

**REPORT:** Regulatory Sub-Committee

**DATE:** 14 July 2025

**REPORTING OFFICER:** Director – Legal and Democratic Services

**PORTFOLIO:** Resources

**SUBJECT:** Application to Transfer a Premises Licence and Vary the Designated Premises Supervisor – Blundell Arms, Hale Road, Widnes, WA8 8SX

**WARDS:** Ditton, Hale Village and Halebank

## **1. PURPOSE OF REPORT**

To assist the Members of the Regulatory Sub-Committee in their consideration of two applications made by Lorraine Ashton for the Blundells Arms, Hale Road, Widnes.

The first application is for the Transfer of the Premises Licence for the Blundell Arms, Hale Road, Widnes.

The second application is to Vary the Designated Premises Supervisor at the Blundell Arms, Hale Road, Widnes.

## **2. RECOMMENDATION that**

The Sub-Committee considers the contents of the report and makes a determination on the two applications.

## **3. BACKGROUND INFORMATION**

- 3.1 An application has been made by Ms Lorraine Ashton to transfer the Premises Licence Holder and to Vary the Designated Premises Supervisor at the Blundell Arms, Hale Road, Widnes. The applications are two separate applications for the premises and each application has to be treated separately. Each application has been explained separately in the report.
- 3.2 An application has been made under Section 42 of the Licensing Act 2003 for the transfer of a Premises Licence in relation to the Blundell Arms, Hale Road, Widnes on the 8 June 2025.

- 3.3 An application was then submitted by Lorraine Ashton under Section 37 of the Licensing Act 2003 to Vary the Designated Premises Supervisor into Lorraine Ashtons name for the Blundell Arms, Hale Road, Widnes on the 10<sup>th</sup> June 2025.
- 3.4 The premises has held a licence since the 8<sup>th</sup> November 2021, there has been a previous licence in place at this premises since the 24<sup>th</sup> November 2005 until the 8 June 2021.

#### **4. THE APPLICATION**

- 4.1 An application was submitted to transfer the premises licence holder from the current licence holder (Cheshire Retail NW Ltd) to Lorraine Ashton. A copy of the application can be found at **Appendix A** of this report.
- 4.2 The application to transfer the premises licence was received on the 8 June 2025 and, the last date for representations was the 22<sup>nd</sup> June 2025.
- 4.3 The application has been made in an individual name, and officers can confirm that all the requirements for the Right to Work in the UK have been met. The current licence holder has consented to the transfer.
- 4.4 An application was subsequently submitted by Ms Lorraine Ashton to Vary the Designated Premises Supervisor to Lorraine Ashton. A copy of the application can be found at **Appendix B** of this report.
- 4.5 The application to Vary the Designated Premises Supervisor was received on the 10<sup>th</sup> June and, the last date for representations was the 24<sup>th</sup> June 2025.
- 4.6 The current Designated Premises Supervisor at the Blundell Arms is Steven Hewitt.
- 4.7 Under the Licensing Act 2003, the Premises Licence Holder must apply to vary the Designated Premises Supervisor at a licensed premises. Ms Ashton submitted the relevant documentation to transfer the premises licence first, then subsequently submitted an application to Vary the Designated Premises Licence Holder into her name. The correct procedure has been followed.
- 4.8 Attached for completeness at **Appendix C** of this report, is a copy of the licence for the Blundell Arms which includes the conditions attached to the licence.

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

- 5.1 The above applications are normally straight forward and dealt with as an administrative matter. As part of the application process, the applicant is required to give notice to the Chief Officer of Police and the Home Office where an application to transfer a premises licence has been made under section 42 of the Act and to the Chief Officer of Police where an application to vary the DPS has been made under section 37 of the Act.
- 5.2 Under the Act, where a Chief Officer of Police is satisfied that the exceptional circumstances of the case are such that granting the applications would undermine the crime prevention objective, he must serve notice on the licensing authority and, where such a notice has been served and not withdrawn, a hearing must be held to determine the application.
- 5.3 Equally, where the Home Office is satisfied that the exceptional circumstances of the case are such that granting the application would be prejudicial to the prevention of illegal working in licensed premises, they must serve notice on the licensing authority and a hearing must be held to determine the application.
- 5.4 The application to Transfer the Premises Licence Holder was submitted on 8 June 2025 and was sent to the responsible authorities (which are the Police and Home Office) on the same day. There is a 14 day representation period which expired on the 22 June 2025.
- 5.5 The application to Vary the Designated Premises Supervisor was submitted on the 10 June 2025 and was sent to the responsible authorities (which are the Police and Home Office) on the same day. There is a 14 days representation period which expired on the 24 June 2025.
- 5.6 During the 14 days representation period, the Licensing Authority received a relevant objection from one of the Responsible Authorities, namely Cheshire Police to both applications (transfer of Premises Licence Holder and Vary Designated Premises Supervisor).
- 5.7 As stated above, 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).
- 5.8 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.

- 5.9 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 Cheshire Police.
- 5.10 At the time of writing this report I have not received any indication from the Cheshire Police, 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**

Relevant representations have been received from Cheshire Police.

Attached at **Appendix D** is a copy of the objection to the transfer of the Premises Licence. The objection is on the ground that it would undermine the licensing objectives on the prevention of crime and disorder.

Attached at **Appendix E** is a copy of the objection to the Vary of Designated Premises Supervisor. The objection is on the ground that it would undermine the licensing objectives on the prevention of crime and disorder.

## **7. OPTIONS**

- 7.1 The Sub-Committee has the following options under Section 44 of the Act,

- (1) Grant the application to transfer the premises licence,
- (2) Reject the application to transfer the premises licence if it considers it appropriate for the promotion of the crime prevention objective,

The Sub-Committee has the following options under Section 39 of the Act;

- (1) Grant the application to vary the designated premises supervisor,
- (2) Reject the application to vary the designated premises supervisor if it considers it appropriate for the promotion of the crime prevention objective.

## **8. POLICY IMPLICATIONS**

- 8.1 None

## **9. FINANCIAL CONSIDERATIONS**

- 9.1 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.

## **10. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **10.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence**

None

### **10.2 Building a Strong, Sustainable Local Economy**

None

### **10.3 Supporting Children, Young People and Families**

None

### **10.4 Tackling Inequality and Helping Those Who Are Most In Need**

None

### **10.5 Working Towards a Greener Future**

None

### **10.6 Valuing and Appreciating Halton and Our Community**

None

## **11. RISK ANALYSIS**

- 11.1. 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.

## **12. EQUALITY AND DIVERSITY ISSUES**

- 12.1 There are no equality and diversity issues to highlight.

### **13. CLIMATE CHANGE IMPLICATIONS**

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

### **14. 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>
Application Documents	Legal Services	Kim Hesketh