

**REPORT:** Regulatory Sub-Committee

**DATE:** 15 December 2025

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

**PORTFOLIO:** Resources

**SUBJECT:** Application to Review a Premises Licence –  
Runcorn Kebab House, 70 High Street,  
Runcorn, WA7 1JH

**WARDS:** 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**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	Kim Hesketh