

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM

10.00AM, WEDNESDAY, 9 JULY 2025

VIRTUAL

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ADDENDUM

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REP B - Addendum

From: Donna Lynsdale REDACTED

Sent: 04 July 2025 14:03

To: erkut ???t REDACTED

Subject: The Lord of Wine, 33 Western Road, Hove BN3 1AF - 2025/01457/LICRSK/EH

Good Afternoon

Thank you for your acknowledgement attached.

However, I would like to address some of the points raised. Please see below:

A. Response to Rep B

"2. Staff training:

Firstly, I am thankful that you have informed me about the current rules on staff training for alcohol. Secondly, I would like to point out that my staff are aware of both the "under 25" rule and the "no service to those under the influence" rule. There are currently no findings suggesting otherwise, or showing that we served underage consumers or those who appear under the influence.

I ensure that I train my staff in accordance with the laws and regulations under which I am obliged. I do not breach any rules intentionally, however mistakes and accidents can happen. My wife and I have run the shop with only the 2 of us for the past year. My wife and I both have separate personal licences and she is as familiar as I am with the requirements. As we felt the exhaustion more, we decided to recruit 2 people. We fully trained 2 people, however we had to let go of both of them shortly after since we could not agree on hours with one of them and on wages with the other. Following our variation application, my wife had a number of health issues. Due to the urgency of her situation, we went to Turkey to get her the urgent medical attention that we needed at the time. Naturally, I needed someone to run the shop whilst we were in Turkey, and I thought of the 2 people whom I had very recently trained. Thankfully they agreed to help, and they were registered as employees accordingly before I left the UK.

However, it is evidently as worrying that the information given to licence holders by the council and by the police are inconsistent. Per our discussion on the phone during your visit, I provided the staff training every 6 months in accordance with the information I held at the time which I obtained from the police during their visit 2.5 years prior. This can be seen in the training book. This does not necessarily mean that I am unaware of or unfamiliar with the rules as a licence holder. The simplest way to be familiar with the frequency of staff training is to be informed by the police or the council.

Nonetheless, I will ensure that the staff training will be provided every 8 weeks hereafter, in line with the information provided by you."

You stated that:

However, it is evidently as worrying that the information given to licence holders by the council and by the police are inconsistent. Per our discussion on the phone during your visit, I provided the staff training every 6 months in accordance with the information I held at the time which I obtained from the police during their visit 2.5 years prior. This can be seen in the training book. This does not necessarily mean that I am unaware of or unfamiliar with the rules as a licence holder. The simplest way to be familiar with the frequency of staff training is to be informed by the police or the council.

Nonetheless, I will ensure that the staff training will be provided every 8 weeks hereafter, in line with the information provided by you.

This is very concerning, that you feel you have been given miss information regarding training.

Your premises licence states the following condition:

- 7) All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales:

- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age restricted products prior to the selling of such products, and verbal reinforcement/refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- All age-restricted sales training undertaken by staff members shall be fully documented and recorded.

All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

When you took over the running of the premises, the above condition was already on the licence.

“3. Refusal book:

We have ensured throughout the years that we have filled in the refusal book with true events and accurate information. Over the years we have had inspections from the police 2 or 3 times. During each inspection, the officers compared the book with the actual CCTV footage for accuracy, which was found to be correct.

However, it is neither possible nor advisable to fill in the book just for the sake of it to appear that we record incidents when there have been none. It is simply inaccurate that there has been no incident record since December 2024. Per our conversation, we switched to a fresh book for 2025 in order to have more space to put detailed descriptions of the incidents. The new book contains records of 2025 until the end of May and on the day of your visit it was at home for the newly printed pages to be added. As I mentioned that I left the UK for an urgent matter, I forgot to make sure that the book was in the shop. As a result, it happened to be absent on your visit day.

I would like to ensure that we do have a current refusal book that we ritually and accurately fill available on the premises.”

Your premises licence states the following condition:

- 8) The premises shall at all times maintain and operate an age-restricted sales refusals book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Brighton & Hove Trading Standards.

In accordance with this condition, there was no refusals for 2025 available at the time of my inspection. Therefore, I was unable to confirm if the above condition was being complied with. However, the above condition was being breached at time of my inspection as you log for 2024 had not been reviewed or signed off at intervals of no less than 4 weeks.

As stated in my representation, I have concerns for the granting of a premises licence for off sales until 4am within the CIZ area.

Therefore, my representation remains asking for the application to be refused.

Regards

Donna Lynsdale | Fair Trading Officer & Licensing Officer (Trading Standards & Licensing), Regulatory Services

Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP

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From: erkut ???t REDACTED

Sent: 23 June 2025 14:12

To: Donna Lynsdale REDACTED

Subject: The Lord of Wine, 33 Western Road, Hove BN3 1AF - 2025/01457/LICRSK/EH

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

23 June 2025

Dear Donna

Re: Acknowledgement of receipt of representations and advice on actions taken to address the representations

Thank you for your visit to our premises on 6 June 2025.

I confirm that I have received both the Rep B and the Rep A as well as the accompanying correspondence.

