

REGULATORY SUB COMMITTEE

At a meeting of the Regulatory Sub Committee on Monday, 14 July 2025 at The Board Room - Municipal Building, Widnes

Present: Councillors Wallace (Chair), Fry and K. Loftus

Apologies for Absence: None

Absence declared on Council business: None

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

Also in attendance: Ms. L. Ashton, Mr. B. Longman and Ms. L. Halliday

ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

EXB3 APPLICATION TO TRANSFER A PREMISES LICENCE AND VARY THE DESIGNATED PREMISES SUPERVISOR - BLUNDELL ARMS, HALE ROAD, WIDNES, WA8 8SX

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 14 July 2025 in the Boardroom at Municipal Building at 10am.

The hearing was held to hear two applications made by the applicant, Ms Lorraine Ashton, in respect of the Blundell Arms, Hale Road, Widnes, WA8 8SX ("the Premises"). The first application was made under section 42 of the Licensing Act 2003 for the transfer of a Premises Licence. The second application was made under section 37 for a variation of the Designated Premises Supervisor (DPS).

The hearing was triggered as a result of a representation from Cheshire Police to both applications.

In attendance were:-

1. Members of the Regulatory Sub-Committee comprising Cllr Pamela Wallace ("Chair"), Cllr Kath

- Loftus and Cllr Mike Fry (collectively referred to as "the Sub-Committee");
2. Ms Lorraine Ashton, ("the Applicant");
 3. Mr Ben Longman ("the leaseholder of the Premises");
 4. Ms Lesley Halliday ("Police Licensing Officer");
 5. Mr Craig Ward ("Licensing Enforcement Officer");
 6. Kim Hesketh ("Licensing Manager")
 7. Elizabeth Wilson-Lagan ("Legal Adviser").

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

DETAILS OF THE APPLICATION

The applications were for a transfer of the premises licence from Cheshire Retail NW Limited to the Applicant and for the variation of the DPS from [REDACTED] to the Applicant. Both these applications were made with immediate effect at the time of their submissions on 8 June 2025 and 10 June 2025, respectively.

THE HEARING

The Licensing Manager summarised the contents of her report, referring to the appendices which included the Applications (at Appendices A and B) and the Police representations (Appendix C and D). She explained that since the publication of her report, Cheshire Police had submitted witness evidence from Ms Halliday, Special Constable Tobi Booth and Mr Ward. The applicant confirmed that she had received a copy of the witness evidence. Although there was reference to body camera footage, this was not presented to the Committee or the Applicant.

Neither of the parties present had any questions for the Licensing Manager.

The Applicant then presented her case. She explained that she had been in the pub trade for over 58 years and ran pubs for around 30 years, in both England and Wales. During this time she had never had a problem with getting a licence. She stated that she was not aware of the licensing condition requiring a personal licence holder to be on the premises at all times and has never known such a condition in all her years of being in the pub trade. She explained that it was near impossible to comply with the condition.

She stated that she had retired around 16 years ago

but that she had come out of retirement as she had missed the work. She had worked at the Premises for around 3 years. She explained that Mr Longman had taken over the Premises from [REDACTED] and she was helping the pub out. It was not a very busy pub and the intention was for it to become a community pub with the focus on families and children.

The Applicant had nothing further to say at this stage and the Legal Adviser explained that this was her opportunity to put her case and that she may want to address the issues that the Police had raised. The Applicant handed over to Mr Longman.

Mr Longman explained that he was nervous having never attended a Licensing Committee. He is the leaseholder of the premises and provided a background of his involvement in the Premises. He started as an investor around 12/18 months ago when [REDACTED] was the Manager. His previous business partner, [REDACTED], was a nightmare and there was a breakdown in their business relationship. [REDACTED] is no longer involved in the Premises. He noted the history of the pub and the problems around drugs and underage drinking, but explained that this was before he was involved in the day to day running. He was only ever an investor at this time and [REDACTED] ran the business for him and [REDACTED].

Now that he is involved, he wanted to work with the Police Licensing Officer and the Licensing Enforcement Officer. He was not aware of the licence condition requiring someone with a personal licence to be present on the premises at all times or the action plan with [REDACTED]. In respect of the condition, he also stated was impossible to comply with. It meant the DPS would never have a holiday and, whilst there were 3 members of staff with a personal licence, it would not be financially viable to put anyone else in for the course. The bar itself was not very busy and that condition was a problem for the business. He went on to say that he had emailed the Police Licensing Officer and the Licensing Enforcement Officer asking for a meeting to discuss removing the condition but he had not heard from them. Whilst they told him they did not receive his email, he has it on his phone.

