



## Regulatory Sub Committee

**Monday, 15 December 2025 1.30 p.m.  
Civic Suite, Town Hall, Runcorn**

A handwritten signature in black ink, appearing to read 'Kim Butler', is centered on the page.

**Interim Chief Executive**

### **COMMITTEE MEMBERSHIP**

Councillor Pamela Wallace (Chair)

Councillor Victoria Begg

Councillor Mike Fry

*Please contact Kim Butler on 0151 511 7496 or email  
[kim.butler@halton.gov.uk](mailto:kim.butler@halton.gov.uk) for further information.*

*The next meeting of the Committee is to be confirmed.*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>		<b>Page No.</b>
<b>1. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)</b>		
	Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting during any discussion and voting on the item.	
<b>2. APPLICATION TO REVIEW A PREMISES LICENCE - RUNCORN KEBAB HOUSE, 70 HIGH STREET, RUNCORN, WA7 1JH</b>		<b>1 - 58</b>

<b>REPORT:</b>	Regulatory Sub-Committee
<b>DATE:</b>	15 December 2025
<b>REPORTING OFFICER:</b>	Director – Legal and Democratic Services
<b>PORTFOLIO:</b>	Resources
<b>SUBJECT:</b>	Application to Review a Premises Licence – Runcorn Kebab House, 70 High Street, Runcorn, WA7 1JH
<b>WARDS:</b>	Mersey and Weston

## 1. PURPOSE OF REPORT

To assist the Members in their consideration of an application brought by Home Office Immigration Enforcement to Review the premises licence for Runcorn Kebab House, 70 High Street, Runcorn, WA7 1JH (“the Premises”).

## 2. RECOMMENDATION that

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

## 3. BACKGROUND INFORMATION

- 3.1 The Premises is a fast food takeaway and has held a premises licence for the provision of late night refreshment from Monday to Sunday (11pm – 3am) since 29 September 2017. A copy of the premises licence is at **Appendix A**.
- 3.2 Since 21 November 2022, the premises licence has been suspended for non-payment of the annual fee in accordance with section 55A of the Licensing Act 2003 (“the Act”). That fee in the sum of £280 remains outstanding. As such, the premises cannot operate past 11pm.
- 3.3 On 20 October 2025, an application was received from Home Office Immigration Enforcement to review the premises licence pursuant to Section 51 of the Licensing Act 2003 on the grounds that the premises has undermined the licensing objective of the prevention of crime and disorder. A copy of the application and supporting documentation is at **Appendix B** and **Appendix C** of this report.
- 3.4 At the time that the review application was received by the Licensing Authority, the Premises Licence Holder was

Mustafa Hassan Ahmed Omar Abdalla (“the Premises Licence Holder”).

- 3.5 On 13 November 2025, an application was received from Runcorn Fresh Bites (Company No: 16549218) to transfer the premises licence to them (“the transfer application”). That application was accompanied by a consent to the transfer signed by Mr Abdalla and included a request that the transfer has immediate effect.
- 3.6 Therefore, in accordance with section 43(1) of the Act, the premises licence has effect during the transfer application period as if the applicant were the holder of the licence. This means, at the time of the review hearing, there is a Premises Licence Holder and an applicant (Runcorn Fresh Bites Limited) that is to be treated as *if* they were the holder of the licence. Both have therefore been served with notice of the review hearing and invited to attend.
- 3.7 An objection to the transfer application has been received from Cheshire Police. Pending the outcome on this review, that application will need to be determined at a hearing, the date for which has not been fixed at the time of drafting this report.
- 3.8 Runcorn Fresh Bites Limited have been made aware of the suspension of the licence for non-payment of the licence fee but have disputed liability for this since “they have only been at the premises for two months”. Officers have had sight of a lease agreement for the Premises which was produced by Mr Ali Mohamed Ben-Issa, who is the sole director of Runcorn Fresh Bites Limited. Officer’s noted that the lease was between the landlord of the Premises and Mr Ben-Issa and one other and stated that the lease term will commence from 1 August 2025.
- 3.9 Formally, the debt is owed by the holder who held the licence at the time it was suspended. However, as emphasized at paragraph 15.7 of the section 182 Statutory Guidance, “in the case of a licence...where more than one payment year has been missed, payment of the outstanding fee in relation to each year will be required to reinstate the licence. As such, the licence remains suspended until the debt has been discharged (either by the Premises Licence Holder or Runcorn Fresh Bites Limited or both).

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

- 4.1 The application seeks to review the premises licence on the grounds that illegal working has been identified at the premises.



- 4.2 As set out in their supporting evidence, Home Office Immigration Enforcement (“the Applicant”) have explained that a visit to the Premises was made by the North West Ice team on 1 February 2025, after intelligence was received that the business owner was employing illegal workers. During that visit, one employee was identified as an immigration offender.
- 4.3 The Applicant states that the company registered at the Premises at the time of the offence was Four Seasons Runcorn Limited (Company Registration Number 15656416) and the sole director was a Mr Rami Hassan Shawqi. As such, a civil penalty was issued against Four Seasons Runcorn Limited in relation to the immigration offence. There was no appeal of the penalty, which remains outstanding in full.

## **5 REQUIREMENT FOR A HEARING**

- 5.1 The review application was received on the 20<sup>th</sup> October 2025 and was sent to all the Responsible Authorities that day with the closing date for comments or representations on the 17<sup>th</sup> November 2025.
- 5.2 The required notices advertising the review were displayed on the Premises, the Council’s Website and at the Council’s Offices on the 21<sup>st</sup> October 2025.
- 5.3 As detailed below, representations have been received from Cheshire Police.
- 5.4 The Applicant has not withdrawn their review following receipt of the application to transfer the licence to Runcorn Fresh Bites Limited.
- 5.5 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.
- 5.6 The hearing is held to consider the application to review the premises licence and the relevant representations received.
- 5.7 At the time of writing this report, no indication has been received 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.

### **Cheshire Police**

Cheshire Constabulary supports the Home Office Immigration Review application which seeks revocation of the premises licence, there representations are attached.

Attached at **Appendix D** is a copy of the representation and supporting documentation submitted on behalf of Cheshire Police.

