory Guidance”).

Jack O'Brien presented the Applicant's case. He confirmed that the North West Immigration Compliance and Enforcement ("ICE") team visited the Premises on 1 February 2025 after intelligence had been received that illegal workers were being employed at the Premises. Officers from the ICE team found one employee who was identified as an immigration offender as checks confirmed that he had an outstanding asylum claim and was working illegally. A civil penalty was issued to Four Seasons, who were operating at the Premises at the time, for £45,000 in relation to this offence and remains unpaid. He confirmed that during an interview, the employee explained that he was helping a friend and that this was the first time he had worked at the premises and was compensated in food and cigarettes. However, the employee had keys to open and close the Premises, was preparing the food and taking money from customers. He therefore requested that the Sub-Committee revoke the premises licence as the Premises Licence Holder had failed to meet the licensing objectives of prevention of crime and disorder due to illegal working at the premises.

In response to questions from the Sub-Committee regarding the connection between the Premises Licence Holder and Four Seasons, the Licensing Manager confirmed that the Council had no knowledge of Four Seasons operating at the Premises until the review application had been received. She confirmed that the Premises Licence Holder under the premises licence was Mr Abdalla and no transfer application had been received. There had been no correspondence from Mr Abdalla since 2022 and, as already stated, the annual fee had remained unpaid since then.

Hollie Durkin made representations on behalf of Cheshire Police. She confirmed that although the application to transfer the licence had been withdrawn, she noted that the director for Runcorn Fresh Bites, the applicant for the transfer application, and the Premises Licence Holder had been linked to incidents that could not be disclosed. She believed that the transfer application was a diversion from the Immigration Enforcement application to review the premises licence and to undermine the licensing objectives. She confirmed that the premises had been open for trade past its allowed operating hours of 23:00pm. This was confirmed when local Police Officers carried out checks and were offered food past 23:00pm with the premises continuing to trade despite having a suspended licence for nonpayment of annual fees. She confirmed that Cheshire Constabulary supports the Applicants request for revocation

of the premises licence, citing a pattern of disregard for the law and the licensing objectives.

### **THE DETERMINATION**

In reaching its decision, the Sub-Committee considered:

- The Report prepared and presented by Licensing
- The review application and supporting documentation
- The written representations and supporting documentation, including:
  - The written submissions on behalf of the Secretary of State; and
  - The written submission of Cheshire Constabulary
- The oral submissions of:
  - Jack O'Brien for Immigration Enforcement; and
  - Hollie Durkin for Cheshire Police

The Sub-Committee also considered:

- The Licensing Act 2003 and Regulations made thereunder;
- Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003; and
- The Council's Statement of Licensing Policy

The Sub-Committee in reaching its decision has had due regard for its public sector equality duty under section 149 of the Equality Act 2010 and considers that in reaching its decision that it has fulfilled its duty under the Act.

At the outset of the hearing, legal advice was given on the scope of the hearing and the power and discretion of the Sub-Committee (Annex I). The parties made no representations as to that advice and decided to hold the hearing and proceed with in absence.

The Sub-Committee was not satisfied that the Licensing Objectives would be promoted if the Premises Licence continued in light of the evidence presented by representatives from the Immigration Enforcement and Cheshire Police and determined that the appropriate and proportionate step in the circumstances was to **revoke** the licence.

### **REASONS FOR THE DETERMINATION**

In reaching its decision the Sub-Committee found that

there had been failures to promote the crime prevention objective. There was clear evidence of illegal working at the Premises. The Sub-Committee placed importance on the Statutory Guidance, confirming that employing a person who was disqualified from work by reason of their immigration status was a criminal activity that the panel should treat particularly seriously. The crime prevention objective was positively undermined.

The Sub-Committee also placed weight on Cheshire Police's representations that the premises had also undermined the prevention of crime objective by operating past 23:00pm whilst the licence was suspended for non-payment of the annual fee. The Sub-Committee agreed with Cheshire Constabulary's assertion there had been a pattern of disregard for the law and the licensing objectives in light of this and the illegal working.

The Sub-Committee were not confident that the Premises Licence Holder was still actively involved in the premises given that the Council had not directly heard from him since 2022; the annual fee, which was the Premises Licence Holder responsibility, remained unpaid and as the business was operating at the Premises at the time of the immigration offence was Four Seasons, of which he was not a named director. This was further supported by his failure to respond to the review proceedings and his non-attendance at the hearing today. As such, the Sub-Committee were not satisfied that the Premises Licence Holder could ensure the promotion of the licensing objectives, in particular the prevention of crime and disorder going forward.

*Meeting ended at 2.16 p.m.*

<b>REPORT:</b>	Regulatory Sub-Committee
<b>DATE:</b>	9 April 2026
<b>REPORTING OFFICER:</b>	Director – Legal and Democratic Services
<b>PORTFOLIO:</b>	Resources
<b>SUBJECT:</b>	Application for the variation of a Premises Licence – Royal, 1 High Street, Runcorn, WA7 1AU
<b>WARDS:</b>	Mersey and Weston Ward

## 1. PURPOSE OF REPORT

To assist Members of the Regulatory Committee in their consideration of an application by Amber Taverns Ltd for the variation of a premises licence for the Royal , 1 High Street, Runcorn, WA7 1AU.

## 2. RECOMMENDATION

That the committee considers the contents of the report and makes a determination on the application.

## 3. BACKGROUND INFORMATION

3.1 The premises are located at High Street, in Runcorn Town Centre, and is surrounded by commercial premises including licensed premises namely Alchemy, Lebara, Eddys Chicken & Pizza, Tandoori Nights and Family Pizza. The premises are in close proximity to residential premises on Bridge Street, Runcorn. A location plan is attached at **Appendix A** which shows the location of the premises and surrounding licensed premises.

3.2 A taxi office is located opposite The Royal Public House, as well as an official Halton Borough Council taxi rank which is located on the same side as the public house.

3.3 The premises has been a licensed premises since November 2005.

3.4 There are also several licensed premises on High Street and the surrounding area. **Appendix B** of this report comprises a

list of all the licensed premises including the hours open to the public and the walking distance from this premises.

3.5 Attached at **Appendix C** of this report is the current premises licence along with the current conditions on the licence.

3.6 The applicant is looking to extend the terminal hour for the sale and consumption of alcohol and the provisions of regulated entertainment on a Friday and Saturday until 04.00 am, to extend the commencement hours on a Sunday from 10.00 am and to update the conditions on the licence the details of which are set out below.

3.7 The premises has recently benefited from a number of Temporary Event Notices (TENS) from October 2025 until the 8<sup>th</sup> March 2026 where they have extended the hours on a Friday and Saturday for the following:

Regulated entertainment, sale of alcohol and hours open to the public until 04.00 am.

The Temporary Event Notices, did not receive any objections from the Responsible Authorities which are namely Cheshire Police and the Councils Environmental Health Department. The Licensing Department have not received any information relating to the extension during the period the TENS where in place.

#### 4. THE APPLICATION

4.1 The application has been made under section 34, of the Licensing Act 2003 (“the Act”).

4.2 A copy of the application can be found at **Appendix D**.

4.3 According to the application, the applicant seeks the following

##### **Hours open to the Public**

Monday to Thursday 10.00 to 00.30

Friday & Saturday 10.00 to **04.30**

Sunday **10.00** to 00.30

**Supply of alcohol**

Monday to Thursday 10.00 to 00.00  
Friday & Saturday 10.00 to **04.00**  
Sunday **10.00** to 00.00

**Live Music, Recorded Music, Dance, anything similar to recorded music or dance**

Monday to Thursday 10.00 to 00.00  
Friday and Saturday 10.00 to **04.00**  
Sunday **10.00** to 00.00

**Late night refreshments**

Monday to Thursday 23.00 to 00.00  
Friday and Saturday 23.00 to **04.00**  
Sunday 23.00 to 00.00

4.4 Within the operating schedule set out in the application, the applicant has set out the steps they intend to take to promote the four licensing objectives. These include:-

- CCTV will be installed at the premises and will be recorded for 31 days,
- Absence of the DPS a designated duty manager will be on site during trading hours,
- Zero tolerance drugs policy,
- An incident book will be kept on the premises,
- Door supervisors will be deployed under a risk assessment and will be SIA registered,
- Regular toilet checks,
- All accident/incidents will be recorded and available for inspection,
- Weekly H&S checks will be implemented,
- Fire doors will not be held open other than by an approved device,
- Emergency lights and fire alarms will be tested weekly,
- A fire risk assessment will determine the occupancy,
- Any person carrying opened or sealed bottles from alternative supplier will not be allowed to enter,
- Staff will be trained on induction on Fire Safety, Challenge 25 and the non-service of dunks and refresher training undertaken at regular intervals,

- During the performance of regulated entertainment all windows and doors shall remain closed except for entrance or exit from the premises,
- A sign will be located at the exits requesting customers leave the premises quietly and consider the neighbours,
- The use of the outside area will not be permitted after 01.00,
- No external speakers shall be used after 01.00 this includes in the beer garden and car park,
- Any person under the age of 25 wishing to purchase alcohol will be asked to produce ID.

