

REGULATORY SUB COMMITTEE

At a meeting of the Regulatory Sub Committee on Thursday, 5 June 2025 at The Board Room - Municipal Building, Widnes

Present: Councillors Wallace (Chair), Abbott and Bramwell

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, E. Wilson-Lagan and C. Ward

Also in attendance: L. Halliday, H. Durkin, C. O'Hara and Councillor Begg

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

REGS1 MINUTES

The minutes of the meeting held on the 18 March 2025 having been circulated were signed as a correct record.

REGS2 APPLICATION FOR TO VARY A PREMISES LICENCE - RED LION INN, RUNCORN ROAD, MOORE, WA4 6UD

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 5 June 2025 in the Boardroom at Municipal Building, Widnes at 10 am.

The hearing was held to determine an application under section 34 of the Act for a variation of a premises licence for the Red Lion Inn ("the Premises") in Runcorn. The application sought to amend the licensing plan in accordance with the drawing which accompanied the application, to permit the sale of alcohol from an external bar area and to remove the provisions of facilities for dancing and making music as these are no longer licensable activities.

The hearing has been held as relevant representations have been received from Ward Councillor Neil Connolly, and one local resident.

In attendance were:-

- Members of the Regulatory Sub-Committee comprising Councillor Wallace, Councillor Abbot and Councillor Bramwell (the Sub-Committee);
- Mr George Domleo from Flint Bishop Solicitors, acting on behalf of the Premises Licence Holder, Star Pubs & Bars Limited;
- Mr Andrew Rogers who is the Designated Premises Supervisor at the Red Lion Inn;
- Ms Becky Rogers, from the Red Lion Inn;
- Councillor Neil Connolly; and
- In addition, there were a number of observers, including Councillor Victoria Begg.

The one local resident who objected to the application informed the Council that they did not intend to attend or be represented at the hearing and the matter proceeded in their absence in accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005. The Sub-Committee were advised that the relevant representation was still to be considered despite the residents non-attendance.

After the chair of the Sub-Committee, Councillor Wallace, had introduced the parties, the Legal Adviser, Elizabeth Wilson-Lagan, outlined the procedure to be followed.

Licensing Manager, Kim Hesketh, took the Sub-Committee through the contents of her reports and accompanying appendices, explaining the nature of the application and the relevant representations that had been received.

The Hearing

The applicant's Solicitor explained that the Premises Licence holder, Star Pubs & Bars Limited, was a wholly owned subsidiary of Heineken UK, and there was a lease agreement in place between Mr Rogers and Heineken UK, with the family living on the premises. Star Pubs & Bars had owned the premises since 2011 and since then there had been no issues with the premises. The premises had been licensed under the Act since 2005 and probably had some form of licence before then.

The building itself is from the 17th century and acts as a village pub and community hub. It offers both food and drinks, with a 50/50 split. It holds open mic nights, summer fairs and wellness and holistic events. There had been significant investment from the current owners and employed over 40 members of staff. It was explained that there would be a need to employ more members of staff should the application be granted.

The purpose of the external bar was also explained. The internal bar area was not the biggest given the character of the building and could not cope with demand. The external bar would alleviate this pressure and would also mean that parents would not have to leave children in the garden area to get drinks from inside. The applicants have also found that customers still prefer to sit outside following the impact of Covid.

It was also explained that there would be staff stationed outside so they would be monitoring what is going on. There was no intention to increase timings and nothing unusual about the application. The applicant is aware of the location and did not want to cause noise nuisance, particularly as they were living in the premises with their baby.

The applicant's Solicitor explained that none of the responsible authorities had objected to the application, with conditions being agreed with the Police on CCTV and Environmental Health on not operating the external bar area after 11pm. To alleviate the concerns of the Councillor and residents, however, the applicant was prepared to offer 2 x additional conditions on providing the contact details of the DPS/ manager to residents on request for them to make complaints and on maintaining a record of complaints.

Following questions from the Sub-Committee, the Applicant's Solicitor explained that there would be no increase in capacity and that the external bar would be stocked with alcohol which would stay in the bar after it had closed at 11pm. The bar itself is a self-secured unit that would be locked and there would be no transporting of bottles or banging of crates once it had closed. The applicant does not allow bottle bins to be emptied after 8 pm but was happy to agree a condition to this affect if members thought it was necessary.