## **7. EVIDENCE**

- 7.1 In accordance with the normal procedure, it is noted that the relevant representations do not amount to evidence. The objectors have been requested to supply any further evidence they intend to rely on no later than 5 working days prior to the hearing. When received this will be forwarded to the applicant and members of the committee.
- 7.2 The Premises Licence Holder and Runcorn Fresh Bites Limited have also been requested to provide any evidence they intend to rely on no later than 5 working days prior to the hearing,

## **8. LEGAL AND POLICY FRAMEWORK**

- 8.1. The Sub-Committee must determine the application with a view to promoting the licensing objectives which are:
- The prevention of crime and disorder;
  - The prevention of public nuisance;
  - Public Safety; and
  - The protection of children from harm.
- 8.2. In making its decision, the Sub-Committee must also have regard to the national guidance issued under section 182 of the Licensing Act 2003 ("the Guidance") and the Council's Statement of Licensing Policy ("Policy").
- 8.3. Relevant sections from the Guidance can be found at **Appendix E.**
- 8.4 The Sub-Committee must also take in account any implications that may arise from the Human Rights Act 1998 and have due regard for its public sector equality duty under section 149 of the Equality Act 2010.

- 8.5 The publicly available version of this report and the appendices have been prepared and published in a way that protects personal data of individuals, with representations and evidence having been redacted accordingly. However, all evidence and unredacted versions of the representations have been provided to the Committee and the parties as required under the Licensing Act 2003 (Hearings) Regulations 2005.

## **9. OPTIONS**

- 9.1 The Sub-Committee has the following options under Section 52 of the Act;

- (1) To modify the conditions of the premises licence,
- (2) To exclude licensable activity from the scope of the licence,
- (3) To remove the designated premises supervisor,
- (4) To suspend the licence for a period not exceeding 3 months,
- (5) To revoke the licence.

## **10. POLICY IMPLICATIONS**

- 10.1 None

## **11. FINANCIAL CONSIDERATIONS**

- 11.1 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.

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

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

None

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

None

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

None

**12.4 Tackling Inequality and Helping Those Who Are Most In Need**

None

**12.5 Working Towards a Greener Future**

None

**12.6 Valuing and Appreciating Halton and Our Community**

None

**13. RISK ANALYSIS**

- 13.1. 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.

**14. EQUALITY AND DIVERSITY ISSUES**

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

**15. CLIMATE CHANGE IMPLICATIONS**

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

**16. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	Kim Hesketh



Licensing Act 2003

# Premises Licence

LPNA1004

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Runcorn Kebab House

70 High Street, Runcorn, Cheshire, WA7 1JH.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Outdoors)	Monday to Sunday	11:00pm	3:00am

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Noon	3:00am

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

## Part 2

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mustafa Hassan Ahmed Omar Abdalla

Runcorn Kebab House, 70 High Street, Runcorn, Cheshire, WA7 1JH.

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### ANNEXES

#### Definitions:

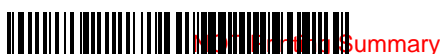
"Act" means the Licensing Act 2003

"Application" means the Application for this Licence submitted by or on behalf of the Holder

"Holder" means the Licence Holder named on this Licence

"Licensing Authority" means Halton Borough Council

"Operating Schedule" means the Operating Schedule accompanying the Application



Licensing Act 2003

# Premises Licence

LPNA1004

ANNEXES continued ...

**THIS LICENCE CONSTITUTES A NEW LICENCE AS DEFINED IN SCHEDULE 8 TO THE ACT AS VARIED FOLLOWING AN APPLICATION UNDER PARAGRAPH 7 TO SCHEDULE 8 TO THE ACT**

The Holder shall comply with the following conditions:

## **A Alteration of details relating to this Licence**

No details set out on this Licence shall be altered without the consent of the Licensing Authority

## **B Compliance with the Operating Schedule**

The Holder shall comply with the Operating Schedule and the details set out in the Application except as varied or inconsistent with anything set out in this Licence

## **C Conditions agreed by the Holder during the Licence application dated 21 April 2015 process**

### **Cheshire Police**

#### **Condition:**

A CCTV system shall be used and shall be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises - An Operational Requirement'. This system shall be in operation at all times when licensable activities are taking place. (supplied)

Further, to prove such a system is fit for purpose, complies with other legislation and can be operated satisfactorily,

#### **Condition:**

Designated supervisors will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before completion and hand over of the system. The commissioning test will need to demonstrate the following:-

- 1 ) recordings are fit for their intended purpose,
- 2 ) good quality images are presented to the officer in a format that can be replayed on a standard computer,
- 3 ) the supervisor has an understanding of the equipment/training,
- 4 ) management records are kept,
- 5 ) maintenance agreements and records are maintained,
- 6 ) Data Protection principles and signage are in place.

## **D Conditions consistent with the Operating Schedule**

### **General**

- CCTV installed at the premises to cover the internal customer area and the front external area of the premises. The equipment will be maintained to the standard of Cheshire Police Policy.

Licensing Act 2003

LPNA1004

# Premises Licence

## ANNEXES continued ...

- All images to be retained for a minimum of 28 days and to be made available on request to authorised officers.

### The prevention of Crime and Disorder

N/A

### Public Safety

No risk has been assessed under the Licensing Act 2003

### The prevention of public nuisance

- Notices will be clearly displayed asking customers to leave the area quickly and quietly.
- The Management and staff will use their best endeavours to disperse persons from loitering outside the premises.

### The protection of children from harm

No risk has been assessed under the Licensing Act 2003

### D - Display of Licence

D1 The Summary Licence or a certified copy of that summary must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D2 A notice specifying the position held at the premises by any person nominated for the purposes S 57 (2) of the LA 2003 (which relates to the keeping at the premises of the premises licence or a certified copy of it) must be prominently displayed at the premises whenever the premises are being used for one or more licensable activities authorised by the licence.

D3 Whenever the premises are being used for one or more licensable activities authorised by the licence a constable or an authorised officer may require any person referred to in D2 as the person nominated for the purposes of S 57 (2) L A 2003 to produce the premises licence or a certified copy of it.

### E Mandatory Conditions

N/a

### F Miscellaneous conditions

N/A

### G Pre-existing conditions

N/A

### H Plans

The Plan submitted with the Application (Reference 24 August 2017) form part of this Licence

### Non Standard and Seasonal Timings



Licensing Act 2003

# Premises Licence

**LPNA1004**

ANNEXES continued ...

None







Licensing Act 2003

# Premises Licence Summary

LPNA1004

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Runcorn Kebab House

70 High Street, Runcorn, Cheshire, WA7 1JH.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Outdoors)	Monday to Sunday	11:00pm	3:00am

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Noon	3:00am

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mustafa Hassan Ahmed Omar Abdalla

Runcorn Kebab House, 70 High Street, Runcorn, Cheshire, WA7 1JH.