4.6 These steps will form the basis for conditions on the licence.

## **5. REQUIREMENT FOR A HEARING**

5.1 The application was submitted on 16 February 2026 and was advertised in the local newspaper, namely the Runcorn and Widnes Weekly News on 26 February 2026. Officers have confirmed that the advertisement requirements were complied with.

5.2 During the 28 days representation period, the Licensing Authority received relevant objections from two Ward Councillors from the Mersey and Weston Ward, two local residents and one from the Chair of Runcorn Pubwatch/local licensee.

5.4 Where relevant representations have been made and not withdrawn, the licensing authority must hold a hearing to consider them (unless otherwise agreed by the parties).

5.5 The hearing is held in accordance with the Act and the Licensing Act 2003 (Hearings) Regulations 2005. The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.

5.6 The hearing is solely concerned with those aspects of the application, which has been the subject of the relevant representations as defined in the Act. These are the representations made by two local Ward Councillors, two local residents and Chair of Runcorn Pubwatch/local licensee.

5.7 At the time of writing this report I have not received any indication from the two Ward Councillors, the two local residents or the Chair of Runcorn Pubwatch/local licensee if they will be making any submissions to the Sub-Committee at the hearing. All parties have all been informed of the hearing.

## 6. THE REPRESENTATIONS

### 6.1 RESPONSIBLE AUTHORITIES

#### **Cheshire Police**

Relevant representations have been agreed with the Premises Licence Holder and Cheshire Police during the representation period.

Attached at **Appendix E** is a copy of the agreed representation.

#### **Environmental Health**

No representations have been made by the Councils Environmental Health Department in relation to the variation application.

### 6.2 ANY OTHER PERSON

Five representations have been received from:

Two local Ward Councillors (Mersey & Weston Ward)  
Two local residents and,  
From the Chair of Runcorn Pubwatch/local licensee

These representations object to the variation of the premises licence on all 4 licensing grounds, with the main issues being the hours of operation and the likelihood of noise nuisance, anti-social behaviour and crime and disorder. A copy of these representations can be found at **Appendix F** of this report.

### 6.3 EVIDENCE

In accordance with the normal procedure it is noted that the relevant representations do not amount to evidence. The objectors have been requested to supply the evidence they intend to rely on no later than 5 working days prior to the hearing. When received this will be forwarded to the applicant and members of the committee.

## 7. LEGAL AND POLICY FRAMEWORK

7.1 The Sub-Committee must determine the application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- Public Safety;
- The protection of children from harm.

7.2. In making its decision, the Sub-Committee must also have regard to the national guidance issued under section 182 of the Licensing Act 2003 (“the Guidance”) and the Council’s Statement of Licensing Policy (“Policy”).

7.3 Relevant sections from the Guidance can be found at **Appendix G**.

7.4 Members’ attention is also drawn to the following paragraphs of the Council’s Statement of Licensing Policy:-

**1. Introduction**

...

5. The Council wish to promote these objectives whilst still encouraging a vibrant and sustainable entertainment and leisure industry. The Council recognises both the needs of local residents for a safe and healthy environment in which to work and live and the importance of safe and well-run entertainment and leisure facilities to the area.

6. The Policy aims to provide guidance to applicants, responsible authorities and interested parties on the general approach to licensing in the area. Although each and every application will be dealt with separately and on its own individual merits, the Council in writing this Policy is offering guidance on the wider considerations that will be taken into account.

11. The Council will carry out its functions under the Act with a view to promoting the licensing objectives, namely;

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance, and
- The protection of children from harm

...

12. No one objective is considered to be of any more importance than any other.

...

13. In carrying out its functions the Council will also have regard to this Policy and to the Guidance as issued by the Secretary of State under section 182 of the Act from time to time

...

14. Individual applicants will be required to address the licensing objectives and address the issues of the needs of the local community, the way in which the premises is to operate, the size, location and type of premises, and any entertainment which is to be provided.

15. The Councils vision as set out in the Councils Framework is that

*Halton aim to deliver the highest possible standards of work, and look for opportunities to improve where we can, we take steps to understand the needs of our customers, colleagues and stakeholders, ensuring those needs are reflected in how we deliver our services. We encourage and support innovation and creativity to improve service delivery and outcomes.*

16. The Council's vision as set out within the Corporate Strategy 2024 – 2029;

*“Halton will support residents to live in a decent and affordable homes, surrounded by safe and thriving communities, working with everybody to keep our neighbourhoods clean and tidy. Encouraging good quality health and wellbeing. Fostering a strong, diverse local economy where there is access to good jobs and successful businesses in our community, providing opportunities for all”*

...

17. The Council has identified strategic priorities and key themes that are set out in its Corporate Plan 2024-2029 . These are:

- Improving Health, Promoting Wellbeing and Supporting Greater Independence,
- Building a Strong, Sustainable Local Economy,
- Supporting Children, Young People and Families,
- Tackling Inequality, Helping those who are most in need,

- Working towards a greener future,
- Valuing and appreciating Halton and our community.

...

18. So far as is consistent with the licensing objectives, the Council will carry out its licensing functions with a view to promoting these priorities and themes (including priorities and themes which may be adopted from time to time).

19. The Council will encourage the provision of a wide range of entertainment activities within the Halton area including promotion of live music, dance and so on, in the interests of broadening cultural opportunities within the local community.

28. Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. Conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, the Council will focus its attention on the premises being used for licensable activities and the vicinity of those premises

...

29. In addressing this matter, the Council will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

[...]

### **30 The need for licensed premises**

31. There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for the Council in discharging its licensing functions. “Need” is a matter for planning committees and for the market.

[...]

41. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres. Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. The general public needs to be made aware that there is a much broader strategy for addressing these problems than the licensing regime of the Act. There are other mechanisms both within and outside the licensing regime that are available for addressing such issues. For example:

- planning controls;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- the confiscation of alcohol from adults and children in designated areas;
- closure notices and orders under the Anti-Social Behaviour, Crime and Policing Act 2014; and
- the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

[...]

### **43. Licensing hours**

44. With regard to licensing hours, consideration will be given to the individual merits of an application.

- The Council recognises that, in certain circumstances, longer licensing hours with regard to the sale of alcohol can help to ensure that concentrations of customers leaving

premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance.

- The Council also wants to ensure that licensing hours should not inhibit the development of a thriving and safe evening and night-time local economy.

45. The term “zoning” is used in the Guidance to refer to the setting of fixed trading hours within a designated area. At the moment the Council sees no need to adopt such a policy. The Council has followed the advice in the Guidance and will not be adopting such a Policy within the Borough. However, stricter conditions with regard to noise control will be expected in areas which have denser residential accommodation, but this will not limit opening hours without regard to the individual merits of any application.

...

## **68. Proof of Age**

69. It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. It is also an offence for an over 18 to purchase alcohol for an under 18 – this is called proxy purchasing. To prevent such crimes, it may be necessary to require a condition to be applied at certain licensed premises going beyond the mandatory minimum requirements requiring the production of "proof of age" before such sales are made. This should not be limited to recognised "proof of age" cards, but allow for the production of other proof, such as photo-driving licences, student cards and passports. Trading Standards regulate the sale of alcohol to under 18s and can provide advice and materials relating to the prevention of underage sales. They can also provide free staff training.

## **79. Plastic containers and toughened glass**

80. The Council has concerns about the dangers of bottles and glasses being used as weapons. It believes that the use of safer forms of glasses can help to reduce injuries and will expect applicants to state in their operating schedule what proposals they have to minimise such injuries through the use of safer forms of glasses, bottles and other means.

81. Consideration will therefore be given to conditions requiring either the use of plastic containers or toughened

glass which inflicts less severe injuries. Location and style of the venue, the activities carried on there, and the hours of operation, would be particularly important in assessing whether a condition is necessary: for example, the use of glass containers on the terraces of outdoor sports grounds may be of concern.

[...]

## **82. CCTV**

83. The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

## **87. Crime prevention**

88. Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies. For example, the provision of closed circuit television cameras in certain premises. Conditions will, where appropriate, also reflect the input of the local Crime and Disorder Reduction Partnership.

## **92 Drugs**

93 The Council recognises that the supply and use of illegal drugs by individuals is not relevant to all licensed premises but it is recognised that conditions may need to be attached to the licences for certain venues if representations are received. The aim will be to endeavour to reduce the availability, sale, and consumption of illegal drugs and to create a safer environment for those who may have taken them. Any conditions will take into account the relevant guidance and advice from appropriate bodies.

