

REPORT: Regulatory Sub-Committee

DATE: 5 June 2025

REPORTING OFFICER: Director – Legal and Democratic Services

PORTFOLIO: Resources

SUBJECT: Application for to Vary a Premises Licence –
Red Lion Inn, Runcorn Road, Moore, WA4 6UD

WARDS: Daresbury, Moore and Sandymoor

1. PURPOSE OF REPORT

To assist Members of the Regulatory Committee in their consideration of an application by Star Pubs & Bars Limited for the variation of a premises licence for Red Lion Inn, Runcorn Road, Moore, WA4 6UD

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 is situated in a small village in Moore between Halton and Warrington. The premises is surrounded by residential premises. A copy of a plan is attached at **Appendix A**.
- 3.2 The premises has held a licence since 24 November 2005.
- 3.3 Attached at **Appendix B** of this report is the current premises licence along with the current conditions on the licence.
- 3.6 The application is to amend the licensing plan in accordance with the drawing which accompanies the application and to permit the sale of alcohol from an external bar server and to remove the provision of facilities for dancing and making music as these are no longer licensable activities.

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 C**.
- 4.3 As mentioned in 3.6 the application is to amend the plan for the premises, the applicant is not looking at changing any of the current hours on the premises licence.
- 4.4 Within the operating schedule set out in the application form the applicant has confirmed that they will remain as the existing licence, this already includes the steps they intend to take to promote the four licensing objectives. These include:-
- CCTV cameras inside and out;
 - Challenge 21 policy;
 - Zero tolerance of aggressive behaviour;
 - Lighting all around the area;
 - Customer notices requesting that they be quiet when leaving the premises;
 - A search policy for drugs and weapons;
 - Windows and doors to be kept closed after midnight;
 - Beer garden fenced off from the car park;
 - Dogs to be kept on leads at all times.

5. REQUIREMENT FOR A HEARING

- 5.1 The application was submitted on 1 April 2025 and was advertised in the local newspaper, Warrington Guardian on 10 April 2025. Officers have confirmed that the advertisement requirements were complied with.
- 5.2 During the 28 days representation period, the Licensing Authority received relevant representations from the one local residents and one Ward Councillor as detailed below.
- 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 one local resident and one Ward Councillor.
- 5.7 At the time of writing this report I have not received any indication from the residents or the Ward Councillor 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 received from Cheshire Police.

1. The premises shall install and maintain a comprehensive CCTV system which shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediate outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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)
4. Publicity materials notifying customers of the operation of the "Challenge 25" scheme shall be displayed at the premises.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. Clear, prominent & legible notices on display at exit requesting members of public leaving the premises to do so in a respectful and quiet manner.
12. Deliveries will be managed ~~by the Premises Licence Holder~~ so not to cause a disturbance to any local residents and businesses.
13. All rubbish movement to be within operating hours so not to cause a disruption to local residents and businesses.

The conditions has been accepted by the applicant.

Environmental Health

Relevant representations have been received from Environmental Health.

There is a likelihood for noise in the external area to cause a public nuisance to the residents in the area at any time of day and particularly after 23:00 hours when noise levels drop and noise from voices will be more clearly audible. I would therefore restrict the use of the external licensed area.

(NB The presence of a licence does not exempt the Council from exercising its duty under s80 of the Environmental Protection Act 1990 if statutory nuisance from noise is substantiated at any time. It is for those responsible for the premises to exercise their own due diligence in preventing a statutory nuisance)

The external bar shall not operate after 23:00 hours and customers shall be encouraged to return inside.

The condition has been accepted by the applicant.

Planning

No comments have been received from the Planning Department.

Cheshire Fire

No comments have been received from Cheshire Fire.

6.2 ANY OTHER PERSON

One representation has been received from a local resident and one Ward Councillor who object to the variation of the premises licence, with the main issues being the likelihood of noise nuisance and public safety. A copy of the objections can be found at **Appendix D** 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 E.**
- 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.

...

15. The Council’s vision as set out within the Corporate Strategy 2018/2020 and within Halton’s fifteen year Sustainable Community Strategy 2011–2026 is that:

“Halton will be a thriving and vibrant Borough where people can learn and develop their skills; enjoy a good quality of life with good health; a high quality, modern urban environment; the opportunity for all to fulfil their potential; greater wealth and equality, sustained by a thriving business community; and safer, stronger and more attractive neighbourhoods”.

...

17. Locally due to the high levels of alcohol-related harm Halton experiences the Halton Health and Wellbeing Strategy

2017/2022 includes the reduction in the harm from alcohol as a priority area.

18. The strategy identified a number of issues which may be affected by the licensing regime in Halton including:

- A significant proportion of cases of domestic violence are alcohol related
- Alcohol related crime and alcohol related violent crimes are worse in Halton than for both the North West and England as a whole
- Alcohol specific admissions (both among adults and those aged under 18) are much higher than the national and regional averages.

19. In addition due to the high levels of alcohol-related harm Halton was one of only twenty areas in the country to be awarded the status of being a “Local Alcohol Action Area” (LAAA). This award provided support from the Home Office and Public Health England during 2014/15 related to addressing the harm from alcohol across three areas – health, crime and anti-social behaviour, and diversifying the night time economy.

...

21. The vision of the strategy is to: “Enable people in Halton to have a sensible relationship with alcohol that promotes good health and wellbeing and ensures Halton is a safe place to live”.

22. In order to achieve this vision and minimise the harm from alcohol in Halton the strategy will seek to deliver three interlinked outcomes:

1. Reduce alcohol-related health harms
2. Reduce alcohol-related crime, antisocial behaviour and domestic abuse
3. Establish a diverse, vibrant and safe night-time economy.

22. 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).

23. 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.

...

34. 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.
[...]

48. Licensing hours

49. 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.

50. 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.

...

57. Protection of children from harm

58. The Body the Council judges to be competent to act as the responsible authority in relation to the protection of children from harm is Halton Borough Council People Directorate: contact details are set out in Appendix A.

[...]

92. Crime prevention

93. 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.

95 The control of excessive Alcohol consumption

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

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.

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.

...

96. Capacity limits

97. Although most commonly made a condition of a licence on public safety grounds, consideration should also be given to conditions which set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding which can lead to disorder and violence. Where such a condition is

considered necessary, consideration should also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

...

98. Good Management

99. Certain kinds of physical environment within places subject to premises licences (such as an over preponderance of vertical drinking) are generally thought 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. 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:

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 IMPLICATIONS

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 Improving Health, Promoting Wellbeing and Supporting Greater Independence

None

11.2 Building a Strong, Sustainable Local Economy

None

11.3 Supporting Children, Young People and Families

None

11.4 Tackling Inequality and Helping Those Who Are Most In Need

None

11.5 Working Towards a Greener Future

None

11.6 Valuing and Appreciating Halton and Our Community

None

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

Document	Place of Inspection	Contact Officer
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
2. <https://www3.halton.gov.uk/Documents/business/licencing/alcoholent/StatementofLicensingPolicy.pdf>