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable



Licensing Authority: **Halton Borough Council**  
 Address: [Legalservices@halton.gov.uk](mailto:Legalservices@halton.gov.uk)  
 Reference: LPNA1004

**Application for the review of a premises licence or club premises certificate under the  
Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

**I Home Office Immigration Enforcement**

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
Runcorn Kebab House 70 High Street Runcorn	
Post town Cheshire	Post code (if known) WA7 1JH

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mustafa Hassan Ahmed Omar Abdalla

<b>Number of premises licence or club premises certificate (if known)</b>
LPNA1004

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates  
(please complete (A) below)

☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

☐

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Home Office <b>Immigration Enforcement Licensing Compliance Team (IELCT)</b> 6 <sup>th</sup> Floor, 2 Ruskin Square Dingwall Road Croydon CR0 2WF
Telephone number (if any)
E-mail address (optional) IE.Alcoholreviews@homeoffice.gov.uk

**This application to review relates to the following licensing objective(s)**

- |   |                                     |                                 |
|---|-------------------------------------|---------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> | Please tick one or more boxes ✓ |
| 2) public safety                        | <input type="checkbox"/>            |                                 |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |                                 |
| 4) the protection of children from harm | <input type="checkbox"/>            |                                 |

**Please state the ground(s) for review** (please read guidance note 2)

Grounds for review:

We have grounds to believe the license holder has failed to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

**Please provide as much information as possible to support the application (please read guidance note 3)**

Please refer to accompanied review pack for detailed information

**Please tick ✓ yes**

Have you made an application for review relating to the premises before?

☐

If yes, please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises, please state what they were and when you made them**


**Please tick ✓ yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant, please state in what capacity.**

Signature   
.....

Date **20 October 2025**  
.....

Capacity **Responsible Authority**.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Immigration Enforcement Licensing Compliance Team 6<sup>th</sup> Floor, 2 Ruskin Square Dingwall Road</b>	
<b>Post town</b> <b>Croydon</b>	<b>Post Code</b> <b>CR0 2WF</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> IE.Alcoholreviews@homeoffice.gov.uk	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Home Office

## Premises Licence Review

Runcorn Kebab House  
70 High Street  
Runcorn  
Cheshire  
WA7 1JH

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## Case Summary

On 01 February 2025, the North West ICE team visited Runcorn Kebab House, 70 High Street, Runcorn, Cheshire, WA7 1JH, after intelligence was received that the business owner was employing illegal workers.

Entry to the premises was gained at approximately 21:02 hrs under Section 179 of the Licensing Act 2003.

The officers encountered one employee of which was identified as an immigration offender.

## Licensed Premises History

The premises licence has been held by Mustafa Hassan Ahmed Omar Abdalla, since 29 September 2017. The premises licence number is LPNA1004.

Licensable activities authorised by the licence are provision of late-night refreshment.

The times the licence authorises the late-night refreshment (Outdoors) is: 11:00pm to 3:00am Monday to Sunday.

The company is registered on Companies House as Four Seasons Runcorn Limited and the registration number is 15656416. Companies House show that it was incorporated on 17 April 2024 and is currently active proposal to strike off. Rami Hassan SHAWQI is registered as the company director and secretary and was appointed on 17 April 2024.

## Civil Penalty

A civil penalty of £45,000 was issued to Four Seasons Runcorn Limited on 10 March 2025 in relation to the illegal working. No objections were received, and appeal rights were exhausted on 08 April 2025. The penalty remains outstanding in full and has been referred to a third-party debt collection agency.

## Enforcement Visit: 01 February 2025

Entry was gained to the premises at 21:02. Upon entering, immigration officers encountered the following individual,

██████████

██████████ was encountered by officers behind the counter and was the only person in the shop, upon officers' arrival.

An illegal working interview was conducted with the assistance of an interpreter. ██████████ stated he started work at 3pm and was unsure what time he will finish. ██████████ claimed he was only working that day as his friend had gone to London and Rami SHAWQI (company director) asked him to cover. He stated SHAWQI had helped him in the past, so he is helping him in return. ██████████ stated he hadn't worked at the premises before as he is not allowed to work. ██████████ confirmed that SHAWQI would provide him with food and cigarettes in return for his work. He also stated SHAWQI was aware that he did not hold the right to work. When officers asked if SHAWQI had conducted any right to work checks before asking him to work at the premises he replied 'No he didn't he was in a hurry'.



██████████ encountered at the premises wearing an apron.

Home Office checks showed ██████████ entered the UK clandestinely in January 2015. ██████████ claim for protection was refused in May 2015. He submitted multiple further submissions and appeals since, all of which have been dismissed or rejected. At the time of the enforcement visit ██████████ had an ongoing further submission in relation to his protection claim. His bail conditions did not permit him the right to work in the UK

## Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

There was one illegal worker encountered at the premises, and he has an outstanding claim for protection. Claimants are issued with an ARC card. The licence holder could've done a simple check of this card which would've clearly and easily shown that the individual did not hold the right to work.



Example of ARC card

■ was the only person working at the premises and was in charge of the shop whilst SHAWQI was away. His claim that he was asked to cover at short notice lacks credibility as he would have done so without any training, knowledge or experience of running the kitchen and front of house. It is considered that SHAWQI was aware that ■ is unable to work in the UK but still employed him and left him in the premises to run the business alone.

Whether by negligence or wilful blindness illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. All employers are dutybound by law to conduct these checks, and guidance can be found on the GOV.UK website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page. It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents. It is also an offence to employ illegal workers where there is reason to believe this is the case.

Under Section 15 of the Immigration, Asylum and Nationality (IAN) Act 2006, employers can face a civil penalty if they employ someone who does not have the legal right to work in the UK. The civil penalty process is administered by an independent separate team.

CPCT issued a £45,000 civil penalty to Four Seasons Runcorn Limited on 10 March 2025 for employing one individual with no right to work. No objection or appeal has been received as yet. The penalty remains outstanding in full. The noncompliance with the civil penalty was taken into account when considering action against the licence.

Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded to review the premises licence.

## Outcome Sought

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm.

The licence holder would have been aware of his responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application. However, this has not been done as the Licensing Act 2003 prohibits the employment of illegal workers as immigration compliance is a condition of the licence.

Immigration Enforcement asks that the premises licence is **revoked**.

Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from employing illegal workers and facilitating disqualified immigrants to work illegally.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should **revoke** the licence.

