

REGULATORY SUB COMMITTEE

At a meeting of the Regulatory Sub Committee on Wednesday, 26 March 2025 at The Board Room - Municipal Building, Widnes

Present: Councillors Wallace (Chair), Abbott and Dourley

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, A. Strickland and C. Ward

Also in attendance: None

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

REGS17 MINUTES

The minutes of the meeting held on the 9 December 2024, having been circulated, were signed as a correct record.

REGS18 APPLICATION TO TRANSFER PREMISES LICENCE HOLLYWOOD PIZZA, 117 ALBERT ROAD, WIDNES, WA8 6LB

A meeting of the Regulatory Sub Committee (acting as Licensing Committee under the Licensing Act 2003) of Halton Borough Council was held at Municipal Building, Widnes on Wednesday 26th March 2025 commencing at 3.30pm.

The meeting was held to hear a transfer application made under section 42 of the Licensing Act 2003 in respect of a Premises Licence at Hollywood Pizza, 117 Albert Road, Widnes.

In attendance were: -

1. Members of the Regulatory Sub Committee comprising Cllr Pamela Wallace (Chair), Cllr John Abbott and Cllr Eddie Dourley ('the Sub Committee')
2. Miss Riannon Perry – Director of Hollywood Pizza

- and Burgers Ltd ('the Applicant')
3. Kim Hesketh (Licensing Manager)
 4. Alex Strickland (Legal Adviser)
 5. Craig Ward (Licensing Enforcement Officer – to observe proceedings)

The hearing was triggered as a result of the representation from Cheshire Police on the crime and disorder/immigration issue, which was supported by statements from Home Office immigration officers.

After the Chair of the Sub Committee introduced the parties, the Legal Adviser outlined the procedure to be followed. The Licensing Manager presented the Licensing Report with appendices including the Application (Appendix A), Representation from Cheshire Police (Appendix B), together with supporting statements from immigration officers.

1. Details of the application

The application was to transfer the Premises Licence (which allows late night refreshment) from Ismael Aliyari to Hollywood Pizza and Burgers Ltd (see Appendix A of the Licensing Report).

2. The Hearing

The Applicant made clear that she had recently taken over the business from the current premises licence holder, Mr Aliyari and had paid cash for his interest in the business. The Applicant noted that a licence was necessary because it was serving late night refreshments after 11pm. The Sub Committee was informed that all fees had been paid in respect of the transfer application. The Applicant assured the Sub Committee that she carried out due diligence when purchasing the business and that she also did so in respect of the immigration status of workers at the premises and had previously removed some who did not have the right to work.

In response to questions from the Sub Committee, the Applicant confirmed that she had acted in good faith when purchasing the business and assured Members she would be mindful of immigration/work status issues of staff in the future.

The Police provided details of the joint operation at the premises that was carried out on 21 February 2025 and referred to the statements provided by Immigration Officers

at the Home Office.

Both parties summed up accordingly.

Before deliberations the Sub Committee went into closed session to hear from Cheshire Police about any intelligence that may be relevant. In the event, the Sub Committee concluded that there was nothing of relevance raised here that would impact on the deliberations.

3. The Determination

The Sub Committee resolved to grant the transfer application.

4. Specific reasons for the Determination

In making its determination, the Sub Committee had regard to the statutory licensing objectives, the statutory guidance and Halton Council's own Statement of Licensing Policy, as well as all representations made to the Sub Committee in addition to the Licensing Report.

The Sub Committee considered as follows:-

- i. Although the Sub Committee noted that there had been a significant joint operation between the Police and Home Office at the premises on 21 February 2025, which had identified a potential immigration offence, it gave substantial weight to the fact that there had to date been no prosecution for the offence, let alone any criminal conviction. Furthermore, although there was the potential for a civil penalty surcharge to be issued (which could be as substantial as £60,000), this would carry a number of rights of appeal, and to date, no such fine had been issued. The Sub Committee gave substantial weight to these points also.
- ii. The Sub Committee noted that the Home Office had chosen not to make a formal representation themselves in respect of this matter and had instead opted to rely on that made by Cheshire Police, by providing supporting statements. The Sub Committee concluded this had not assisted the case advanced to refuse the transfer application.
- iii. The Sub Committee gave some weight to the representation from Cheshire Police that the applicant 'may continue to employ' persons who have no right

to work in the UK, although it noted that a Premises Licence Review could deal with any such matter in the future if required, on the basis of relevant evidence presented.

- iv. The Sub Committee concluded that the case for refusing the transfer application on grounds of crime and disorder and/or immigration grounds had not been made out in this instance, and accordingly resolved to grant the transfer application.

5. **Time that the determination shall take effect**

Forthwith.

Meeting ended at 4.36 p.m.