



Licensing Sub-Committee

Date: Monday, 19 August 2024
Time: 10.30 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum: 3)
Derek Beer, Louise Bown and Les Fry

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224877 john.miles@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

For easy access to all the council's committee agendas and minutes download the free public app called Modern.Gov for use on any iPad, Android, and Windows tablet. Once downloaded select Dorset Council.

Agenda

Item		Pages
7.	SUPPLEMENTARY INFORMATION FOR EATS AND DRINKS, WEYMOUTH	3 - 10

This page is intentionally left blank

Eats & Drinks **24-25 King Street, Weymouth, DT4 7BH**

1. Background

Mr Naguleswaran Jayasuthan has ran this business for the past twenty-two years in this area. He bought this business in his early 20s and it's his livelihood since then. He is now a family man with two school aged children. The business is currently owned by his wife however he manages the premises with his team.

2. Community Relation

This is one of the long-standing businesses in this area and most of his clients are elderly local residence, Mr Jayasuthan and his wife personally know almost all of them. In addition, Mr & Mrs Jayasuthan are involved in number of activities to support the community in the past years. For example,

- Involved in community projects (see **Appendix – I**)
- During the Covid lock-down, Eats & Drinks maintained a free home delivery service to the elderly residence to fulfil their basic needs. This was also mentioned in some of the letters from the local residence.

This business has always played a role in the community. This can be seen through the number of letters written by our local residence against this review application.

3. Management

This premises is situated in an area which is already suffering with number of issues. Small businesses are in the front line and managing a business in this environment is always a challenge. However, this management always worked with authorities to promote the licensing objectives. For example-

- After Covid, the business voluntarily reduced its alcohol capacity significantly due to the request made by the Police
- Even though there were no conditions attached to its current Premises Licence, the management maintained some good practices, such as
 - CCTV system
 - Staff Training
 - Challenge 25
 - Record refusals etc.

4. Allegations

The Review Application was made based on the following allegations –

- 4.1 - Serving alcohol to intoxicated individual
- 4.2 - Handling stolen goods

4.1 - Serving alcohol to intoxicated person.

When this was brought to our attention by Police, Mr Jayasuthan, had checked the CCTV footages and confronted the staff, as he wasn't at the premises on the day (14th of May) of the alleged incident. From the conversation with staff members and the CCTV footages, we have learned that the individual was served in the morning when he wasn't drunk however, we have refused the alcohol when he returns later around 11.30am because he was intoxicated. This was explained in writing to Police and Licensing team on 21/05/2024. Since there were no further communications from any authorities regarding this matter. Copy of this letter is already included in the report.

4.2 - Handling Stolen Goods.

This matter was brought to my client's attention sometime in May 2024. On the date and the time of the allegation, Mr Jayasuthan wasn't in the premises and therefore he confronted his staff and reviewed the CCTV. He didn't find any evidence for this allegation, and he provided all the CCTV footages to the officers.

The very important point to note here is that the management never tried to hide anything from anyone. If he was involved in any such activities, he wouldn't have voluntarily provided the CCTV. When officers visited the premises for the first time to check the CCTV regarding this alleged offence, he wasn't on the premises and therefore he made an appointment over the phone with the officer to

meet at the shop on the following day. During the second visit, he handed the CCTV recording voluntarily. If he wanted to hide anything, he had plenty of time to delete the footage or he could have said it was not working, instead he voluntarily provided the recording. Please also note that there are no requirements under the current Premises Licence to have CCTV nor provide the recording to anyone.

Mr & Mrs Jayasuthan are shocked and confused by these allegations. Because:

- Neither his wife nor himself would ever think of involving in any of these activities.
- Interrogated his staff & CCTV but didn't find anything
- Worked with Police & Licensing and there was no follow-up.
- Provided all the details requested by the authorities.

We have also requested the Police to provide any further details they have which involves my client's staff members so we can take any action, but nothing was provided to us. Please see the emails sent to the Police in –

Appendix – II - First email

Appendix – III - Second email

5. Additional measures

- All staff have gone through the Personal Licence course, passed the exams and are now waiting to obtain the licence from the council.
- All members of the team are retrained on all 4 Licensing Objectives and these training records can be inspected. Please see **Appendix – IV** for areas covered under this training.
- Maintain all refusal & incident records in the premises.
- Challenge 25 Policy strictly in force with all required signs.
- Full CCTV system with minimum of 30 days of recording capacity
- We are also happy to change the DPS & Licensee, if needed.

CHEERS ALL RO

Shop gives festive gift to children this Xmas

BY SAMANTHA HARMAN

A CONVENIENCE store has given to the Echo Christmas Toy Appeal after seeing in the paper how it helps needy children. Eats & Drinks in King Street, Weymouth has donated £100 to ensure that more kids receive a gift this Christmas.