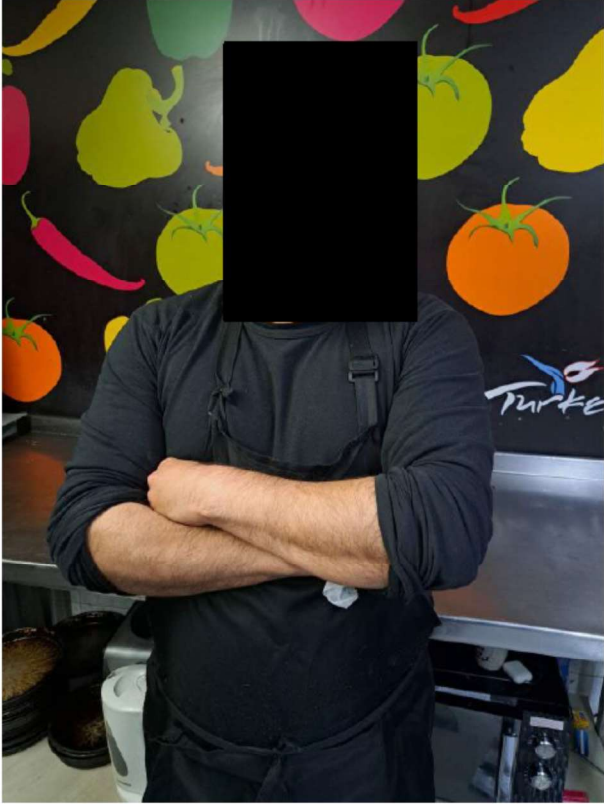
## Appendix – Supporting Evidence

Encounter - [REDACTED])  
Illegal Working - Employee [REDACTED])


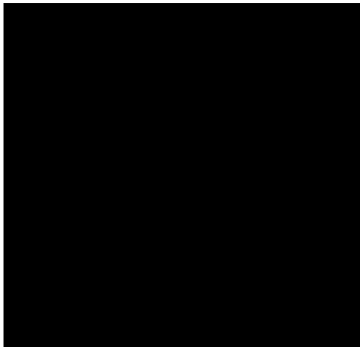
<b>Encounter</b>	
<b>Details</b>	
Type of work	Visit
Visit reference	
Created by	
Prontold	- - Egypt
Time	21:11
Created at geolocation	<b>Easting</b> 351100 <b>Northing</b> 382942
Creation date	01-02-2025 21:11:29
<b>Chosen Identity</b>	
Identity source/type	Declared
Name	
DOB	
Gender	Male
Nationality	Egypt
Country of birth	
Place of birth	
<b>Languages</b>	
Languages spoken	Egyptian Arabic
Interpreter used?	Yes
Interpreter details	
Does the individual understand the interpreter?	Yes
<b>Encounter</b>	
Encountering officer	- Officer
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	Intelligence suggests illegal workers are present at this business. Therefore individual checked to establish identity and immigration status.
Where was the person located?	Behind the counter



Declared immigration status	
How and when did the subject last enter the UK?	
CIDPID/CEPR	██████████
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	██████████
Biographic search results	<div>Systems checked ██████████</div> <div>Result of checks Outstanding asylum. Further subs</div> <div>Does the person have an open absconder status on Atlas Person Alerts? No</div> <div>Status returned by system checks</div>
Photo of Subject	
Do you want to take a photograph of the subject?	Yes
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971

<b>Photo of subject</b>	 <p data-bbox="1015 1008 1079 1033">Egypt</p>
<b>Identity Documentation</b>	
No documentation provided.	
<b>Notes</b>	
No notes entered.	
<b>Management Checks Complete</b>	
<b>Date management checks complete</b>	05-03-2025 14:39:49
<b>Reviewer(s)</b>	[REDACTED];

Illegal Working - Employee	
<b>Details</b>	
Type of work	Visit
Visit reference	
Created by	
Prontold	- Egypt
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	Egypt
Time	21:16
Created at geolocation	<div>Eastings351100</div> <div>Northing382943</div>
Creation date	01-02-2025 21:16:24
<b>Language of Interview</b>	
What language is the interview carried out in?	Egyptian Arabic
Interpreter used?	Yes
Details of interpreter	See encounter
Does the individual understand the interpreter?	Yes
<b>Obligation</b>	
How long have you been working at this business?	I only work today because my friend has gone to London
What is your job role/ what are your duties?	I work doing pizza but I'm not very good
Are you taking money from customers?	Yes just for today
Have you worked here before today?	No because I have no papers to work
How do you know how to do the job?	I used to help some people
Who is the owner of the shop?	Ramy
What time did you arrive at this business today?	15.00
What time will you be leaving today?	Not sure

Does the shop have a closing time?	I don't know I don't work here.
<b>Control</b>	
Who gave you this job?	Ramy
Who tells you what days/ hours to work?	Ramy asked me to cover today
So you expect to be paid for today?	He has helped me in the past, so I will help him.
<b>Remuneration</b>	
How are you paid (money, accommodation, food)?	Food and anything like cigarettes
<b>Pre-employment Checks</b>	
Does Ramy know you have no right to work in the UK?	Yes he knows that's why I'm not working.
When is Ramy expected back to run his business?	I expect him back tomorrow
Are you responsible for locking the shop tonight?	Yes I have the key
Did Ramy do any right to work checks on you before asking you to cover the shop?	No he didn't he was in a hurry
<b>Additional Questions</b>	
No details provided.	
<b>Photographs</b>	
No photographs.	
<b>Declaration</b>	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature  )	  01-02-2025 21:38:54

<b>Observations</b>	
Observations	Male is the only subject in the shop on our arrival.
Do you suspect this person of illegal working?	Yes
<b>Management Checks Complete</b>	
Date management checks complete	05-03-2025 14:39:52
Reviewer(s)	



## Cheshire Police Licensing Department

### **Runcorn Kebab House (formerly Four Seasons)**

70 High Street  
Runcorn  
WA7 1JH

**Supporting information for Home Office Request to Review the Premises Licence**

**Contents**

**History of the premises licence and the persons named on it.**

**Appendix – Supporting evidence**

### Premises Licence History

A premises licence was first granted at this premises in October 2005 to [REDACTED] who was the premises licence holder until September 2008, and the licence transferred to [REDACTED].

[REDACTED] held the licence August 2013 until an application was made to transfer the premises licence to [REDACTED] who held the licence until March 2014 when it was surrendered.

In August 2017 a new application was made for a premises licence, the applicant was [REDACTED] this licence was granted on 26/09/2017.

During the premises history it has traded under a number of names including:

Pizza Hot, Pizzeria Di Napoli, Runcorn Kebab House, Four Seasons and more recently Runcorn Fresh Bites.