The Council expects licensees of all venues to take all reasonable steps to:

Prevent the entry of drugs into licensed premises,

Prevent drugs changing hands within the premises,  
Understand the signs of drug misuse in people so that  
practical  
steps can be taken to deal with any instances that occur,  
Have appropriately trained staff to deal with drug related  
incidents.

94 The Council expects licensees to permit the access and use of drug dogs within the public and staff areas of the premises upon request of the Council and/or police involved in such an initiative.

95 The increasing prominence and dangers that can occur from Novel (New) Psychotic Substances (Legal Highs) is recognised and the Council would encourage all venues to include suitable steps within their Drugs Policy to deal with legal highs. The Council will consider whether it would be appropriate to impose a condition in order to promote one or more of the statutory licensing objectives where there is evidence to do so.

#### **96 The control of excessive Alcohol consumption**

97 It is an offence under the Licensing Act 2003 to sell to, or obtain alcohol for, a person who is drunk on licensed premises.

In practical terms this includes:

- Selling an alcoholic drink to someone who you know is drunk
- Buying an alcoholic drink for someone who you know is drunk

98 The Council expects all premises licence holders to take steps to control excessive consumption and drunkenness on relevant alcohol licensed premises. All serving staff should be trained in recognising the signs of drunkenness, how to refuse service and the premises duty of care. The premise should display prominent signage at point of sale that it is an offence to sell alcohol to anyone who is drunk.

99 This will reduce the risk of anti-social behaviour occurring both on and away from the premises after customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities.

## **102. Good Management**

103. Certain kinds of physical environment within places subject to premises licences (such as an over preponderance of vertical drinking) are generally thought to be less conducive to avoiding crime and disorder. Good management and adequate staff training are vital. Where appropriate the provision of food in addition to alcohol can have a beneficial effect. Where food is provided it is good practice (but not mandatory under the licensing system) to have regard to current practice on healthy eating. The Council encourages premises licence holders to take an active part in local Pub Watch and Arc Angel schemes. 100.

104 Another aspect of good management in relation to door supervision is to have proper systems in place to comply with the Private Security Industry Act 2001 and to think about how good door supervision systems can contribute to crime reduction both within and outside of premises. Applicants will be expected to have considered these and all relevant issues and to reflect these within their operating schedules

- 7.5 A full copy of the Guidance and the Council's Policy will be available at the hearing.
- 7.6 Every case must be considered on its own merits. The Sub-Committee may depart from the Guidance and Policy if there is good reason to do so. However, proper reasons must be given.
- 7.7 In addition to the above, the Committee must have regard to its wider duties under section 17 of the Crime and Disorder Act 1998 and Article 1 of the First Protocol of the Human Rights Act 1998.

## **8. OPTIONS**

- 8.1 The Committee has the following options under Section 35 of the Act:
  - (1) Grant the variation application subject to such conditions that are consistent with the operating schedule and any mandatory conditions;
  - (2) Modify the conditions of the licence, by altering or omitting or adding to them;
  - (3) Reject the application in whole or in part.

**9. POLICY IMPLICATIONS**

9.1 None

**10. FINANCIAL CONSIDERATIONS**

10.1 There are no special financial considerations to the Authority which need to be highlighted at this stage. However, it should be noted that the decision of the sub-committee is subject to appeal to the Magistrates' Court. If an appeal is made, there will be costs associated with this.

**11. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**11.1 Children and Young People in Halton**

None identified.

**11.2 Employment Learning and Skills in Halton**

None identified.

**11.3 A Healthy Halton**

None identified.

**11.4 A Safer Halton**

None identified.

**11.5 Halton's Urban Renewal**

None identified.

**12. RISK ANALYSIS**

12.1. The Council is required to hold the hearing in accordance with the Licensing Act 2003. Failure to do so, may mean that the Council is acting in breach of its obligations under that Act.

**13. EQUALITY AND DIVERSITY ISSUES**

13.1 There are no equality and diversity issues to highlight.

**14. CLIMATE CHANGE IMPLICATIONS**

14.1 There are no climate change implications since the decision will have no effect on the environment.

**15. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Guidance issued under Section 182 of the Licensing Act 2003	Licensing Section/ Government Website see link 1 below.	Kim Hesketh
Halton Council's Statement of Licensing Policy	Licensing Section/ Council website see link 2 below.	Kim Hesketh

1. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)
2. <https://www3.halton.gov.uk/Documents/business/licencing/alcoholent/StatementofLicensingPolicy.pdf>