In relation to the applicant, he stated that she was the most experienced DPS that he knew. She is going to be working at the Premises all the time and that he was not going to be there. He is not shying away but wants to work with the Police going forward to ensure compliance.

Questions were then put to the Applicant which were initially answered by Mr Longman. He stated that he would require at least 5 members of staff with a personal licence to run the bar in compliance with the condition which made it impossible for them to operate. Ideally, he wanted that condition removed as the pub does not make that much money and it would not be viable to put that many staff through the personal licence course. He stated that with only 3 DPS's (the Sub-Committee understood this to mean personal licence holders), he may be seen behind the bar to ensure compliance, or even cleaning the toilets, as he would hate to see the bar go under.

When questioned on his level of involvement in the business, Mr Longman confirmed that he was the boss, the leaseholder and that he was hands on and he would do spot visits himself to ensure compliance with the licence going forward. He is the boss that you don't want but he can only deal with issues that he sees. Certainly, staff should not be drinking whilst on duty. He stated it was unfortunate that members of staff have drank alcohol whilst on duty in the past but there was a notice on the wall requiring staff not to drink and it was something he would deal with if he knew about it. The Landlord is Cheshire Retail.

The Applicant stated that she would pay the staff wages from the till and leave a note for Mr Longman. But, overall, he was responsible for the financial booking for the business. He was also responsible for staff training and ensuring there was a personal licence holder on the premises at all times.

The Applicant stated that she loved the business and did not want to be at the committee hearing. She confirmed that she had not received any training whilst working at the Premises but had over 50 years' experience. She stated that she was not familiar with the term "DPS" and asked whether this was new terminology.

She also disputed the Police's evidence that she had been [REDACTED]. She had left that evening because of personal issues. She drives to and from work and therefore [REDACTED] as otherwise she could not get home. Mr Longman confirmed that he had said to the Police that she had left because she was [REDACTED] and was not something he wanted to admit. But then said, she was not on duty at the time. The Applicant also disputed the comment made by Mr Ward that she had [REDACTED] during his visit on 2 July 2025. She had been sitting at the end of the bar which is where she sits

when not on duty.

When questioned on how she would ensure promotion of the crime prevention objective, she stated that she would do her best. She would not tolerate drugs and bar people. Other than that there wasn't much more she could do. She did not consider it was her responsibility to ensure compliance with the personal licence holder condition.

Ms Halliday then put forward her case. She stated that she had seen the body camera footage of Special Constable Tobi Booth from the compliance visit on 7 June 2025 and could confirm that Mr Longman had said that Ms Ashton had been on duty and had left after [REDACTED].

She considered that Mr Longman was being economic with the truth when he said that he was not aware of the conditions of the licence, particularly with regards to the requirement for a personal licence holder to be on the premises at all times. This was made known to Mr Longman during the compliance visit on 2 April 2025 which was also followed up in writing. Non-compliance with the licensing conditions had been ongoing for over 18 months which resulted in an action plan being drawn up. Ms Ashton and Mr Longman were made aware of that plan and there has been no engagement to date.

She went on to explain that whenever she has visited the Premises, Ms Aston has not been present and she considered that she was not in control of the business and is just a name on the licence.

Despite the historic problems with drugs, underage drinking and trading outside of hours, nobody was engaging with the Police and ensuring the premises was being ran well. There was no staff training, the refusal register was not being completed or signed off by the DPS as required and the personal licence condition was not being adhered to. Ms Halliday had grave concerns if the applications were granted since Ms Ashton was not in day to day control of the business, [REDACTED] and the lack of engagement in respect of the issues set out in the action plan.

She also made reference to noise complaints. The Sub-Committee were reminded that it was the crime prevention objective that was the relevant issue. Ms Halliday confirmed that she had not received an email from Mr Longman about removing the personal licence

condition.

Questions were asked, particularly in respect of Mr Ward's evidence. Given that Ms Aston had not fully addressed Mr Ward's evidence in her submissions, the Sub-Committee gave both parties an additional 5 minutes to deal with this in the interests of fairness. Ms Aston confirmed that she had told Mr Ward it was not her responsibility to ensure that a personal licence holder was on the premises at all times as this was something Mr Longman sorted out. She confirmed that "Sarah" who was taking over from her on the day in question did not have a personal licence.

