



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Alcohol, Entertainment and Late-Night Refreshment Licensing Committee

20<sup>th</sup> May 2025

ENV904

Report of Elizabeth Reeve, Licensing Officer

# Licensing Act 2003: Review of Premise Licence – Zorbas, 40 Broad Street, Stamford, PE9 1PX

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Hearing to determine an application for the review of a premises licence – Zorbas, 40 Broad Street, Stamford, PE9 1PX.

### Recommendations

It is recommended that the Alcohol, Entertainment and Late-Night Refreshment Committee (“the Committee”) consider the application for a review of the premises licence relating to the premise known as, **Zorbas, 40 Broad Street, Stamford, PE9 1PX.**

### Decision Information

Does the report contain any  
exempt or confidential  
information not for publication?

**No**

What are the relevant corporate  
priorities?

Connecting Communities & Effective Council

Which wards are impacted?

All

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

- 1.1 There are no specific financial implication associated with this report, however, in the event of an applicant, responsible authority or interested person making an appeal against a decision which was then subsequently upheld, the council may incur additional costs.

### ***Legal and Governance***

- 1.2 The Licensing Act 2003 provides a procedure whereby a premises licence can be reviewed at any time on the application of an interested party or a responsible authority. On receipt of an application for review of a licence, the council is obliged to hold a hearing to consider the application. In determining the application, the committee should consider guidance issued under S182 of the Act and the Council's own Statement of Licensing Policy, together with all representations. The decision of the committee should be no more than an appropriate and proportionate response to the concerns raised.

### ***Community Safety***

- 1.3 Community Safety implications will be considered in accordance with the licensing objectives and the duty to consider in accordance with S17 of the Crime and Disorder Act 1998

## 2. Background to the Report

- 2.1 On 26<sup>th</sup> March 2025 an application for the review of the premise licence for Zorbas, Stamford was received from Lincolnshire Police along with supporting documents (**Appendix 1**). The police also provided supplementary documents to the licensing authority and request that they are allowed to present this to committee to discuss these confidentially within a private session, without the Premise Licence Holder present or the documents to be made public, due to sensitive information contained within it.
- 2.2 The application for the review relates to the following licensing objectives: -
  - Prevention of Crime and Disorder.
  - Protection of Children from harm.

- Public Safety
- Prevention of Public nuisance

2.3 Lincolnshire Police advise that they have obtained evidence which indicates that the management of these premises have been operating in such a manner that amounts to criminal activity and thus undermines the licensing objectives. This includes:

- Allegations of criminal offences that have taken place at the premises
- Breach of hours authorised for licensable activities
- Breach of Annex 2 and Annex 3 premise licence conditions
- Concerns over the management involved in the premises

2.4 No representations have been received from any of the other responsible authorities. A number of comments from members of the public in support of the premises have been sent into the licensing authority (**Appendix 3**).

2.5 A copy of the current Premise Licence 5001 is at (**Appendix 4**). This Licence permits Late Night Refreshment from 23:00 to 00:30 Sunday to Tuesday and 23:00 to 02:30 Wednesday to Saturday, with the same for opening hours. This licence has been in force since it was transitioned over in November 2005.

2.6 The current licence holder Seyit Ali Dogan has held Premise Licence 5001 since May 2016, which is when it was transferred into his name.

2.7 There has been previous enforcement regarding the premise, including a review application and historic rejected paperwork, due to inaccuracies contained within them:

a) An application for a separate new premises licence for the same premises was granted in December 2009. This was to permit the off sale of alcohol only, and the licence holder and designated premises supervisor was in the name of a Caner Kaya. This licence was then revoked by licensing committee in September 2012, following a review application by trading standards, due to illegal and poisonous vodka being seized from within the premises. A copy of the decision notice of this meeting are in the background papers.

The magistrates then upheld the revocation at an appeal hearing in April 2013.

b) An application for a Minor Variation to the original Premise Licence 5001 was submitted in September 2017, in relation to the late-night refreshment activity. This variation was refused as the application had been signed by Caner Kaya and had not been made in the name of the current licence holder, Seyit Ali Dogan. Similarly, a transfer consent form in the current name of Caner Kaya was submitted to the licensing authority in May 2018, and was subsequently refused

due to this being the wrong licence holder and a lack of application with payment. A copy of the refusal letters are in the background papers.

2.8 There is a history of TENS (Temporary Event Notices) on record submitted from 2010 to 2020, for the extension of Late Night Refreshment at the premises. No further TENS have been submitted after March 2020.

### **3. Key Considerations**

3.1 Members must take such steps (if any) as they consider appropriate for the promotion of the licensing objectives as outlined in Licensing Act 2003 at section 167(6):

The Licensing Committee may:

- modify the conditions of the licence;
- exclude a licensable activity from the licence;
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding 3 months; or
- revoke the licence.

Alternatively, the Committee may consider that no action is required or that a warning should be issued and/or recommend improvement within a particular period.

3.2 The guidance issued under Section 182 of the Act is:

“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 which 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.”

(Paragraph 11.20 of the guidance Issued under S182 of the Act.)

3.3 If members decide to take the steps referred to in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

### **4. Reasons for the Recommendations**

4.1 Application for review has been received from Lincolnshire Police. On receipt of an application for review of a licence by a responsible authority, the council is obliged to hold a hearing to consider the application.

## **5. Consultation**

5.1 Statutory 28-day consultation has taken place from 25<sup>th</sup> March 2025 until 23<sup>rd</sup> April 2025. The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been displayed at the premises and published on our website.

## **6. Background Papers**

- 6.1 [Statement of Licensing Policy 1st April 2021](#)
- 6.2 [Guidance to Applicants](#)
- 6.3 [Guidance issued under section 182 of the Licensing Act 2003](#)
- 6.4 [Decision notice for revocation of Premises Licence 13553](#)
- 6.5 [Letters rejecting Minor Variation application and transfer consent form for Premise Licence 5001](#)

## **7. Appendices**

- 7.1 Appendix 1: Application for Review and Supporting documents
- 7.2 Appendix 2: Supporting comments received from members of the public
- 7.3 Appendix3: Copy of the current Premise Licence