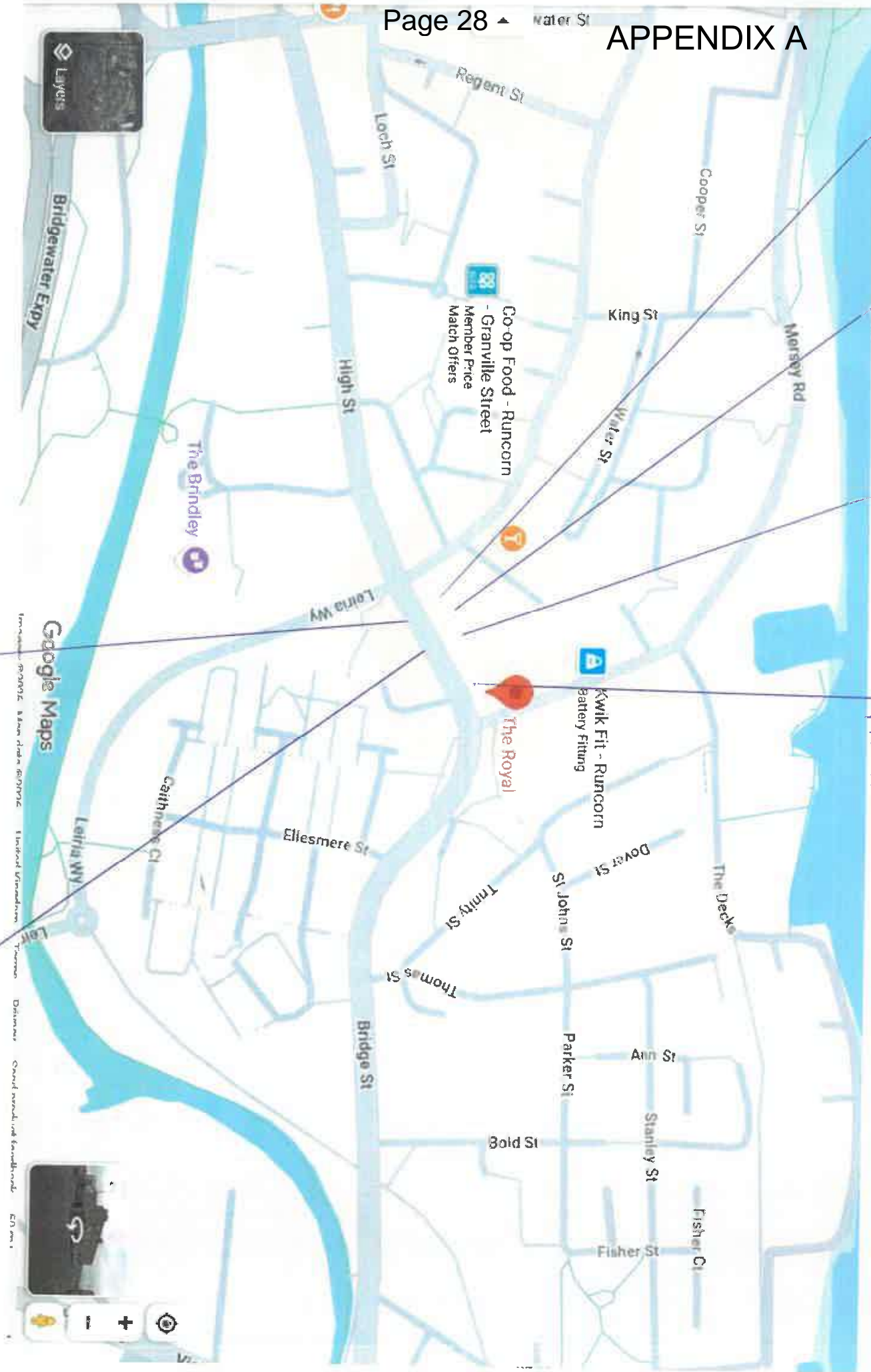
# APPENDIX A

LEBARA  
EPIRES  
MIRKEN  
ALCHEMY

PREMISES

TANDDORI NIGHTS

FAMILY PIZZA



Bridgewater Expy

The Brindley

Google Maps

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## APPENDIX B

	<b>Royal (proposed hours)</b>	<b>Alchemy – 1 min walk to the Royal</b>	<b>Eddys Chicken &amp; Pizza – 1 min walk to the Royal</b>	<b>Lebara – 1 min walk to the Royal</b>	<b>Tandoori Nights – opposite side from the Royal</b>	<b>Family Pizza – opposite side from the Royal</b>
<b>Opening Hours</b>	Monday 10.00 to 00.30 Tuesday 10.00 to 00.30 Wednesday 10.00 to 00.30 Thursday 10.00 to 00.30 Friday 10.00 to 04.30 Saturday 10.00 to 04.30 Sunday 10.00 to 00.30	Monday 10.00 to 03.00 Tuesday 10.00 to 03.00 Wednesday 10.00 to 03.00 Thursday 10.00 to 04.00 Friday 10.00 to 06.00 Saturday 10.00 to 06.00 Sunday 10.00 to 02.30	Monday 16.30 to 01.00 Tuesday 16.30 to 01.00 Wednesday 16.30 to 01.00 Thursday 16.30 to 01.00 Friday 16.30 to 03.30 Saturday 16.30 to 03.30 Sunday 16.30 to 01.00	Monday 08.00 to 23.00 Tuesday 08.00 to 23.00 Wednesday 08.00 to 23.00 Thursday 08.00 to 23.00 Friday 08.00 to 23.00 Saturday 08.00 to 23.00 Sunday 08.00 to 22.30	Monday 17.00 to 23.30 Tuesday 17.00 to 23.30 Wednesday 17.00 to 23.30 Thursday 17.00 to 23.30 Friday 17.00 to 00.30 Saturday 17.00 to 00.30 Sunday 17.00 to 23.30	Monday 17.00 to 01.00 Tuesday 17.00 to 01.00 Wednesday 17.00 to 01.00 Thursday 17.00 to 01.30 Friday 17.00 to 03.00 Saturday 17.00 to 03.00 Sunday 17.00 to 01.30
<b>Supply of alcohol</b>	Monday 10.00 to 00.00 Tuesday 10.00 to 00.00 Wednesday 10.00 to 00.00 Thursday 10.00 to 00.00 Friday 10.00 to 04.00 Saturday 10.00 to 04.00 Sunday 10.00 to 00.00	Monday 10.00 to 02.30 Tuesday 10.00 to 02.30 Wednesday 10.00 to 02.30 Thursday 10.00 to 03.30 Friday 10.00 to 05.30 Saturday 10.00 to 05.30 Sunday 10.00 to 02.00	No alcohol	Monday 08.00 to 23.00 Tuesday 08.00 to 23.00 Wednesday 08.00 to 23.00 Thursday 08.00 to 23.00 Friday 08.00 to 23.00 Saturday 08.00 to 23.00 Sunday 08.00 to 22.30	Monday 17.00 to 23.00 Tuesday 17.00 to 23.00 Wednesday 17.00 to 23.00 Thursday 17.00 to 23.00 Friday 17.00 to 00.00 Saturday 17.00 to 00.00 Sunday 17.00 to 23.00	No alcohol



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# Premises Licence

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Royal

1 High Street, Runcorn, Cheshire, WA7 1AU.

Telephone 01928 564 552

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Wednesday	Noon	Midnight	See attached conditions
	Thursday, Friday and Saturday	Noon	1:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions
I. Provision of facilities for making music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions





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# Premises Licence

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...				
Activity (and Area if applicable)	Description	Time From	Time To	
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Wednesday	Noon	Midnight	See attached conditions
	Thursday, Friday and Saturday	Noon	1:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions
L. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	12:30am	
	Thursday, Friday and Saturday	11:00pm	1:30am	
	Sunday	11:00pm	12:30am	
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight	See attached conditions
	Friday and Saturday	10:00am	2:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions

THE OPENING HOURS OF THE PREMISES			
	Description	Time From	Time To
	Monday to Thursday	10:00am	12:30am
	Friday and Saturday	10:00am	2:30am
	Sunday	Noon	12:30am

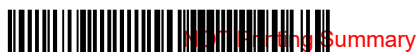
WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES
- M. The sale by retail of alcohol for consumption ON and OFF the premises

## Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE
Amber Taverns Ltd <span style="float: right;">The Victory Office, 112 Victory Road, Blackpool, FY1 3NW.</span>

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mark Anthony DUNN <span style="float: right;">[REDACTED]</span>





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# Premises Licence

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. [REDACTED]

Issued by [REDACTED]

## ANNEXES

### Definitions:

"Act" means the Licensing Act 2003

"Application" means the Application for this Licence submitted by or on behalf of the Holder

"Holder" means the Licence Holder named on this Licence

"Licensing Authority" means Halton Borough Council

"Operating Schedule" means the Operating Schedule accompanying the Application

**THIS LICENCE CONSTITUTES A NEW LICENCE AS DEFINED IN SCHEDULE 8 TO THE ACT AS VARIED FOLLOWING AN APPLICATION UNDER PARAGRAPH 7 TO SCHEDULE 8 TO THE ACT**

The Holder shall comply with the following conditions:

#### **A Alteration of details relating to this Licence**

No details set out on this Licence shall be altered without the consent of the Licensing Authority

#### **B Compliance with the Operating Schedule**

The Holder shall comply with the Operating Schedule and the details set out in the Application except as varied or inconsistent with anything set out in this Licence

#### **C Conditions agreed by the Holder during the Licence application process**

##### **CHESHIRE CONSTABULARY**

CD10

No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.

CD11

No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass.

CD12

No drink shall be removed from the premises in an unsealed container

#### **ACTION PLAN**

The contents of the action plan given to Neil Lambert (Licensee) and Richard Lewellyn (Regional Manager) following a meeting at Runcorn Police Station on 8 June 2005 shall remain in force.

#### **ENVIRONMENTAL HEALTH**

- The use of any outside area shall not be permitted after 01.00 hours Friday & Saturday
- No external speakers shall be used outside the premises: this will include any beer gardens or outside drinking area or car park after 01.00 hours Friday & Saturday
- Noise from any regulated entertainment (categories E Live Music I Facilities for Making Music and J Dancing) shall be inaudible at the nearest noise sensitive property after 01.00 hours Friday & Saturday.





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# Premises Licence

ANNEXES continued ...

## D Conditions consistent with the Operating Schedule

### Controlled Dancing

In this condition "controlled dancing" means lap-dancing, striptease or any similar dancing.

Controlled dancing shall not take place at the licensed premises without the written consent of the Council.

In deciding whether to grant permission for controlled dancing the Council will take into account the suitability of the premises and the location of the premises.

If the Council grants consent for controlled dancing such consent shall be subject to the following standard conditions and to any other special conditions which may be so specified:

No person under the age of 18 shall be at the premises when controlled dancing is taking place.

The licensee shall ensure that controlled dancing shall not comprise or result in any offence arising by statute or at common law.

Performers of controlled dancing shall be provided with changing room facilities at the premises to which the public have no access and which are patrolled by an adequate number of attendants of the same sex as the performers

Otherwise than inside the premises (and from a position which cannot be seen from outside the premises) no photographs or other pictorial representation on posters at the premises or on any other advertisement or promotional material shall be permitted which relate to controlled dancing or the performers of controlled dancing if they can be seen from outside of the premises

### Special Effects

The use of special effects involving the use of lasers, strobes, pyrotechnics, bomb tanks, storage of explosives, dry ice effects, smoke machines, firearms and fireworks, or other similar devices, shall not be permitted without the prior written consent of the Council, who may impose additional conditions. Written application for consent must be made to the Council at least 28 days prior to the performance to allow time for consultation with the Fire Officer.

#### ADDITIONAL CONDITIONS FOR SPECIAL EFFECTS

Where the Council grant consent for the use of special effects, the following conditions shall apply as appropriate.

#### SMOKING AND NAKED FLAMES

No smoking or naked flames shall be permitted on any part of the stage during any entertainment unless that use has been notified to the Licensing Authority and is provided in accordance any guidance given by the Cheshire Fire Service.

#### LASERS

##### INFORMATION

The Licensee shall obtain from the laser manufacturer or operator sufficient information, sketches, calculations, radiometric measurement data etc., to demonstrate that the system can be used safely and without risk to health together with the classification of the proposed system. This information shall be submitted to the Council with the application for consent.

##### EQUIPMENT

All display laser equipment shall be so designed, constructed and maintained as to be safe for use.

##### CONTROL AGAINST UNAUTHORISED USE

All display laser products shall be provided with a key operated ON-OFF switch to secure the laser against unauthorised use.

##### DEMARICATION OF LASER DISPLAY AREA

Each effect from a display shall take place within a predetermined and defined display area. The emission of laser radiation shall be terminated automatically immediately the laser effect beam leaves the boundaries of this display area.