Both parties summoned up accordingly.

THE DETERMINATION

The Sub-Committee resolved to **REFUSE**:-

1. The application to transfer the premises licence to the Applicant;
2. The application to vary the Designated Premises Supervisor to the Applicant.

REASONS FOR THE DETERMINATION

In making its decision, the Sub-Committee took into consideration the written representations, the witness evidence and the oral statements made at the hearing together with the Council's Statement of Licensing Policy and the Section 182 Guidance.

In particular, the Sub-Committee found that:-

1. The Applicant was not the person carrying on the business or the person with the day to day responsibility for the premises. This was evidenced by the fact that:-
 - a. Mr Longman was the boss as per his numerous statements to this effect;
 - b. Mr Longman was the leaseholder of the premises;
 - c. Mr Longman was responsible for staff training;
 - d. Whilst the Applicant paid staff wages from the till, she would leave a note confirming this to Mr Longman;
 - e. It was Mr Longman that was responsible for the financial book keeping for the business.
 - f. The Applicant confirmed that Mr Longman was responsible for ensuring there was someone with

a personal licence on the premises at all times – therefore he was the one with the responsibility for complying with the licence condition.

- g. It was Mr Longman who mainly addressed the committee at the hearing and explained how the premises was run as opposed to the Applicant.

As such, the Sub-Committee did not consider the Applicant to be the appropriate person applying to be the Premises Licence Holder (“PLH”) or Designated Premises Supervisor (“DPS”).

1. In addition, the Sub-Committee, in looking to the Police as the main source of advice on crime and disorder as set out in the Section 182 Guidance, placed significant weight on the evidence of Ms Halliday and Special Constable Tobi Booth. They accepted that the premises had a history of offences under the Licensing Act 2003 and non-compliance with the licence conditions. Whilst appreciating this was before the Applicant’s time as PLH and DPS, the Sub-Committee were not confident that she would be able to ensure compliance with the licence and promote the crime objective going forward given the Applicant’s limited responsibility in the business.
2. This was further supported by the fact that:-
 - a. The Applicant had been the PLH and DPS since 8 and 10 June respectively but, despite the historic problems and the action plan that had been agreed by the former DPS, she had not familiarised herself with the licensing conditions. In fact, she stated that she was unaware of personal licence holder condition and the Police Licensing Officer confirmed there had been no engagement with her or Mr Ward on the issues identified in the action plan;
 - b. During the compliance visit on 2 April 2025, Ms Ashton had stated to Mr Ward that ensuring there was a personal licence holder on site at all times was nothing to do with her despite her being the DPS and this being a condition of the licence. At the hearing, the Applicant accepted that she had said this.
 - c. Although the Applicant stated that the condition was unrealistic and wanted to have it removed from the licence, the condition remained live and therefore its non-compliance was an offence under section 136 of the Licensing Act 2003. The

fact that the Applicant, as DPS, did not seek to comply with that condition was concerning.

- d. Despite the Applicant having over 50 years' experience in the pub trade, including around 30 years managing pubs, she did not come across as being knowledgeable about the Licensing Act or her duties and responsibilities as a DPS and had not received any recent training or any training during her 3 years working at the Premises.
3. The Sub-Committee noted the Police's concerns as to the suitability of the Applicant in light to the allegations that she had been [REDACTED] whilst on duty. Although this was hearsay and less weight was therefore attached to it, the Sub-Committee did consider there was some truth in the allegation given that Mr Longman had confirmed at the hearing that he had told officers on 7 June 2025 that Ms Aston had gone home [REDACTED]. This is further supported by the fact that [REDACTED] whilst on duty appeared to have been tolerated historically at the Premises and as Mr Ward had also noted the [REDACTED] [REDACTED] on the Applicant at the time of his visit on 2 April 2025. The Sub-Committee therefore has concerns over the Applicant's ability to run the Premises in a safe and responsible manner.
 4. The comments of Mr Longman, about moving forward and ensuring compliance have been noted and are welcomed. However, Mr Longman is not the PLH or the DPS and on the evidence before it, the Sub-Committee considers that granting the applications made by the Applicant would undermine the crime prevention objective.

Meeting ended at 12.51 p.m.