

## REGULATORY SUB COMMITTEE

*At a meeting of the Regulatory Sub Committee on Monday, 15 December 2025 at Civic Suite, Town Hall, Runcorn*

Present: Councillors Wallace (Chair), Begg and Fry

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, E. Philpott and C. Harrison

Also in attendance: None

### ITEM DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

REGS1 APPLICATION TO REVIEW A PREMISES LICENCE -  
RUNCORN KEBAB HOUSE, 70 HIGH STREET,  
RUNCORN, WA7 1JH

*Action*

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 15 December 2025 in the Civic Suite at Runcorn Town Hall.

This hearing was held to review the premises licence for the premises known as "Runcorn Kebab House", located at 70 High Street in Runcorn, ("the Premises") in light of an application made under section 51 of the Licensing Act 2003 on behalf of the Secretary of State ("the Applicant").

In attendance were:-

1. Members of the Regulatory Sub-Committee comprising Cllr Pamela Wallace ("Chair"), Cllr Victoria Begg and Cllr Mike Fry (collectively referred to as "the Sub-Committee");
2. Jack O'Brien ("Immigration Enforcement");
3. Hollie Durkin ("Cheshire Police");
4. Kim Hesketh ("Licensing Manager"); and

## 5. Emily Philpott (“Legal Adviser”)

Not all parties arrived on time and the Sub-Committee resolved to wait 10 minutes before commencing the hearing. During this time, the above representative from Immigration Enforcement arrived with apologies. However, the Premises Licence Holder, Mr Mustafa Hassan Ahmed Omar Abdalla, did not attend.

The hearing began at 1:40pm. After the Chair had introduced the parties, the Legal Adviser outlined the procedure to be followed. She confirmed that as the Premises Licence Holder was not in attendance, the Sub-Committee first needed to determine whether to hear the matter in his absence or adjourn. She explained that the Licensing Manager had posted notice of the hearing to his last known address by Royal Mail tracked delivery on 18 November 2025 and had hand delivered a further copy on 5 December 2025. However, no response had been received from Mr Abdalla. In fact, no correspondence had been received from Mr Abdalla since around 2022. The Licensing Manager went on to explain that whilst there had been a recent application to transfer the premises licence to Runcorn Fresh Bites with immediate effect as detailed further in her report, they had since withdrawn that application. As such, they were no longer part of the review proceedings and were not attending today.

The Sub-Committee found that the Premises Licence Holder had been served with adequate notice of the hearing and, in accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005, determined to hold the hearing in the Premises Licence Holders absence.

### **THE HEARING**

The Licensing Manager confirmed to the Sub-Committee that this was an application by Immigration Enforcement to review the premises licence following immigration offences at the Premises. She confirmed that the annual fee had not been paid since 2022 and the licence had therefore been suspended. The Licensing Manager summarised the contents of her report, referring to the appendices which included the premises licence (Appendix A), the Application and supporting documentation (Appendix B and C) and the representation and supporting documentation submitted on behalf of Cheshire Police (Appendix D) and relevant sections of the Revised Guidance issued under section 182 of the Licensing Act 2003 (Appendix E) (“the Statutory Guidance”).

Jack O'Brien presented the Applicant's case. He confirmed that the North West Immigration Compliance and Enforcement ("ICE") team visited the Premises on 1 February 2025 after intelligence had been received that illegal workers were being employed at the Premises. Officers from the ICE team found one employee who was identified as an immigration offender as checks confirmed that he had an outstanding asylum claim and was working illegally. A civil penalty was issued to Four Seasons, who were operating at the Premises at the time, for £45,000 in relation to this offence and remains unpaid. He confirmed that during an interview, the employee explained that he was helping a friend and that this was the first time he had worked at the premises and was compensated in food and cigarettes. However, the employee had keys to open and close the Premises, was preparing the food and taking money from customers. He therefore requested that the Sub-Committee revoke the premises licence as the Premises Licence Holder had failed to meet the licensing objectives of prevention of crime and disorder due to illegal working at the premises.