##### SITING OF LASER CONTROL CONSOLE

The control console for each display laser product shall be secure and sited in such a position that the operator is able to view the whole of the display area. Where this is not practicable, alternative effective arrangements shall be made whereby the operator is able to assess the situation and be aware of any malfunction etc.

##### EMERGENCY CUT OFF FOR LASER RADIATION

All display laser products shall be provided with one or more readily accessible controls which will immediately terminate the emission of any laser radiation. In the event that a laser system is not required to be under the continuous supervision or control of an operator, a person at the display shall be designated to be responsible for the immediate termination of the laser radiation in the event of equipment malfunction audience unwilliness or other unsafe conditions.

##### DETERMINATION OF LASER RADIATION EXPOSURE LEVELS

The accessible emission levels of radiation shall be measured and/or calculated by the operator at all positions where the audience, general public, operators or performers may be exposed to the primary beam (s), or to reflections from targets and scattering materials.

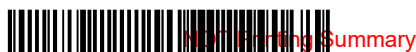
##### MARKING OF AREA BOUNDARIES

Any area where the levels of laser radiation exceed the accessible emission limit for Class 1 laser products shall be clearly identified, appropriate warning notices posted and barriers erected to prevent the entry of unauthorised persons. Entry into these areas shall be undertaken only by authorised persons if necessary and wearing the appropriate protective equipment.

##### PERMISSIBLE EXPOSURE LEVELS FOR AUDIENCE/MEMBERS OF THE PUBLIC

The level of laser radiation shall not exceed the maximum permissible exposure level at any point where the public is permitted during the display. In addition unless effective means are employed to prevent access to the laser beam(s) the maximum permissible exposure level shall not be exceeded at any point:

Less than 3m above any surface upon which the audience/general public is permitted to stand; or





Licensing Act 2003

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# Premises Licence

## ANNEXES continued ...

Less than 2.5m in lateral separation from any position where a person in the audience/general public is permitted during the display.

### PERMISSIBLE EXPOSURE LEVELS FOR OPERATORS/PERFORMERS

The accessible exposure level of laser radiation to operators/performers shall not exceed the maximum permissible exposure if such radiation is intended to be viewed by them in order to perform their functions. In the event that such radiation is not intended to be viewed by them then the accessible exposure level shall not exceed the accessible exposure limit specified for Class 3A laser products.

### USE OF SCANNING DEVICES

The use of scanning devices, including mirror balls, shall incorporate a means which shall automatically prevent exposure to levels in excess of those specified in the event of scan failure or other failure.

### SETTING UP/ALIGNMENT OF LASER SYSTEMS

The following precautions shall be taken:-

The setting up/alignment of laser systems shall only be undertaken by a trained laser operator;

Only those persons required to perform relevant functions shall be present during the alignment/setting up of the system (s);

The accessible emission level of laser radiation shall be reduced to the minimum practicable level and in any event shall not exceed the accessible emission limit for Class 3A laser products;

Where necessary for the protection of those employed, appropriate protective equipment shall be worn during the alignment/setting up of the laser equipment.

### FUNCTIONAL CHECKS PRIOR TO EACH PUBLIC OPERATION OF THE LASER DISPLAY

A functional check shall be made before the admittance of the public of all safety devices, interlocks etc., which have been provided to ensure the safety of persons prior to each public use of a display laser product.

### SPECIAL CONSIDERATION OUT OF DOORS

Where display laser products are used outdoors, consideration shall be given and adequate safeguards adopted for those persons liable to view the

beam directly within the nominal hazard distance and also those who might view the beam or its reflections using optical aids. In this context special consideration shall be given to the hazards that the use of a display laser product might present to traffic movements including those by air, sea, harbour and road.

### STROBES

Strobe lighting shall not be used or installed within the Premises without the prior written consent of the Council.

As the flashing lights can have a disorientating effect and have been known to induce epilepsy the Licensee shall ensure that they are installed by experts and to reduce the hazard strobe lights shall be operated on a fixed rate of not more than 8 flashes per second. Where more than one strobe light is in use the flashes shall be synchronised.

Where strobes are in use in a theatrical production the Licensee shall provide a warning in the foyer and/or programme to this effect.

### PYROTECHNICS

Pyrotechnical devices must only be operated by a person competent to handle them, who has been adequately trained to the satisfaction of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

The operator must have a direct view of all devices, the surrounding and fall out area.

The firing device must be fired by the use of a control box, such boxes must be fitted with a key operated isolating switch, the key to be in the possession of the operator at all times.

The control box must not be energised until immediately before use.

The device must not be placed where it will endanger the public, staff, attendants or the Premises. Any proposed locations must be discussed with and approved by the Council.

The device must not be fired until all persons are in a safe position. Should the device fail, it must be replaced with a fresh device and the defective item disposed of in a safe manner.

No devices must be stored or used on the Premises without the prior approval of the Council.

Any devices approved for storage on the Premises must be in an enclosure which is fire resisting to the half hour standard in accordance with current British or other approved standard.

The enclosure must be against an outside wall with direct ventilation to open air. No sources of ignition or other materials must be within the store.

A "NO SMOKING" notice must be displayed on the door and a nine-litre water type extinguisher must be sited adjacent to the enclosure.

Fireworks, maroons and flash powder must be stored separately from percussion caps, safety cartridges, safety fuses and detonators, either in separate stores or if the aggregate weight does not exceed 7 kg, one store subdivided by a fire-resisting compartment.

### BOMB TANKS

All bomb tanks must be constructed of metal and should be sited offstage. They must be sited clear of all persons and combustible items.

When bomb tanks are in use warning notices to read "DANGER - EXPLOSIVES - KEEP CLEAR" must be positioned on the tank so that they are visible from all sides. The notice to be in block letters not less than 50mm high.

If the tank is positioned where it can be approached without warning "NO ENTRY" notices must be placed at strategic points to isolate the tank from unsuspecting staff.

The operator must have a direct view of the tank and surrounding area before firing. Before reloading, the firing box must be isolated.

Only the smallest maroon capable of providing the effect must be used.

In any performance when bomb tanks are to be used, the Licensee shall display throughout the areas used by the public and in any associated programme, a warning of their intended use and their effects.

Bomb tanks must only be used and operated by a person competent to handle them, who has been adequately trained to the satisfaction and





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## Premises Licence

### ANNEXES continued ...

prior approval of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

#### STORAGE OF EXPLOSIVES

Storage of explosives will be of two types, receptacles containing small amounts for use in the performance and storage enclosures for the keeping between performances.

Storage receptacles shall be constructed of substantial construction as required by current legislation, e.g. a japanned or tinned iron or steel box or a wooden box. Any metalwork exposed within the interior shall be either non-ferrous or covered in non-ferrous metal, not readily ignitable or paint of 1mm thickness. A notice in block letters not less than 25mm high stating

"DANGER - NO SMOKING - NO NAKED FLAME" shall be provided on the outside of the lid.

The storage enclosure shall be of fire resisting construction and be positioned against an outside wall. It shall be secure, away from public areas and have ventilation direct to open air. It shall contain no combustible or other substances which are not compatible with explosives. There shall be no sources of ignition within the store. A notice "NO SMOKING" shall be provided on the external face of the door in the dimensions referred to for a receptacle.

#### DRY ICE SMOKE EFFECTS

The concentration of carbon dioxide must be strictly controlled and monitored.

The machine and the effects must not obstruct exits or exit routes.

Dry Ice must only be handled using suitably insulated gloves.

#### SMOKE MACHINES

The machine and its effects must be controlled and be within the sight of the operator at all times.

The smoke produced must be non-toxic and non-flammable. Documentary evidence to this effect may be required by the Council.

The machine must not be sited near combustible materials, smoke detectors or exits and shall be in an approved position.

The machine must be operated for the minimum amount of time to achieve the necessary level of density and be switched off. The operating time may be controlled by the Council following a practical demonstration.

The smoke produced must not obscure exits, exit routes, staircases or changes in level. The amount of smoke entering the auditorium must not adversely affect public safety. Fans and ventilation may be required to control the direction and dispersal of the smoke.

### **D - Display of Licence**

D1 The Summary Licence or a certified copy of that summary must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D2 A notice specifying the position held at the premises by any person nominated for the purposes S 57 (2) of the LA 2003 (which relates to the keeping at the premises of the premises licence or a certified copy of it) must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D3 Whenever the premises are being used for one or more licensable activities authorised by the licence a constable or an authorised officer may require any person referred to in D2 as the person nominated for the purposes of S 57 (2) L A 2003 to produce the premises licence or a certified copy of it.

### **Trading Hours and Licensed Activities Signs**

There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises.

### **E Mandatory Condition**

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.



