

TITLE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE - LICENSING ACT 2003

Committee: Licensing (Statutory) Sub-Committee

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1.0 Issue

- 1.1 To determine an application for the grant of a new premises licence in respect of Limora Bar and Grill 12 Chequer Lane Ely Cambridgeshire CB7 4LN.

2.0 Recommendations

- 2.1. That Members consider the content of this report, and all the evidence provided during the hearing and determine the application in accordance with the options contained in paragraph 4.4 of this report.

3.0 Background/Options

3.1 Premises History

The previous use of 12 Chequer Lane Ely was for the sale of refurbished furniture, furnishings and bric-a-brac.

Details of the new application

- 3.2 On 9th January 2026 Hakan Erkan applied for a Premises Licence under Section 17 of the Licensing Act 2003 for 12 Chequer Lane Ely Cambridgeshire CB7 4LN (**Appendix 1**). The application was served on the responsible authorities and advertised in accordance with the regulations of the Licensing Act 2003.
- 3.3 The application proposes to run as a restaurant and bar providing on and off sales of alcohol. To support this the applicant has applied for a premises licence that requests the following:

Table 1

Licensable Activity	Proposed Hours
Sale by Retail of Alcohol for consumption on and off the premises	10:00 to 22:30 Monday to Sunday
Opening Hours	08:30 to 23:00 Monday to Sunday

- 3.4 The above hours are in line with the alcohol sales of the closest neighbouring Ely City Centre alcohol-licensed premises: Tony's 1 High Street Ely - Monday to Sunday 11:00 to 23:00 and The Hereward - Sunday to Wednesday 09:00 to 00:00, Thursday 09:00 to 01:00 and Friday to Saturday 09:00 to 03:00.
- 3.5 The plans of the premises can be found at **Appendix 2**.
- 3.6 The applicant has offered steps that they are willing to take to promote the licensing objectives. These can be found in **Appendix 3** to this report.

Relevant Representations

- 3.7 During the consultation period the Licensing Authority received no representations from other persons permitted by the Licensing Act 2003 to submit representations.
- 3.8 A valid representation was received from Danny Hans of Cambridgeshire Fire & Rescue Service Fire Protection South Compliance Team, Cambridge Fire Station, as a Responsible Authority under the Licensing Act 2003. No other representations were received from the other responsible authorities.
- 3.9 The representation on behalf of The Fire Authority, expresses dissatisfaction with the proposed fire safety preventative and protective measures within the premises and expresses concern that the granting of the licence at this time would undermine the Public Safety licensing objective. The full representation can be found as **Appendix 4** to this report.

Additional information

- 3.10 Planning Services commented during the consultation period to advise that the Planning application ref: 25/01246/FUL is still under consideration due to missing information regarding odour and noise assessment and at this time they were unable to make comment on the Licensing application.
- 3.11 Members are reminded that the information contained in paragraph 3.11 is not a matter for Licensing to be concerned with when determining an application, but officers felt it was important for Members and those reading the report to be informed that the planning team are very much aware of this premises.
- 3.12 Members are reminded that with regards to the addition or modification of operating schedule conditions that Paragraph 2.17 of the Home Office Revised Guidance issued under Section 182 of the Licensing Act 2003 (November 2025) states:
*Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club **provided this does not duplicate or gold-plate a requirement in other legislation**. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this*

respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

4.0 Arguments/Conclusions

4.1 Members are obliged to determine this application with a view to promoting the licensing objectives which are:

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

In making their decision Members are also obliged to have regard to the Statutory Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Should Members depart from either, they must specify their reasons for doing so. Members must also consider the information contained within this report, and the evidence submitted, both written (if submission of such information is agreed by all parties at the hearing) and orally during the hearing.

4.2 Relevant Statutory Guidance considerations (**Appendix 5**):

The Licensing Objectives	Section 2
Applications for Premises Licences	Section 8
Determining applications	Section 9
Conditions attached to Premises Licences	Section 10
Deregulation of certain entertainment	Section 16

4.3 Relevant Local Policy considerations (**Appendix 6**):

Representations	Section 1.51 to 1.55
Conditions	Section 1.56 to 1.64
Licensing Objectives	Section 3
Prevention of Crime and Disorder	Section 4
Public Safety	Section 5
Prevention of Public Nuisance	Section 6
Protection of Children from Harm	Section 7

4.4 Members can determine the premises licence application as follows:

- (a) to grant the premises licence subject to:
- i) the conditions that are consistent with the operating schedule accompanying the application modified to such extent as Members consider appropriate for the promotion of the licensing objectives; and
 - ii) any mandatory conditions that must be included in the licence;

- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
or
- (d) to reject the application.

4.5 Members are asked to note that they may not modify or impose new conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives, and any such step must relate to the actual representations made. Conditions attached must be focused on matters which are within the control of applicant, i.e. the premises and its vicinity.

Regulation 19(a) requires authorities to disregard any information given by a party or person that is “not relevant” to their application or representation and is not relevant to the licensing objectives.

4.6 In determining the premises licence application, Members must provide the reasons for their decisions, and consider their responsibilities under the Human Rights Act 1998, when balancing the rights of the applicant and the rights on those who may be affected.

4.7 Any decision taken must be appropriate and proportionate to the objective being pursued. In particular the following should be taken into consideration:

Article 6 – the right to a fair hearing

Article 8 – respect for private and family life

Article 1, First protocol – peaceful enjoyment of possessions (which can include the possession of a licence)

Article 14 – the right to freedom from discrimination.

5.0 Additional Implications Assessment

5.1 In the table below, please put Yes or No in each box:

Financial Implications	Legal Implications	Human Resources (HR) Implications
Yes	Yes	No
Equality Impact Assessment (EIA)	Carbon Impact Assessment (CIA)	Data Protection Impact Assessment (DPIA)
No	No	No

Financial and legal implications

5.2 The cost of convening a Licensing (Statutory) Sub-Committee to determine an application is covered by the fees paid by licence applicants.

- 5.3 Should there be a decision to refuse whole or part of the application or modify the conditions of the licence, the applicant can appeal to the Magistrates' Court. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.
- 5.4 Any party who made relevant representations in relation to the application may also appeal the decision. There will be costs associated with this process. The right of appeal is 21 days from the date of notification of the decision.
- 5.5 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149(7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

6.0 Appendices

Appendix 1 - Premises Licence Application

Appendix 2 - Premises Plans

Appendix 3 - Premises Licence Operating Schedule Conditions

Appendix 4 - Representation

Appendix 5 - Section 2 - S182 Statutory Guidance Extracts

Appendix 6 - Sections 8, 9, 10 - S182 Statutory Guidance Extracts

Appendix 7 - Local Policy Extracts

Please note that Appendices 5, 6 and 7 are only available electronically and are not part of the paper agenda pack.

7.0 Background documents

Licensing Act 2003

Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003

ECDC Statement of Licensing Policy 2026