The premises licence has been suspended for non-payment of the annual fees since 21/11/2022 and these fees are still outstanding. Incident 2200935118 reported on 20/12/2022 at 02:03 shows that the premises has continued to trade whilst the licence has been suspended.

13/11/2025 An application was made to transfer the premises licence to [REDACTED], the company is registered to the premises address 70 High Street, Runcorn, WA7 1JH.

The company was incorporated 30/06/2025 and has 1 director and person with significant control a [REDACTED]

Whilst reviewing the transfer application Cheshire police have identified that [REDACTED] has been involved with the premises since December 2014 where he is named on incident CC14376280 and he was involved in an incident in 2017 that occurred at the premises where he made [REDACTED]

Details of all the incidents linked to [REDACTED] are listed in the incidents which form part of the Appendix.

[REDACTED], the police have looked through [REDACTED] offending history and believe him to be unsuitable to hold the premises licence and as such an objection to the transfer has been recorded as it is the Constabulary view that granting the transfer would undermine the licensing objective of Prevention of Crime and Disorder.

Police systems also document that [REDACTED] is a friend of [REDACTED], who [REDACTED] is applying to transfer the premises licence from, given the long history [REDACTED] has with the premises the application to transfer the premises licence could be seen as a diversion from the matter to be dealt with by the Home Office's application to review the premises licence, which also undermines the licensing objective of Prevention of Crime and Disorder.

The Constabulary submit this document and evidence to support the Home Office Immigration request for a review of the premises licence as based on information held it is agreed that the premises is undermining the licensing objectives.

The Constabulary supports the request for a revocation of the premises licence. The persons involved with the running of the premises have a complete disregard for the law and have continued to trade whilst the licence has been suspended for non-payment of the annual fees, so therefore a suspension is unlikely to have any impact to those involved, given the managements disregard for the law it is felt that the addition of any new conditions added to the licence would not make any difference, leaving the only option available to be complete revocation of the premises licence.



**Appendix – Supporting Materials**

# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 25000074447 Pre Planned Events - Any Type - Including Police Operations @28/01/2025 13:05  
**Officer In Case** :  
**Date/Time** : between 28/01/2025 13:05 and  
**Reported Time** : 28/01/2025 13:05  
**Place of Offence** :  
**Classification** :  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: EN FIS (AE)- From NQ03 - Can be closed. Original Incident Report: #FOUR SEASONS#  
IMMIGRATION VISIT SATURDAY 01/02/2025 BETWEEN 1300-2300

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T250473826		Closed	Occurrence Management Workflow Start [OMU:01]	29/01/2025 18:33	High	CADINTERFACE	CHP OCCURRENCE MANAGEMENT OTHER

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Complainant; Person reporting						

## Reports

Type	Remarks	Author	Report Time	Status
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Official

# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 24000087777 CHP - Violence / Harassment / Threat To Life @18/01/2024 18:23  
**Officer In Case** : #0730901 [REDACTED]  
**Date/Time** : between 18/01/2024 18:23 and  
**Reported Time** : 18/01/2024 18:23  
**Place of Offence** : [REDACTED]  
**Classification** : 105/01/VIOLENCE/105A/105/01: Common assault and battery (Violence without injury)  
**Attempt** : No  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: \*\*\*\*\*CONSIDER OP ENCOMPASS\*\*\*\*\* Original Incident Report: CALLER REPORTING SOMEONE HAS COME TO HIS HOUSE AND ASKING FOR A LETTER, HE HAS USED HIS ADDRESS AS CORRESPONDANCE ADDRESS - HE WANTED HIS LETTER AND CALLER WAS ASKING HIM TO LEAVE - - IT ESCALATED INTO A LARGE DISTURBANCE - FEMALE SCREAMING OW - PEOPLE SCREAMING AND CRYING

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T240272942	Closed		Occurrence Management Workflow Start [OMU:01]	19/01/2024 21:02	High	#077613 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T240272954	Closed		Occurrence Management Local Policing Allocate [OMU:02]	20/01/2024 13:03	High	#077613 [REDACTED]	CHP NORTHERN CRIME HUB
T240285089	Closed		Assault Hayden/Ali - Closure	27/01/2024 14:01	Medium	#074685 [REDACTED]	#0730901 [REDACTED]

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved	[REDACTED]	[REDACTED]			Male	[REDACTED]
Community resolution; Person reporting; Suspect named non core	[REDACTED]	[REDACTED]			Male	[REDACTED]
Other	[REDACTED]				Female	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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Official

# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 22000935118 CHP - Personal / Nuisance And Environmental Anti Social Behaviour @20/12/2022 02:03  
**Officer In Case** : CHP RUNCORN LPU  
**Date/Time** : between 20/12/2022 02:03 and 20/12/2022 02:03  
**Reported Time** : 20/12/2022 02:03  
**Place of Offence** : 70 HIGH STREET, RUNCORN, UK WA7 1JH  
**Classification** :  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: BN Advised caller this would be logged and if the youths were to return to the shop to get straight back in contact OMU ASB Original Incident Report: \*Vuln - caller as repeat victim\* Call from Runcorn Kebab House reporting group of 7 youths, 1 male and 6 females were outside the shop "trying to get into the shop" but the door was locked. Caller stated that one of the group then punched the door but did not cause any damage to the door. The group left while on the call. QUALIFIER

## Associated Tasks

**\*\* No Associated Tasks \*\***

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Complainant					Male	

## Reports

Type	Remarks	Author	Report Time	Status
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Official

# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 22000778144 CHP - RTC - Injury or Damage @22/10/2022 18:03  
**Officer In Case** :  
**Date/Time** : between and  
**Reported Time** : 22/10/2022 18:03  
**Place of Offence** :  
**Classification** :  
**Attempt** :  
**Clearance status** : New  
**Occurrence Summary** : Closure Summary: TA1 Today 19:54:10 HT66 - This has not been an RTC - a case of Road Rage but no offences will update the occ 07\$9156 Original Incident Report: \*VULNERABLE CALLER SUFFERS WITH HIGH BLOOD PRESSURE\* OUTSIDE OF WYN KITCHENS- THERE IS A MALE DESC: MIXED RACE/BLACK TRACKSUIT/NAVY BLUE TROUSERS/BLACK BEANIE HAT/BLUE TRAINERS WHO IS STATING CALLER HAS REVERSED INTO HIM (NOT HIS CAR) THE MALE IS WALKING OFF LIMPING. - THEY KEEP ON ARGUING CALLERS VRM: [REDACTED]  
[REDACTED]