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## Premises Licence

ANNEXES continued ...

**2. (1)** The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities or substantially similar activities carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise)

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carried a significant risk of undermining a licensing objective.

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carried a significant risk of undermining a licensing objective.

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in, the vicinity of, the premises which can reasonably be considered to, condone, encourage, or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner:

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**3.** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**4. (1)** The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) the policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request before being served alcohol identification bearing their photograph, date of birth and either-

(a) A holographic mark, or

(b) An ultraviolet feature

**5.** The responsible person must ensure that-

(a) Where any of the following alcoholic drink is sold or supplied for consumption on the premises (other than



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## Premises Licence

ANNEXES continued ...

alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) is available to customers in the following measure-

- (i) Beer or cider, ½ pint
  - (ii) Gin, rum, vodka or whisky: 25ml or 35ml, and
  - (iii) Still wine in a glass: 125ml
- (b) These measures are displayed in a menu price list or other printed material which is available to customers on the premises, and
- (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

6. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

### Note

Article 3 makes provision to the effect that an activity which is not prohibited by paragraph 1(2)(b) of the schedule to the 2010 Order as it was in force immediately before the coming into force of this order, because it related to alcohol consumed at a table meal (as defined in section 159 of the 2003 Act) will continue not to be prohibited provided certain conditions are met: these are that the activity is available only to an individual who holds a ticket or other written invitation in respect of that activity which was purchased by, or given to, that individual on or before 30 September 2014 and the activity takes place on or before 5 April 2015.

### F Miscellaneous conditions

N/A

### G Pre-existing conditions

The conditions attached to and/or relating to the relevant existing Licence(s) and on the use of existing licensable activities under the relevant existing Licence(s) shall continue to apply under this Licence except as varied by this Licence and/or under the provisions of the Act

### H Plans

The Plan(s) submitted with the Application form part of this Licence

+++++

### Conditions consistent with the Operating Schedule in the Application dated 13 July 2005 and 20 March 2009

#### General

Digital CCTV system will be in operation and will be available to the Police on request

#### The Prevention of Crime and Disorder

- No irresponsible sales promotions of alcoholic beverages shall be offered to customers.
- No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
- A sign will be displayed on the premises indicating the standard hours during which the sale of alcohol is permitted.
- The DPS will be a member of the local pubwatch.





Licensing Act 2003 LPA0169  
**Premises Licence**

ANNEXES continued ...

**Public Safety**

- All fire doors will be maintained effectively self closing and shall not be held open other than by approved devices.
- Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade shall be summoned are to be prominently displayed.
- When entertainment is provided occupancy is limited to 300 persons

**The prevention of public nuisance**

- A sign will be located at the exits requesting that customers leaving the premises do so quietly and with consideration to neighbours.
- Noise levels to be agreed with EHO
- Fire exits not to be used (save emergency) and to be kept clear and free from glass/debris
- (Application dated 20/03/09) during the performance of Regulated Entertainment all windows and doors shall remain closed except for entrance and exit from the premises.

**The protection of children from harm**

- No one under the age of 18 will be allowed to enter or remain on the premises.
- Anyone who appears to be under the age of 21 and who is attempting to buy alcohol must be required to produce proof of age before such a sale is made.

+++++

**Seasonal and Non Standard Timings**

For categories M - Supply of alcohol and O - Hours the premises are open to the public the hours shall be:-  
 An additional 60 minutes on the day when British Summer Time commences

New Years Eve:- The permitted hours for the sale of alcohol and the provision of entertainment commence as set out at 11.00 (31.12) and extend to the start of permitted hours on the following day (01.01)

Application dated 20/03/2009

**For category M - Supply of Alcohol -**

New Years Eve

From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

Application dated 20/03/2009 -

**For category M - Supply of Alcohol -**

St Patricks Day, St Georges Day, Christmas Eve falling on a Sunday Monday Tuesday Wednesday or Thursday.,

The Thursday proceeding Good Friday, The Sunday of each Bank Holiday Weekend

An additional hour

Application dated 20/03/2009

**For category O - Hours the Premises are Open to the Public -**

New Years Eve

From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day





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## Premises Licence

ANNEXES continued ...

Application dated 20/03/2009 -

**For category O - Hours the Premises are Open to the Public -**

St Patricks Day, St Georges Day, Christmas Eve falling on a Sunday Monday Tuesday Wednesday or Thursday.,

The Thursday proceeding Good Friday, The Sunday of each Bank Holiday Weekend

An additional hour





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# Premises Licence Summary

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Royal

1 High Street, Runcom, Cheshire, WA7 1AU.

Telephone 01928 564 552

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Wednesday	Noon	Midnight	See attached conditions
	Thursday, Friday and Saturday	Noon	1:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions
I. Provision of facilities for making music (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions





Licensing Act 2003

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# Premises Licence Summary

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...				
Activity (and Area if applicable)	Description	Time From	Time To	
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	2:00am	
	Sunday	Noon	Midnight	See attached conditions
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Wednesday	Noon	Midnight	See attached conditions
	Thursday, Friday and Saturday	Noon	1:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions
L. Late night refreshment (Indoors)	Monday to Thursday	11:00pm	12:30am	
	Thursday, Friday and Saturday	11:00pm	1:30am	
	Sunday	11:00pm	12:30am	
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight	See attached conditions
	Friday and Saturday	10:00am	2:00am	See attached conditions
	Sunday	Noon	Midnight	See attached conditions

THE OPENING HOURS OF THE PREMISES			
	Description	Time From	Time To
	Monday to Thursday	10:00am	12:30am
	Friday and Saturday	10:00am	2:30am
	Sunday	Noon	12:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES
- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
Amber Taverns Ltd The Victory Office, 112 Victory Road, Blackpool, FY1 3NW.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mark Anthony DUNN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED





Halton  
Application to vary a premises licence  
Licensing Act 2003

For help contact  
legalservices@halton.gov.uk  
Telephone: 0151 511 7879

\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

Continued from previous page...

**Section 2 of 18****APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 18****VARIATION**

Do you want the proposed variation to have effect as soon as possible?     Yes     No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes     No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

*Continued from previous page...*

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Extend the terminal hour for the sale and consumption of alcohol and the provision of regulated entertainment on a Friday and Saturday until 04:00. To extend the commencement hour on a Sunday from 10:00. Opening hours  
 To remove all the conditions on the operating schedule to be replaced with the conditions attached, this is to remove all old outdated conditions  
 To allow for non-standard timings

**Section 4 of 18**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

Continued from previous page...

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Will the performance of live music take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Single Artist; Duo's; Small groups/Bands- with or without amplified music

Continued from previous page...

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

- (1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day
- (2) New Years Eve

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- (1) An additional Hour
- (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
  Outdoors
  Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

DJ's; Karaoke etc

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

(1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day  
 (2) New Years Eve

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

(1) An additional Hour  
 (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes
  No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

TUESDAY

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End

WEDNESDAY

Start

End

Start

End

THURSDAY

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End

Start

End

FRIDAY

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End

SATURDAY

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Start

End

SUNDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Will the performance of dance take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performance by artists, Members of the public

State any seasonal variations for the performance of dance.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

- (1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day  
 (2) New Years Eve

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- (1) An additional Hour
- (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

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Start

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THURSDAY

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End

FRIDAY

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SATURDAY

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End

Continued from previous page...

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Any entertainment of a similar nature to the above not already disclosed

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

(1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day  
 (2) New Years Eve

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

(1) An additional Hour  
 (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes       No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Hot drinks

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

- (1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day
- (2) New Years Eve

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- (1) An additional Hour
- (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

- (1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day  
 (2) New Years Eve

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- (1) An additional Hour  
 (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

- (1) Christmas Eve, Boxing Day, the Thursday preceding Good Friday, The Friday Saturday and Sunday of a Bank Holiday weekend; St Georges, St Patrick's and St Valentines day  
 (2) New Years Eve

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

- (1) An additional Hour  
 (2) From the end of permitted hours New Years Eve to the commencement of permitted hours New Years Day

*Continued from previous page...*

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

To remove all the conditions on the operating schedule to be replaced with the conditions attached and to remove all old outdated conditions