In response to questions from the Sub-Committee regarding the connection between the Premises Licence Holder and Four Seasons, the Licensing Manager confirmed that the Council had no knowledge of Four Seasons operating at the Premises until the review application had been received. She confirmed that the Premises Licence Holder under the premises licence was Mr Abdalla and no transfer application had been received. There had been no correspondence from Mr Abdalla since 2022 and, as already stated, the annual fee had remained unpaid since then.

Hollie Durkin made representations on behalf of Cheshire Police. She confirmed that although the application to transfer the licence had been withdrawn, she noted that the director for Runcorn Fresh Bites, the applicant for the transfer application, and the Premises Licence Holder had been linked to incidents that could not be disclosed. She believed that the transfer application was a diversion from the Immigration Enforcement application to review the premises licence and to undermine the licensing objectives. She confirmed that the premises had been open for trade past its allowed operating hours of 23:00pm. This was confirmed when local Police Officers carried out checks and were offered food past 23:00pm with the premises continuing to trade despite having a suspended licence for nonpayment of annual fees. She confirmed that Cheshire Constabulary supports the Applicants request for revocation

of the premises licence, citing a pattern of disregard for the law and the licensing objectives.

### **THE DETERMINATION**

In reaching its decision, the Sub-Committee considered:

- The Report prepared and presented by Licensing
- The review application and supporting documentation
- The written representations and supporting documentation, including:
  - The written submissions on behalf of the Secretary of State; and
  - The written submission of Cheshire Constabulary
- The oral submissions of:
  - Jack O'Brien for Immigration Enforcement; and
  - Hollie Durkin for Cheshire Police

The Sub-Committee also considered:

- The Licensing Act 2003 and Regulations made thereunder;
- Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003; and
- The Council's Statement of Licensing Policy

The Sub-Committee in reaching its decision has had due regard for its public sector equality duty under section 149 of the Equality Act 2010 and considers that in reaching its decision that it has fulfilled its duty under the Act.

At the outset of the hearing, legal advice was given on the scope of the hearing and the power and discretion of the Sub-Committee (Annex I). The parties made no representations as to that advice and decided to hold the hearing and proceed with in absence.

The Sub-Committee was not satisfied that the Licensing Objectives would be promoted if the Premises Licence continued in light of the evidence presented by representatives from the Immigration Enforcement and Cheshire Police and determined that the appropriate and proportionate step in the circumstances was to **revoke** the licence.

### **REASONS FOR THE DETERMINATION**

In reaching its decision the Sub-Committee found that

there had been failures to promote the crime prevention objective. There was clear evidence of illegal working at the Premises. The Sub-Committee placed importance on the Statutory Guidance, confirming that employing a person who was disqualified from work by reason of their immigration status was a criminal activity that the panel should treat particularly seriously. The crime prevention objective was positively undermined.

The Sub-Committee also placed weight on Cheshire Police's representations that the premises had also undermined the prevention of crime objective by operating past 23:00pm whilst the licence was suspended for non-payment of the annual fee. The Sub-Committee agreed with Cheshire Constabulary's assertion there had been a pattern of disregard for the law and the licensing objectives in light of this and the illegal working.

The Sub-Committee were not confident that the Premises Licence Holder was still actively involved in the premises given that the Council had not directly heard from him since 2022; the annual fee, which was the Premises Licence Holder responsibility, remained unpaid and as the business was operating at the Premises at the time of the immigration offence was Four Seasons, of which he was not a named director. This was further supported by his failure to respond to the review proceedings and his non-attendance at the hearing today. As such, the Sub-Committee were not satisfied that the Premises Licence Holder could ensure the promotion of the licensing objectives, in particular the prevention of crime and disorder going forward.

*Meeting ended at 2.16 p.m.*