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T223303558		Closed	RTC II Assessment Workflow [RTC:01]	23/10/2022 19:55	Medium	CADINTERFACE	CHP ROADS POLICING COLLISION MANAGEMENT
T223303559		Closed	CAD Interface Error	27/10/2022 19:55	High	CADINTERFACE	CHP UNHANDLED OCCURRENCES
T223303560		Closed	CAD Interface Error	27/10/2022 19:55	High	CADINTERFACE	CHP UNHANDLED OCCURRENCES
T223318691		Closed	RTC II Officer Action Required [RTC:02]	14/11/2022 11:14	Medium	#07L4231 [REDACTED]	#07L3121 [REDACTED]
T223405758		Closed	RTC II Finalise Occurrence [RTC:05]	02/11/2022 06:26	Medium	#07L3121 [REDACTED]	#07L3121 [REDACTED]

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Driver	[REDACTED]	[REDACTED]	[REDACTED]		Female	[REDACTED]
Driver	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	[REDACTED]	[REDACTED]				[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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Official

# Occurrence Summary Review

## Occurrence Summary

Report no. : 21000121872 Covid-19 @24/02/2021 23:24  
Officer In Case :  
Date/Time : between 24/02/2021 23:20 and  
Reported Time : 24/02/2021 23:24  
Place of Offence : [REDACTED], ST HELENS UK [REDACTED]  
Classification :  
Attempt :  
Clearance status : New  
Occurrence Summary : \*\*\*COVID FINE\*\*\*GATHERING OF 2 OR MORE PEOPLE IN PRIVATE DWELLING\*\*\*

## Associated Tasks

\*\* No Associated Tasks \*\*

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Suspect	[REDACTED]	[REDACTED]			Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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Official



# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 18100025244 C10 VIOLENCE / HARASSMENT / THREAT TO LIFE - SEE AIDE MEMOIR @01/02/2018 22:09  
**Officer In Case** : #07L5926 [REDACTED]  
**Date/Time** : between 01/02/2018 21:00 and 01/02/2018 21:10  
**Reported Time** : 01/02/2018 22:09  
**Place of Offence** : 77 CHURCH STREET, RUNCORN, UK WA7 1LG  
**Classification** : 125/09/PUBLIC ORDER/9A/125/09: Causing intentional harassment, alarm or distress (Sec 4A)  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: C10 s4a poa no complaint Original Incident Report: Infmt works at the Silver crown kebab shop, He explained he has been getting harrassed and threatened by a male who works in the shop next to him. Tonight at 2100 the male has come into the store and spat in his face - this is due to the infmt being a witness when this male assaulted his friend a few weeks ago. The male has also said his brother is part of the militia back in their home country and will burn him if he returns and made threats that he will get his family put in jail. The infmt would like to see an officer - he is working until midnight - he has been advised to call 999 should male return

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T180097142		Closed	Occurrence Management Workflow Start [OMU:01]	02/02/2018 09:08	High	#0721778 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T180097143		Closed	Occurrence Management Local Policing Allocate [OMU:02]	03/02/2018 01:08	High	#0721778 [REDACTED]	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )
T180097651		Closed	NEW - Occurrence Management Officer Action [OMU:04]	09/02/2018 08:28	Medium	#0720190 [REDACTED]	#07L5926 [REDACTED]
T180137214		Closed	Occurrence Management Supervisor Check / Allocate [OMU:05]	19/02/2018 12:30	Medium	#074307 [REDACTED]	#074307 [REDACTED]
T180137215		Closed	Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	16/02/2018 12:30	Medium	#074307 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved; Complainant	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]			Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 18100015429 SY BAIL BREACHES / WANTED PERSON / BREACH OF COURT ORDER @24/01/2018 10:17  
**Officer In Case** :  
**Date/Time** : between 24/01/2018 10:17 and  
**Reported Time** : 24/01/2018 10:17  
**Place of Offence** :  
**Classification** :  
**Attempt** :  
**Clearance status** : New  
**Occurrence Summary** : Closure Summary: SY male arrested for [REDACTED] and breach of bail Original Incident Report: 5886 - show male under arrest [REDACTED]

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T180068528	Closed		Occurrence Management Workflow Start [OMU:01]	24/01/2018 18:21	High	CADIMPORT	CHP OCCURRENCE MANAGEMENT OTHER

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Subject; Other	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC17390653 B PERSONAL / NUISANCE AND ENVIRONMENTAL ANTI SOCIAL BEHAVIOUR @04/12/2017 19:49  
**Officer In Case** : #075991 [REDACTED]  
**Date/Time** : between 04/12/2017 19:49 and 04/12/2017 19:49  
**Reported Time** : 04/12/2017 19:49  
**Place of Offence** : STREET RECORD, CHURCH STREET, RUNCORN, UK WA7 1HJ  
**Classification** : 125/11/PUBLIC ORDER/9A/125/11: Fear or provocation of violence (Sec 4)  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: BP KR111 - Will be no compalint sec 5 public order. Please close to my Niche - crimed as Sec 4 POA Original Incident Report: Male wants to fight Informant - Male called [REDACTED] - Informant states [REDACTED] is with him now outside the chinese take away on Church Street and keeps threatening to hit informant (have given advice to informant to walk away and make himself safe) but [REDACTED] just wants to pick a fight - informant talking very quickly, difficult to understand him sometimes due to language difficulties.

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T171950534	Closed	Occurrence Management Workflow Start [OMU:01]	06/12/2017 03:43	High	#076820	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )	
T171951527	Closed	NEW - Occurrence Management Local Policing Allocate [OMU:02]	07/12/2017 09:20	High	#0720190	#075991	
T171985879	Closed	Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	19/12/2017 09:03	Medium	#074307	CHP OCCURRENCE MANAGEMENT CRIME	

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved; Person reporting	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC17365090 SY BAIL BREACHES / WANTED PERSON / BREACH OF COURT ORDER @11/11/2017 23:37  
**Officer In Case** :  
**Date/Time** : between 11/11/2017 23:37 and  
**Reported Time** : 11/11/2017 23:37  
**Place of Offence** : 44 HIGH STREET, RUNCORN, UK WA7 1AW  
**Classification** :  
**Attempt** :  
**Clearance status** : New  
**Occurrence Summary** : Closure Summary: SY KS11 Liased with DI. This Incidence can be closed and manage through Niche to 30075 who has the original Incident Original Incident Report: [REDACTED] has ball conditions not to enter high street - he is now working at Miami Pizza on High Street - caller can see him

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T171883696	Closed		Occurrence Management Workflow Start [OMU:01]	14/11/2017 16:05	High	CADIMPORT	CHP OCCURRENCE MANAGEMENT OTHER