To questions about the complaints on lighting, the Applicant confirmed that there was no strobe lighting and that there were fairy lights but that they have not received

any complaints about lighting.

Councillor Connolly explained that the 11pm curfew for the external bar changed the position and that many of his concerns had been alleviated. He still had issues with planning related matters, which he appreciated were not a matter for this Sub-Committee, parking, capacity for open and ticketed events, lighting from discos and vendors using the car park for events.

In response to questions from the Sub-Committee, Councillor Connolly confirmed that he had received complaints from residents about noise but that these had related to New Years Eve and that since then there had been no further issues. The residents ongoing concerns were more anxiety about potential noise. The applicant clarified that the New Years Eve event had not taken place in the teepee outside but inside the building.

Decision

The Sub-Committee resolved to grant the application subject to the additional conditions agreed with the Police and Environmental Health and the following 2 conditions:-

- 1) A dedicated telephone number and email address for the Designated Premises Supervisor or Manager shall be given to any resident on request to allow for complaints to be made directly and at times when the premises is open;
- 2) A record of complaints shall be maintained to record details of any complaints received. The information to be recorded shall include:-
 - The date and time of the complaint;
 - Any subsequent remedial action undertaken;
 - Where disclosed, the complainants name and location;

The record of complaints shall be kept for 12 months following the complaint and shall be made available to the responsible authorities as and when required.

Reasons

In making its decision, the Sub-Committee had regard to the licensing objectives, the statutory guidance and the Council's own Statement of Licensing Policy as well as all representations made to the Sub-Committee (including the 1

resident representation) and the licensing report.

The Sub-Committee considered as follows:-

1. The Sub-Committee noted that many of the issues that were raised by Councillor Connolly were matters pertaining to planning or matters outside the control of the licensing regime and, having taken legal advice on this matter, these matters were disregarded by the Sub-Committee;
2. The applicant is a very responsible licence holder and they have reassured the Sub-Committee that they will work with residents on any issues brought to their attention. The Sub-Committee also noted the comments of Councillor Connolly that the new landlords are to be commended for they have reinvigorated a county pub and that it is a vibrant destination;
3. In respect of the licensing objectives, the Sub-Committee placed great weight on the fact that none of the responsible authorities had objected to the application and that they were the experts in their respective fields. The agreed conditions that both the Police and Environmental Health had imposed promoted the licensing objectives and were proportionate and reasonable;
4. The Sub-Committee considered that the main issue was the potential for noise nuisance from the external bar, particularly after 11pm, with Councillor Connolly accepting that there were no issues before this time;
5. The concerns of noise nuisance related mainly to one incident on New Years Eve and that since then there had been no further issues;
6. The Sub-Committee considers that the condition imposed by Environmental Health restricting the use of the external bar after 11 pm adequately deals with the concerns of noise and the Sub-Committee notes that Councillor Connolly also agreed that this condition dealt with many of his concerns;
7. The Sub-Committee does not consider that there would be an issue with noise from bottling up given the applicants reassurances that bottle bins would not be emptied past 8pm and therefore they determined not to attach the condition offered by the Applicant to

this affect;

8. The Sub-Committee, being conscious that this was not a review of the current licence, also considered that the issues that had been raised on lighting were of a speculative nature so were the concerns raised on public safety. The applicant had confirmed there would be no increase in capacity and significant weight was placed on the fact that there had been no representations from the Health and Safety Authority or Cheshire Fire; and
9. Overall, the Sub-Committee considers the application promotes the licensing objectives.

The Sub-Committee reminded residents that should any issues arise, there were powers to deal with premises, if a licence leads to the licensing objectives being undermined. The power for residents or responsible authorities to bring review proceedings, where steps could be taken to restrict the licence, impose further conditions, or in extreme circumstances, revoke the licence when evidence showed issues resulted from a licensable activity. Action could also be taken separately by Environmental Health in relation to statutory noise nuisance, if reported. The Sub-Committee hoped that this brought some reassurance to the residents.

Time that the determination shall take effect

Forthwith.

Meeting ended at 11.42 a.m.