Owner Naguleswaran Jayasuthan said: "We have donated this money to help people with children who could not otherwise afford presents.

"We like to support the local community and this is the first year that we have donated to the Echo Toy Appeal. At Christmas it is



THANKS A LOT: Naguleswaran Jayasuthan and his team at Eats and Drink

to help those around you.

"Christmas is for the children and if we can put a smile on their faces we will

the Echo's Give Back This Christmas campaign in which the paper is highlighting all good deeds and festive

Picture GRAHAM HUNT HG9018

Eats & Drinks will be open on Christmas Day and throughout the festive period



GENERO

cheque f
 MA
 mer
 dren is the
 foundation
 the Toy Ap
 Cheeky
 Weymouth
 £500 so
 leged yo
 present
 Christmas
 Chairma
 said: "Th
 our medic
 and throu
 catered

Appendix – II : Email to Police Dated 04/07/2024

From: Naga Rajesh <preradic@hotmail.co.uk>

Date: Thursday, 4 July 2024 at 19:53

To: licensing@dorset.pnn.police.uk <licensing@dorset.pnn.police.uk>

Cc: Licensing <licensing@dorsetcouncil.gov.uk>

Subject: Attention to Sergeant Gareth Gosling - Re: Premises Licence Review Application - Eats & Drinks, 24-25 King Street, Weymouth, DT4 7BH

Dear Sgt Gosling,

Hope this email finds you well. Regarding the above application, I'm contacting you on behalf of my client, Mr Naguleswaran Jayasuthan.

I understand that the Review application has been made under the Prevention of Crime & Disorder, for the following reasons-

- Handling stolen goods
- Serving to Vulnerable individuals
- No confidence in the current Licensee & DPS

I had a detail conversation with my client regarding the current management and the history of the premises. Furthermore, I can see that there are issues in relation to street drinking in this area and we truly respect your concerns.

My client has run this business for the past 22 years in this area. This is one of the long-standing businesses and this is his livelihood. This business is owned by his wife however he manages the premises with his team.

I'm sure that you will appreciate that running this business in this environment is not an easy task. He refused to serve alcohol to several individuals on daily basis for multiple reasons. Moreover, to be on top of everything he trains his staff on regular basis, and I believe these training records were submitted/shown to your team & the councils' licencing team in the past.

In addition to that, when there are concerns raised by any Responsible Authorities in the past, he never ignored any advice & guidance rather he fully engaged with relevant parties via verbal & written communication. You might have seen some of the letters he wrote to the licensing team in the past.

Regarding the allegation in relation to stolen goods, the matter was brought to my client's attention sometime in May 2024. On the date and the time of the allegation, Mr Jayasuthan wasn't in the premises and therefore he confronted his staff and reviewed the CCTV. He didn't find any evidence for this allegation, and he provided all the CCTV footages to the officers (Police & Council Licensing) at that time. There was no further communication nor any follow-up, so he believed that the matter was closed.

Regarding the incident on the 14th of May 2024, again my client wasn't in the premises at that time. However, when he was notified about this matter, he reviewed the CCTV footages and talked to his staff. As my client explained on his letter dated 21/05/2024, this individual was served in the morning when he wasn't drunk however, we have refused the alcohol when he returns later around 11.30am because he was intoxicated. My client wrote to the council explaining this and there was no follow-up.

I can see from the application that you don't have confidence with the current licensee & DPS. Therefore, we are happy to transfer the responsibilities to the business owner so she will be taking the responsibilities under Licensing Act 2003.

My client builds this business & his customers in the past 22 years. He will never jeopardise his livelihood by selling few cans of beer to street drinkers. He has taken all the steps to train his staff, He never ignored any of the authorities rather he is always corporative and responsive. Therefore, we are sincerely urging you to reconsider your position also we are more than happy to meet with you to resolve this matter effectively.

Thank you

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

Appendix – III : Email to Police Dated 23/07/2024



Naga Rajesh

23 July 2024 at 18:05

Re: Attention to Sergeant Gareth Gosling - Re: Premises Licence Review Application - Eats & Drinks, 24-25 King Street,...

To: GOSLING Gareth 2551, Cc: Gatehouse, Kirsty

[Details](#)

Dear Sgt Gosling,

Thank you for your email and further details. I have visited the shop on Monday and met both licensee and his wife. We also had a detail conversation regarding your last email and other matters.

Both, the current Licensee and his wife have assured me that they have never involved nor handled stolen goods. In fact, both were shocked by all these events. They have a very good cliental in this area and they know almost all their customers personally.