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Arrested; Suspect	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Person reporting; Witness	[REDACTED]	[REDACTED]			Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC17361286 C10 VIOLENCE / HARASSMENT / THREAT TO LIFE - SEE AIDE MEMOIR @08/11/2017 17:25  
**Officer In Case** : #07L21287 [REDACTED]  
**Date/Time** : between 08/11/2017 17:15 and 08/11/2017 17:30  
**Reported Time** : 08/11/2017 17:25  
**Place of Offence** : 70 HIGH STREET, RUNCORN, UK WA7 1JH  
**Classification** : 003/01/VIOLENCE/3B/003/01: Threats to kill  
**Attempt** : No  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: C10 male arrested Original Incident Report: **\*\*Runcorn Kebab and Pizza\*\*** Caller reporting a male was at the front of the shop at around 17:15 - Male called [REDACTED] from the warrington area. Caller was working inside the shop and the male came in and saying "bad words" to the caller. He was speaking in Arabic to the caller saying "I am going to kill you" and that he would do things to the caller making threats. He was then shouting at the Ap from outside. Caller has had issues with this male before and he has been told to contact should he come back. The caller states that his staff working witnessed this.

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T171868207		Cancelled		09/11/2017 17:30		CADIMPORT	CHP UNHANDLED OCCURRENCES
T171868924		Closed	Occurrence Management Workflow Start [OMU:01]	09/11/2017 10:42	High	#0721714 [REDACTED]	#0721714 [REDACTED]
T171868925		Closed	Occurrence Management Local Policing Allocate [OMU:02]	10/11/2017 02:42	High	#0721714 [REDACTED]	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )
T171869440		Closed	NEW - Occurrence Management Officer Action [OMU:04]	16/11/2017 08:59	Medium	#0720190 [REDACTED]	#0730075 [REDACTED]
T171872844		Closed	Occurrence Management Supervisor Check / Allocate [OMU:05]	14/11/2017 08:51	Medium	#07L21287 [REDACTED]	#07L5105 [REDACTED]
T171878362		Closed	Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	13/11/2017 09:25	Medium	#07L5105 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T171880281		Closed	Occurrence Management Insufficient Information to Close [OMU:11]	15/11/2017 09:33	Medium	#07L7379 [REDACTED]	#07L5105 [REDACTED]
T171880283		Closed	Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	14/11/2017 09:33	Medium	#07L7379 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T171880284		Closed	Occurrence Management Workflow Start [OMU:01]	13/11/2017 17:33	High	#07L7379 [REDACTED]	#07L9424 [REDACTED]
T180067906		Closed	Occurrence	25/01/2018	Medium	#07L9424 [REDACTED]	CHP OCCURRENCE MANAGEMENT



# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 0717334748 C10 VIOLENCE / HARASSMENT / THREAT TO LIFE - SEE AIDE MEMOIR @17/10/2017 08:26  
**Officer In Case** : #0730075 [REDACTED]  
**Date/Time** : between 04/10/2017 17:42 and  
**Reported Time** : 17/10/2017 08:26  
**Place of Offence** : 70 HIGH STREET, RUNCORN, UK WA7 1JH  
**Classification** : 008/06/VIOLENCE/8N/008/06A: Sec 47. Assault occasioning actual bodily harm  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Section 47 assault

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T171798427	Closed	Occurrence Management Workflow Start [OMU:01]	17/10/2017 16:39	High	#0721714	#0721714	
T171798431	Closed	Occurrence Management Local Policing Allocate [OMU:02]	18/10/2017 08:39	High	#0721714	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )	
T171798662	Closed	NEW - Occurrence Management Officer Action [OMU:04]	24/10/2017 09:32	Medium	#0720190	#0730075	
T171826185	Closed	Occurrence Management Supervisor Check / Allocate [OMU:05]	30/10/2017 08:34	Medium	#074307	#074307	
T171826186	Closed	Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	27/10/2017 09:34	Medium	#074307	CHP OCCURRENCE MANAGEMENT CRIME	

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved	[REDACTED]	[REDACTED]			Male	[REDACTED]
Person reporting	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	[REDACTED]	[REDACTED]			Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : 0717320688 C60 CRIMINAL DAMAGE INCLUDING ARSON / MALICIOUS FIRES \*SEE SPR / C60 @04/10/2017 23:38  
**Officer In Case** : #0730075 [REDACTED]  
**Date/Time** : between 04/10/2017 17:42 and  
**Reported Time** : 04/10/2017 23:38  
**Place of Offence** : 70 HIGH STREET, RUNCORN, UK WA7 1JH  
**Classification** : 149/00/CRIMINAL DAMAGE/58C/149/00C: Other criminal damage to a vehicle ( Under £5000.00 damage )  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Original Incident Report: Fight ongoing on the high street outside runcorn kebab house - opposite location

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T171763390	Closed		Occurrence Management Workflow Start [OMU:01]	05/10/2017 07:48	High	#07L21434 [REDACTED]	#07L21434 [REDACTED]
T171763391	Closed		Occurrence Management Local Policing Allocate [OMU:02]	05/10/2017 23:48	High	#07L21434 [REDACTED]	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )
T171764205	Closed		NEW - Occurrence Management Officer Action [OMU:04]	31/10/2017 09:44	Medium	#0720190 [REDACTED]	#0730075 [REDACTED]
T171826197	Closed		Occurrence Management Supervisor Check / Allocate [OMU:05]	30/10/2017 08:36	Medium	#074307 [REDACTED]	#074307 [REDACTED]
T171826199	Closed		Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	27/10/2017 09:36	Medium	#074307 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T171864117	Closed		Occurrence Management Supervisor Check / Allocate [OMU:05]	11/11/2017 17:02	Medium	#074307 [REDACTED]	#074307 [REDACTED]
T171864119	Closed		Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	08/11/2017 17:03	Medium	#074307 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect; Voluntary attendee	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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Management  
Finalise and Close  
CRIME ONLY  
[OMU:09]

07:39

CRIME

***Related Occurrences***

***Involved Persons***

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved; Complainant	██████████	██████████			Male	██████████
Arrested; Charged	██████████	██████████	██████████		Male	██████████
Witness	██████████	██████████	██████████	██████████	Male	██████████

**Reports**

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC17147517 C10 VIOLENCE / HARASSMENT / THREAT TO LIFE - SEE AIDE MEMOIR @12/05/2017 21:29  
**Officer In Case** : #077126 [REDACTED]  
**Date/Time** : between 12/05/2017 21:29 and  
**Reported Time** : 12/05/2017 21:29  
**Place of Offence** : STREET RECORD, CHURCH STREET, RUNCORN, UK WA7 1HJ  
**Classification** : 125/09/PUBLIC ORDER/9A/125/09: Causing intentional harassment, alarm or distress (Sec 4A)  
**Attempt** : No  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: C10 KR138 - T/C to informant. He states that the matter has been sorted now and doesnt want the police to attend. He does not take the threats seriously and would not disclose any further information./ OMU will crime a section 4a public order - non-engaging victim. Original Incident Report: **\*\*SILVER CROWN KEBAB\*\*** just now a colleague has tried to punch the caller, he then threatened the caller saying "i will kill you". male has now walked off. caller knows the male his name is [REDACTED]. caller has cctv.