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 18**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Digital CCTV will be installed at the premises, will display the correct time and date and will record for 31 days, the system will make recording at all times that the premises are open to the public and will be made available to the police or other responsible authorities on reasonable request. A staff member who is familiar with the CCTV system will be available within an hour if requested by the police. This staff member will be able to show and burn to disk for the police any recent footage  
The DPS will be an active member of the local pub watch whilst such exists

b) The prevention of crime and disorder

During the absence of the DPS a designated duty manager will be on site during key trading hours  
A zero tolerance drugs policy will be implemented  
An incident log shall be kept on the premises and will be made available on request to all the responsible authorities  
Door supervisors will be deployed under a risk assessment, should such be deployed they shall be SIA registered, a record shall be kept showing their names SIA badge number and expiry date, and the date and time that they were employed.  
The door company details the company trading name and business address will also be recorded

c) Public safety

Regular toilet checks will be implemented and the results recorded  
All accidents/incident will be recorded in the incident log and will be available for inspection  
Weekly H&S checks will be implemented, including fire safety and the results recorded and will be available for inspection  
Audits will be implemented including risk assessments and the fire risk assessment and recorded  
Emergency lights and fire alarm will be tested weekly and the results recorded  
fire doors shall not be held open other than by an approved device  
A fire risk assessment will determine the occupancy of the premises  
Any persons carrying opened or sealed bottles from alternative suppliers will not be allowed to enter or remain on the premises at any time that the premises are open to the public  
Staff shall be trained on induction on Fire Safety, Challenge 25 and the non service of drunks and refresher training undertaken at regular intervals

d) The prevention of public nuisance

*Continued from previous page...*

During the performance of regulated entertainment all windows and doors shall remain closed except for entrance or exit from the premises

A sign will be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to the neighbours

The use of the outside area will not be permitted after 01:00: No external speakers shall be used after 01:00 this includes the beer garden and carpark

e) The protection of children from harm

Any person under the age of 25 wishing to purchase alcohol will be asked to produce ID before such a sale is made  
Acceptable ID- Picture driving license, passport, PASS approve ID card and armed forces ID card

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 18 of 18**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

**DECLARATION**

\* I/we understand it is an offence, under section 158 of the Licensing Act 2003, to make false statement in or in connection with this application, those who make a false statement may be liable on summary conviction to a fine of any amount.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

**Add another signatory**

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/halton/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**OFFICE USE ONLY**

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

**HALTON BOROUGH COUNCIL****Representation Form.****Responsible Authority.****POLICE**

Your Name	Lesley Halliday
Job Title	Police Licensing Officer
Postal and email address	Warrington Police Station, Charles Stewart House, 55 Museum Street, Warrington, WA1 1NE
Contact telephone number	

Name of the premises you are making a representation about.	<b>The Royal</b>
Address of the premises you are making a representation about.	<b>1 High Street, Runcorn,</b>

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	Yes	See below
To prevent Public Nuisance		
To prevent crime and disorder	Yes	See below
Public Safety		

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate	See Below:
---	------------

sheets where necessary and refer to checklist.	
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**Comments:**

The applicant is seeking an increase in hours, [REDACTED]

[REDACTED] As such to give some assurances the constabulary would like to seek to tighten up the conditions on the premises licence:

Replace the existing CCTV condition with the following:

The CCTV system should be designed and installed in accordance with Cheshire Constabulary's CCTV guidance document called "CCTV in Licensed Premises – an Operational Requirement".

The Images recorded by the CCTV system shall be retained in an unedited format for a period of not less than 31 days.

CCTV equipment shall be maintained in good working order in accordance with the manufacturer's instructions and shall be operational at all times when a licensable activity takes place on the premises.

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. They will need to be able to demonstrate the following: -

- Recordings are fit for their intended purpose,
- Good quality images are presented to the officer in a format that can be replayed on a standard computer
- The supervisor has an understanding of the equipment/training,
- Management records are kept,
- Maintenance agreements and records are maintained,
- Data Protection principles and signage are in place.

Any person who is employed to have operational responsibility for the premises, must be trained in the use of any such CCTV equipment.

That person(s) must, upon reasonable request and as soon as practicable, make CCTV images available to a Police Officer or other Authorised Officer.

When a request for CCTV is made by the Police, any footage should be uploaded using a secure link provided by the officer which will be sent to the appropriate person via an email or text message.

Footage to be uploaded as soon as practicable, usually within 24-48 hours from receipt of the email. Any problems regarding uploading the requested images will be reported to the Police by the licence holder or member of staff as soon as practicable

**Door Supervisors**

There shall be provided at the premises SIA registered door supervisors, to such a number as the management of the premises consider sufficient to control entry to the premises and keeping order in the premises on nights when the service of alcohol continues after midnight.

To further detail the Door Supervisor's duties in this respect:

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- The door supervisor's name, date of birth and home address;
- His/her Security Industry Authority licence number;

- The time and date he/she starts and finishes duty;
- The time of any breaks taken whilst on duty;
- Each entry shall be signed by the door supervisor.
- Record of all incidents taking place in the venue

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

### **Incident Book**

An incident book or Electronic Log shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:

- All crimes reported
- Lost property
- All ejections of customers
- Any complaints received
- Any incidents of disorder
- Any seizure of drugs or offensive weapons
- Any faults in the CCTV
- Any visit by a relevant authority or emergency service

### **Policies**

The premises shall operate a search policy for drugs and weapons; signage shall be displayed by the entrance to advise customers that there is a search policy in place and failure to comply will result in their not being permitted entry to the premises.

The premises shall operate a zero tolerance to drugs policy. The policy will detail how staff shall manage any concerns regarding customers or other members of staff who may be involved in drug activity.

### **Outside Area**

Use of the Outside seating area will cease at 01:00 hrs and only customer wishing to access the designated smoking area will be permitted.

Customers using the smoking area after 01:00 will not be permitted to take their drinks outside to reduce the likelihood of causing a noise nuisance to local residents.

Signs will be put up at the rear door to advise customers that no drinks are permitted outside after 01:00hrs.

### **Last Entry**

There shall be no entry or re-entry to the premises 30 minutes before the terminal hour for licensable activities.

**Replace any current conditions relating to protection of children from harm with the following:**

### **Protection of Children from Harm**

A "Challenge 25" policy shall be operated at the premises at all times.

The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo ID (that has been approved for acceptance by the Police or an Officer of the Local Authority)

Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

The Designated Premises Supervisor or Premises Licence Holder shall operate and maintain an up-to-date Register of Refusals of Sale of Alcohol, indicating the date, time and reason for refusal which shall be made available for inspection by Local Authority Officers and the Police.

The DPS or other responsible person shall check and sign the register once a week.

Alternatively, an electronic point of sale refusals log shall be kept.

A documented training programme shall be introduced for all staff in a position to sell, serve or deliver alcohol. A written record for each member of staff shall be kept of the content of such training and shall be made available for inspection at the request of Local Authority Officers and Police.

No member of staff will be permitted to sell age restricted products until they have completed this training. Details of this training and records of attendance shall be made available for inspection by Local Authority officers and the Police

The DPS or Premises Licence Holder shall conduct six monthly training reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record for each member of staff shall be kept of the content of such reviews and shall be made available for inspection at the request of Local Authority Officers and Police.

As part of their training all staff are to undertake a short test or quiz as part of their training to test their understanding of the training provided, this test/quiz will be marked and signed off by the DPS and a record of this is to be kept with the employees training records.

A list of persons authorised to sell alcohol shall be kept on site and made available for inspection at the request of Local Authority Officers and Police.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.

### **Pubwatch**

Remove the condition relating to the DPS requirement to be a member of Pubwatch as this condition is un-enforceable.

### **D Conditions Consistent with the Operating Schedule**

The following conditions can be removed from the licence as they are no longer applicable as they relate to the old entertainment's licenses.

Remove Controlled Dancing condition

Special Effects – Including Smoking and naked flames, Lasers, strobes, Pyrotechnics, Bomb Tanks, storage of Explosives, Dry Ice Smoke Effects and smoke machines.

All other steps offered are welcome and acceptable to the Police and will assist in promoting all four objectives of the Act.

Signed:

Date: 13/03/2026

23<sup>rd</sup> February 2026

Licensing Department  
Halton Borough Council  
Municipal Building  
Kingsway  
Widnes WA8 7QF

**Re: Objection to Application for Extended Opening Hours – *The Royal, High Street, Runcorn***

Dear Licensing Officer,

I am writing in my capacity as a Councillor for Mersey and Weston Ward to formally object to the application submitted by The Royal, High Street, Runcorn, seeking to extend its opening hours to 4:00 am on Fridays and Saturdays.

My objection is made under the Licensing Objective of the Prevention of Public Nuisance as outlined in the Licensing Act 2003.

**Grounds for Objection**

The premises are located in a predominantly residential area, with several homes situated directly opposite and in close proximity to The Royal. Extending the opening hours until 4:00 am would likely:

- Generate significant noise disturbances from patrons leaving the premises in the early hours of the morning, including raised voices, vehicle noise, and general anti-social behaviour.
- Cause sleep disruption and distress to residents living nearby, particularly families and elderly individuals.
- Increase the potential for public nuisance and disorder in an area that has already raised concerns about late-night activity.