As I have previously mentioned in my email, when this was brought to my client's attention, he interrogated his staff and helped the Police officers by providing the CCTV recordings. He didn't hide anything from anyone. If he involved in any such activities, he wouldn't have voluntarily provided the CCTV. During the meeting on Monday, my client explained to me that when the officers came for the first time to check the CCTV regarding this alleged offence, he wasn't on the premises and therefore he made an appointment with the officer to meet at the shop on the following day. During the second visit, he handed the CCTV recording voluntarily. If he wanted to hide anything, he had plenty of time to delete the footages; he is maintaining a good CCTV system even though it wasn't a requirement under his current Premises Licence. From his interrogation with his staff and the CCTV footages he didn't see anything in relation to stolen goods.

I can see from your last email; you have stated that you have strong evidence in relation to stolen goods. Is this from the same CCTV recordings provided by my client or is it from any other incidents?

My client seems to be confused by this allegation. Because:

- Neither his wife nor himself never think of involving any of these activities.
- Interrogated his staff & CCTV but didn't find anything
- Worked with Police & Licensing and there was no follow-up.
- Provided all the evidence he could

Mr Gosling, we are more than happy to look into this matter again, if you are able to provide us the details/evidence you have. According to my client, he has a very good cliental and he would go the extra mile to help his customers. When I was at his premises on Monday, I noticed that both (licensee & his wife) maintain a very good relationship with their local customers. If any of his staff were doing anything behind his back, he needs to know about it, then only he can take any action against them, otherwise as an employer his hands are tied. So please let us know about the details of these allegations.

Regarding the change of Licensee & DPS, his wife assured me that she can take full control of the shop as she has more time in her hand now. My client will be still working at the shop as a staff but will not involve in any management tasks. He also has other business in different trade.

Also, we have now completed the following –

- Our staff have gone through the Personal Licence course, pass the exams and now waiting to obtain the licence from the council.
- All members of the team are retrained on all 4 Licensing Objectives and these training records can be inspected.
- Maintain all refusal & incident records in the premises.
- We are strictly following the challenge 25 Policy with immediate effect

In addition to this we are happy to take the following additional steps, and we can take all of these as our licence conditions, moving forward.

- Full CCTV system with minimum of 30 days of recording capacity. The recordings will be provided to any authorities on request.
- Staff will be trained regularly, and the training records will be maintained in the premises for inspection.

Again, we completely respect your concerns as a Responsible Authority, however, neither my client nor his wife were part of any of these allegations and we haven't seen any unauthorised activities carried out by our staff.

Hope you can understand our position in this situation and hope you will consider all the procedures we have now put in place to promote the licensing objectives in the future.

Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

Appendix – IV : Areas of training provided

Staff Training Record Licensing Act 2003
--

Premises Name	
Premises Address	

Name of the Trainer	
Date of the Training	

Name of the Trainee	
Home Address	
D.O.B	
NI Number	

No.	Contents	Trained		
		Yes	No	N/A
01	It is illegal to sell alcohol to anyone under the age of 18.			
02	It is illegal to sell alcohol to anyone 18 or over if they are buying on behalf of someone under the age of 18.			
03	Understand the harm caused by underage drinking			
04	How to check the proof of age documents			
05	Know how to check the fake IDs or altered ID documents			
06	Understand the consequences of selling alcohol to anyone who is drunk			
07	How to identify if someone is drunk			
08	All premises sell alcohol must have a Premises Licence & a DPS			
09	Premises licence holder must display the licence inside the premises in a prominent place.			
10	“Challenge 25” must be always followed			

11	CCTV must be always ON & recording when premises in operation			
12	Know how to operate and comply with till prompts for age restricted products			
13	Fully aware of the conditions stipulated in the Premises licence			
14	Aware of the hours for sale of alcohol & premises open for public			
15	Understand all 4 Licensing Objectives			
16	How to record the Refusals in the book			
17	How to record the incidents in the Incident Record Book			
18	Understand the important to record the refusals & incidents			
19	How to handle difficult customers			
20	Aware of the fire exit and other fire safety equipment's			
21	Other health & safety matters in shop floor & immediate vicinity.			
22	Aware of the Emergency contact numbers and the person to contact			
23	Handling stolen goods knowingly or believing them to be stolen, is an offence			
24	Premises Licence Documents - explained			
25	Aware of blind spots in the shop floor & how to avoid them			

Trainee – I can confirm that I attended the training above. I listened & understood the training, also I understand that as an employee, it is my responsibility to abide by the policy & the procedures, in accordance with the training.

	Business owner / Licensee / DPS / Manager / Staff / Other	
Signature	Position in the organisation	Date

Trainer – Training has been completed successfully

	Preradic Ltd	
Signature	Name of the organisation	Date

This page is intentionally left blank