## Associated Tasks

**\*\* No Associated Tasks \*\***

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved; Person reporting	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]			Male	[REDACTED]

## Reports

Type	Remarks	Author	Report Time	Status
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# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC16349110 C10 VIOLENCE / HARASSMENT / THREAT TO LIFE - SEE AIDE MEMOIR @09/11/2016 20:49  
**Officer In Case** : #07L3089 [REDACTED]  
**Date/Time** : between 09/11/2016 19:00 and 09/11/2016 20:49  
**Reported Time** : 09/11/2016 20:49  
**Place of Offence** :  
**Classification** : 008/72/VIOLENCE/8R/008/72: Malicious Comms - Sending letters etc with intent to cause distress or anxiety  
**Attempt** : No  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: C10 crimed in OMU KR213 - This has been crimed as s4A POA (intentional harassment.) Please close to be progressed via Niche - FAO 3089 Original Incident Report: Caller reporting Miami Pizza, Runcorn old town staff from whom he ordered a pizza/food for delivery, are threatening to kill him when he returns the pizza/food (which he says is raw). Has spoken to them several times, arguing about foodbeing uncooked/not being collected, and on the last occasion the "manager" said "if you bring the food back I'll kill you". Takes the threat seriously. Will be up until 11pm. Is not taking the food back.

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T161048636	Closed		Occurrence Management Workflow Start [OMU:01]	10/11/2016 10:05	High	#07L21776 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME
T161048644	Closed		Occurrence Management Local Policing Allocate [OMU:02]	11/11/2016 02:06	High	#07L21776 [REDACTED]	CHP RUNCORN LPU (STREET RECORD, DITTON ROAD (WEST), WIDNES, UK WA8 0TL (LA: HALTON, Police force: CHESHIRE, BCU: FORCE, LPU/LPA: WIDNES, Cluster: G2, Beat: GB03, Ward: 00ETNE) )
T161049040	Closed		Occurrence Management Officer Action [OMU:04]	17/11/2016 08:37	Medium	#0720190 [REDACTED]	#07L3089 [REDACTED]
T161079819	Closed		Occurrence Management Supervisor Check / Allocate [OMU:05]	23/11/2016 12:52	Medium	#07L3089 [REDACTED]	#075197 [REDACTED]
T161082234	Closed		Occurrence Management Crime Class Advice [OMU:06]	14/02/2017 12:46	Medium	#075197 [REDACTED]	#07L9424 [REDACTED]
T161101247	Closed		Occurrence Management Finalise and Close CRIME ONLY [OMU:09]	26/11/2016 11:35	Medium	#07L9424 [REDACTED]	CHP OCCURRENCE MANAGEMENT CRIME

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Aggrieved; Person reporting	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]			Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]
Suspect	[REDACTED]	[REDACTED]	[REDACTED]		Male	[REDACTED]

## Reports



# Occurrence Summary Review

## Occurrence Summary

**Report no.** : CC14376280 B PERSONAL / NUISANCE AND ENVIRONMENTAL ANTI SOCIAL BEHAVIOUR @20/12/2014 16:47  
**Officer In Case** :  
**Date/Time** : between and  
**Reported Time** : 20/12/2014 16:47  
**Place of Offence** :  
**Classification** :  
**Attempt** :  
**Clearance status** : Closed  
**Occurrence Summary** : Closure Summary: BN NS34 - males not telling us much - states it is all sorted - was tranquil on our arrival. Have advised the manager of the takeaway that if there are any more incidents tonight they will all be arrested resulting in them having to close the takeaway on a busy saturday night Original Incident Report: fight going on in side street opposite the TSB bank.

## Associated Tasks

Number	Type	Status	Title	Due Time	Priority	Initiated By	Assigned To
T141002913		Closed	New Occurrence Assessment [TP:01]	21/12/2014 17:05	Medium	CADIMPORT	

## Related Occurrences

## Involved Persons

Type	Surname	Forename1	Forename2	Forename3	Gender	Date Of Birth
Person reporting; Witness						
Subject						
Subject						
Subject						

## Reports

Type	Remarks	Author	Report Time	Status
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## APPENDIX E

### Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

### Licence conditions – general principles

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

### **Crime and disorder**

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

### **9. Determining applications**

9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>[footnote 5]</sup>. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

### **Home Office Immigration Enforcement acting as a responsible authority**

9.25 The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such

as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

## **11. Reviews**

### **The review process**

11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.

11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hardcopy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility. The applicant must give notice of the review application to the responsible authorities and holder of the licence or certificate. The licensing authority is required to advertise a review application.

11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.

11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within their remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

11.9 Responsible authorities and other persons may make representations in respect of an application to review a premises licence or club premises certificate. They must be relevant (i.e., relate to one or more of the licensing objectives) and, in the case of other persons, must not be frivolous or vexatious. Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically,

provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co- operation.

### **Powers of a licensing authority on the determination of a review**

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)[\[footnote 10\]](#);

remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;

suspend the licence for a period not exceeding three months;

revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify.

The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and where other measures are deemed insufficient, to revoke the licence

### **Reviews arising in connection with crime**

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to attempt to go beyond any findings by the courts, which should be treated as a matter of undisputed evidence before them

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or

have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;

for the sale and distribution of illegal firearms;

for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;

for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;

for prostitution or the sale of unlawful pornography;

by organised groups of paedophiles to groom children;

as the base for the organisation of criminal activity, particularly by gangs;

for the organisation of racist activity or the promotion of racist attacks;

for employing a person who is disqualified from that work by reason of their immigration status in the UK;

for unlawful gambling; and

for the sale or storage of smuggled tobacco and alcohol

11.28 It is envisaged that licensing authorities, the police, the Home Office(Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

#### **Review of a premises licence following closure order or illegal working compliance order**

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or an illegal working compliance order under section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;

the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;

notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).