Given these factors, I believe that approving this extension would be contrary to the Licensing Objective of preventing public nuisance and would have a negative impact on local residents' quality of life.

**Conclusion**

I respectfully urge the Licensing Committee to refuse this application for extended opening hours. Maintaining the current licensed hours would strike a fair balance between supporting local business and protecting residents' right to the peaceful enjoyment of their homes.

Thank you for considering my representation.

Yours sincerely,  
Councillor Victoria Begg. Mersey and Weston Ward. Runcorn.

Hi Kim

I would completely concur with my ward colleague Cllr Begg, and would add my signature to her letter as per this email.

We need to be moving away from an all-night economy to one that is ultimately safer, family friendly, and truly considers the peaceful lives the majority want to lead.

Best Wishes, Norman

Councillor Norman Plumpton Walsh MA(WBIS) PPol Mgmt, MLoL

Labour Councillor for Mersey and Weston Ward, Runcorn

Tel: Call/Text/Answerphone [REDACTED]

Facebook: Mersey and Weston Ward Labour Councillors / Runcorn Town Labour  
[REDACTED]

[REDACTED]

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**From:** mandy [REDACTED]  
**Sent:** 03 March 2026 14:07  
**To:** Legal Licensing  
**Subject:** License to the royal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello

I object to this, already complain to the council, the sound system disturbs the peace at our address. Recent weeks there has been fighting and gangs around the swimming baths on fri/sat night. It encourages local drug runs too, people urinate and use drugs around the area. Not to be extended and in fact be less than now to 12am / 1am at a weekend only if no trouble. Too close to residential areas.

Mandy [REDACTED]  
[REDACTED]

**From:** Graham [REDACTED]  
**Sent:** 03 March 2026 19:46  
**To:** Legal Licensing  
**Subject:** Opening hours extension for The Royal Pub Runcorn Old Town opposition.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello there I recently learned about a proposal to keep The Royal Pub at 1 High Street in the old town to keep it open until 0430, I live on [REDACTED] and would like to oppose this proposal since the pubs in the area already attract unsavoury characters until the early hours of the morning. The alleyways that lead to the back of Bridge Street regularly have people sniffing cocaine and smoking cannabis in them just this last weekend I had to walk past a pair to go to the shop who were doing exactly that, I then noticed them on my return journey outside of the Royal pub so that's where they came from. A couple of weekends ago, and I'm sure you can find the police report for this, there were armed police in the area when an event at one of the pubs brought in a large crowd and something to do with the pubs had brought in armed police that was a scary situation. Drunk people heading from pub to pub like to vandalise and litter the houses on Bridge Street regularly of a weekend throwing beer bottles and cans into the gardens and last month of a weekend somebody came into my garden and stole my Recycling bin in the early hours.

The area is peaceful otherwise through the week with absolutely no incidents happening and me and other local residents, mainly pensioners, believe that extending the hours of the pub would only introduce more unsavoury behaviour and make the area untidy. We do not want to have more stuff to clean up after a weekend. What we need is a supermarket and a community hub not more drunk people making the area less inviting.

Sent from [Outlook for Android](#)

Sirs,

I have seen the application for an Increase in opening hours at the Royal public house, High Street Runcorn, and in my capacity as Chairman of Runcorn Pubwatch and local licensee, feel I must object to this application for the following reasons.

The owners, Amber Taverns, and management of the Royal are falling short of the standards laid out in the Four Licencing objectives, which are:

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Prevention of crime and disorder is a primary function of any public house and the Royal fails in this area because despite numerous attempts to share information with them over the years we have been neighbours, it still allows prolific, high profile drug dealers to operate with impunity on its premises, dealers who are barred from many of Runcorn's other licenced premises, this can lead to an increase in ASB and can have a detrimental effect on the community. Also most weekends the Police are in attendance after failure to control violent altercation which invariably spills out into the street and recorded by the Town CCTV system

Public safety is an area neglected by the Royals owners, management and door staff, despite several door company changes, Identity checks are still not being carried out to a satisfactory standard to ensure local known trouble causers, some of whom have been on or are serving pub watch bans also drug dealers and under age persons, are kept out.

The prevention of public nuisance. The Royal already opens from 14 to 16 hours per day, from 10am six days per week and is advertising draught pints at 40% below the national average (see photo).



Irresponsible retailing not only has a detrimental effect on the community, but also contributes to risk of increased ASB.

- Because of the proximity to the close by Housing if the hours are increased in the way the company wants, this could lead to an Increase in ASB, and complaints are being discussed by residents who do not wish to make it formal for fear of their identity being made public and possible repercussions.
- Longer poorly supervised hours and irresponsible pricing does encourage people to consume more which can lead to ASB evidence of this is already being seen.

Protection of children from harm.

Poor identity checks carried out on the door and the inside the bar has led to an increase in numbers of minors under the legal age to drink alcohol, becoming inebriated and being exposed to situations where drug usage is prolific, risk of assault increases and trying to gain access into other bars in the area with fake or borrowed identities, these are confiscated and passed to the licensing department and police for further attention when applicable

The licensing department and police are aware of issues raised in this document and are constantly made aware of serious issues arising in our community.

Gary 

### **Licensing objectives and aims**

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

[...]

### **Licence conditions – general principles**

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;

- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

### **Each application on its own merits**

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

1.18 When making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits.

[...]

### **Crime and Disorder**

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly

licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:

Putting alcohol into someone's drink without their knowledge or permission

Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission

Injecting another person with prescription or illegal drugs without their knowledge or permission

Putting prescription or illegal drugs into another person's food without their knowledge or permission

Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

### **Public safety**

2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.9 A number of matters should be considered in relation to public safety. These may include:

Fire safety;

Ensuring appropriate access for emergency services such as ambulances;

Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);

Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;

Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);

Ensuring appropriate and frequent waste disposal, particularly of glass bottles;

Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and

Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

#### Counter terrorism and public safety

2.11 Licensing committees may wish to give due consideration to appropriate counter-terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counterterrorist staff.

2.12 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.

2.13 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

2.14 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident.

#### **Ensuring safe departure of those using the premises**

2.15 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

Providing information on the premises of local taxi companies who can provide safe transportation home; and

Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

## **Public nuisance**

2.20 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.21 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.22 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.23 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.24 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise

emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.25 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.26 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

### **Protection of children from harm**

2.27 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.28 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.29 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants,

responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.30 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.31 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.32 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.33 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.34 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority

considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

## **8. Applications for premises licences**

### **Beer gardens or other outdoor spaces**

8.35 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

8.36 In such cases it will not be necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

8.37 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

### **Steps to promote the licensing objectives**

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based

on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the consideration given to the licensing objectives and any measures that are proposed to promote them.

[...]

### **Licensing conditions**

#### **a) Imposed conditions**

8.69 Licensing authorities cannot impose their own conditions on the licence through the minor variations process. If the licensing officer considers that the proposed variation would impact adversely on the licensing objectives unless conditions are imposed, they should refuse it.

#### **b) Volunteered conditions**

8.70 Applicants may volunteer conditions as part of the minor variation process. These conditions may arise from their own risk assessment of the variation, or from informal discussions with responsible authorities or the licensing authority.

8.71 For instance, there may be circumstances when the licence holder and a responsible authority such as the police or environmental health authority, agree that a new condition should be added to the licence (for example, that a nightclub adds the provision of door staff to its licence). Such a change would not normally impact adversely on the licensing objectives and could be expected to promote them by preventing crime and disorder or public nuisance. In these circumstances, the minor variation process may provide a less costly and onerous means of amending the licence than a review, with no risk to the licensing objectives. However, this route should only be used where the agreed variations are minor and the licence holder and the responsible authority have come to a genuine agreement. The licensing authority should be alive to any attempts to pressure licence or certificate holders into agreeing to new conditions where there is no evidence of a problem at the premises and, if there is any doubt, should discuss this with the relevant parties.

#### **c) Amending or removing existing conditions**

8.72 However, there may be some circumstances when the minor variation process is appropriate. Premises may change over time and the circumstances that originally led to the condition being attached or volunteered may no longer apply. For example,

there may be no need for door supervision if a bar has been converted into a restaurant. Equally some embedded conditions may no longer apply.

8.73 Changes in legislation may invalidate certain conditions. Although the conditions do not have to be removed from the licence, licence holders and licensing authorities may agree that this is desirable to clarify the licence holder's legal obligations. There may also be cases where it is appropriate to revise the wording of a condition that is unclear or unenforceable. This would be acceptable as a minor variation as long as the purpose of the condition and its intended effect remain unchanged. Such a change could be expected to promote the licensing objectives by making it easier for the licence holder to understand and comply with the condition and easier for the licensing authority to enforce it.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority'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.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is 76 | Revised Guidance issued under section 182 of the Licensing Act 2003 imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.