

IN THE LINCOLNSHIRE MAGISTRATES COURT

CASE NO:

GRANTHAM CURRY POT LIMITED

APPELLANT

-v-

WEST LINDSEY DISTRICT COUNCIL

RESPONDENT

WITNESS STATEMENT OF NANTHAKUMAR MURUKAN

This statement consisting of 4 pages signed by me is true to the best of my knowledge and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.

My name is Nanthakumar Murukan and I am in the process taking over the shop known as Today's Extra, located at 2 Horsemarket, Caistor, Market Rasen LN7 6UP (the shop).

The shop is available for sale and I have instructed Solicitors to deal with the purchase of the shop on my behalf. We are at the final stages of the process and I have agreed the terms of the deal including a lease for 7 years. However, I have not yet signed the lease while I wait to see what happens with the premises licence.

I have never worked in the shop as an employee before and have never been involved in the running of the shop or the management of the shop previously. I am aware of the problem with the premises licence and that the Council revoked the licence last year. I am also aware that the shop can continue selling alcohol while the Appeal is ongoing.

I like the shop and think it is a really good investment opportunity for me as a business. But I will not complete the purchase of the shop unless it has a premises licence to sell alcohol.

The licence is crucial for the shop as a business. I know the importance of a convenience store like this being able to offer the full general convenience service to customers including some alcohol for customers.

Without a licence, many customers will go to other nearby shops to buy their goods including alcohol. The shop would not be viable as a business without a licence.

During the legal process for the purchase of the shop, on 20 April 2026 I applied to the Council to transfer the premises licence into my name. I also applied to change the named Designated Premises Supervisor (DPS) into my name on 23 April. These applications were submitted by my Licensing Agent.

Exhibit NM1 - application to transfer premises licence

Exhibit NM2 - application to vary the premises licence to specify a new DPS

To transfer a premises licence, the current premises licence holder is required to sign a transfer consent form to allow the premises licence to be transferred. This form was signed by the current licence holder and was submitted to the Council.

As part of my transfer application I also submitted various documents to the Council as evidence that I was in the process of taking over the business. I am aware that the Council have sent these documents to the Police.

Exhibit NM3 - Lease copy

Exhibit NM4 - Heads of Terms

Exhibit NM5 - Stocktake certificate

Exhibit NM6 - Letter from the Solicitors for the seller

On 1 May 2026 the Police emailed my Licensing Agent to advise that they object to my transfer and new DPS applications. I was surprised and disappointed that the Police had objected. I have a clean record and have provided evidence including the new proposed 7 year lease to clearly show that I want to take over the business.

The Police seem to be concerned that the previous licence holder will remain involved in the running of the shop. I can confirm that I would be solely responsible for the shop including ensuring that staff have the correct right to work in place. I would be responsible for all matters relating to the licence including compliance with the conditions. The previous licence holder will not be involved in any way with the running of the shop or the licence.

To try to overcome the concerns of the Police, I have even offered a new condition to be included on the licence stating that; *'The previous licence holder Mr Kalamohan shall have no involvement in the running of the business and no involvement in the licence'*.

My Agent proposed this condition by email to the Council on 7 May 2026 at 9.10am, and a reply was received from the Council by email later that day at 1.24pm saying that; *'After discussions with the Police they have said they would not accept any conditions to be added to the licence as suggested below'*.

The Police refer to the time when I went to the shop to pick up the keys on behalf of the previous licence holder. On that day, Mr Kalamohan called me to ask if I was available to just go to the shop to collect the keys from the Police. I was not far away, went to the shop, collected the keys from the Police and waited for Mr Kalamohan to pick them up. I had no prior knowledge of any issues and was not connected to the shop or to the business

The Police also refer to my name change in their objection. I decided to change my name for various traditional and faith reasons. I changed my name by deed poll through my Solicitor and have updated my other documents such as my Personal Licence and passport.

Exhibit NM7 – deed poll document

The Council have arranged a hearing to consider my applications on 1 June 2026. My Agent did request an earlier hearing but the Council advised that they were not able to do this.

I am a UK citizen, married with 2 children aged 3 and 13 years old. If I do take over the business and the licence is retained, I plan to move the family to the local area nearer the shop. I have over 20 years experience of working in and owning convenience stores selling

alcohol. I have a Personal Licence. I know how to run licensed convenience stores and understand the importance of selling alcohol responsibly at all times.

I currently own a licensed convenience store in Hull which I have had for around 9 months. I also purchased that shop from Mr Kalamohan as a good business investment. The premises licence is in my company name and I have appointed a manager to act as the Designated Premises Supervisor.

I would like to take over and purchase the shop at 2 Horsemarket, Caistor but only if the shop has a premises licence. Without a licence, the shop is not viable for me as a business. I would take out a lease for 7 years and have provided evidence of this. I have plenty of experience and would ensure that the shop runs well, complying with licence conditions and all other rules such as right to work checks for all staff.

Signed

Dated