Additionally I would like to kindly offer below the actions taken to rectify said issues you have discovered during your visit, and address and clarify a few misunderstandings.

A. Response to Rep B

1. CCTV recording:

We regularly record CCTV for both the safety of both our community and the staff, as well as to fulfil our obligations required by the law, since the day the ownership was taken over by us. We currently have 12 CCTV cameras in operation covering all public areas as well as staff only rooms, with 2 being outside, 6 being on the main floor and 4 being downstairs in the storage. The majority of these CCTV cameras audio-record and all of the CCTV cameras have the date and time stamp. Our practice of recording is in accordance with the minimum requirements and stored for 28 days.

As I explained to you the day of your visit, we renovated the premises to appease our customers and boost our business. In order to keep the TV screen safe, we took it downstairs to our storage during the renovations. Upon an unfortunate turn of events, the TV screen showing the CCTV footage was broken downstairs as it was accidentally stepped on. As I was required to go to Turkey for an urgent issue, I was unable to bring it back upstairs, or have it replaced or repaired.

However, this does not mean that we do not have a working CCTV system that stores the footage for 28 days. I was able to send my staff the CCTV footage from 28 days prior on the day of your visit which you were able to see as well.

Since we have owned this business for almost 8 years, we have always complied with our legal obligations. Whenever we had a visit from the police or the council, we always had the TV screen accessible to the officers and have never once breached this obligation. Naturally, we would not have breached this rule whilst knowing that we would have a visit from the council and the police during the 28 day window for the application that we consciously made to the council, if it was not for the unfortunate chain of events that were outside of our control.

I would like to confirm that I am putting back a TV screen on the main floor today, accessible again to both the police and the council.

Additionally, please find the CCTV footage sent to the person to whom you spoke during your visit as well as the CCTV footage taken instantly whilst you were on the premises, with the date and time stamp visible on the footage.

2. Staff training:

Firstly, I am thankful that you have informed me about the current rules on staff training for alcohol

Secondly, I would like to point out that my staff are aware of both the “under 25” rule and the “no service to those under the influence” rule. There are currently no findings suggesting otherwise, or showing that we served underage consumers or those who appear under the influence.

I ensure that I train my staff in accordance with the laws and regulations under which I am obliged. I do not breach any rules intentionally, however mistakes and accidents can happen. My wife and I have run the shop with only the 2 of us for the past year. My wife and I both have separate personal licences and she is as familiar as I am with the requirements. As we felt the exhaustion more, we decided to recruit 2 people. We fully trained 2 people, however we had to let go of both of them shortly after since we could not agree on hours with one of them and on wages with the other. Following our variation application, my wife had a number of health issues. Due to the urgency of her situation, we went to Turkey to get her the urgent medical attention that we needed at the time. Naturally, I needed someone to run the shop whilst we were in Turkey, and I thought of the 2 people whom I had very recently trained. Thankfully they agreed to help, and they were registered as employees accordingly before I left the UK.

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Nonetheless, I will ensure that the staff training will be provided every 8 weeks hereafter, in line with the information provided by you.

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I would like to ensure that we do have a current refusal book that we ritually and accurately fill available on the premises.

B. Response to Rep A:

1. Alcohol and cigarettes:

We have not, and currently do not sell any illegal products, beer or cider with over 6% alcohol on our premises, or cheap beverages with high percentage of alcohol.

We intend to remain on strict terms with refraining from selling illegal products and products with a high alcohol percentage.

2. Security:

We have built excellent relationships with our community throughout the years and we care about our neighbourhood as well as our youth. We ensure that we strictly apply the “under 25” and the “no service to those under the influence” rules. We have been working with Consec Risk Management over the years to provide security for our community, customers, staff and ourselves.

Although I acknowledge that the council and the police are more well-informed about the incidents in our area, I would like to highlight that we have not had any incidents in our shop for years.

I recognise that if and when my licensing hours are extended, this will result in an expansion of my role and responsibilities in crime prevention, public safety, prevention of public nuisance and protection of children from harm. As mentioned on the police representation, this will extend to ensuring that reducing or preventing incidents once our customers have left the premises after purchasing from us. However, this is also a risk with the shops that currently have valid alcohol licences until the early hours of the morning. This risk also runs during the day, which has never been realised since we took over our shop.

I ensure that, as always, we will not sell alcohol and cigarettes to those who appear under the influence. We will also provide more frequent security visits from our security company to monitor the customers once they leave the premises.

I recognise that our shop is in the ClZ area. However, I would like you to kindly acknowledge that we have a small shop, with more than half of the shop offering non-alcoholic products. As I mentioned in my application form, we offer fresh produce as well as packaged products and daily essentials. We ensure that high percentage alcoholic spirits are shelved behind the till, i.e inaccessible by non-staff. We have not had any unpleasant incidents that caused harm to the public inside or outside the premises. Our sole purpose, by applying to a full licence variation, is to boost our business and provide our products to the community, although we promise that not necessarily our alcoholic products.

I acknowledge and expect that further inspections will be made in the future to ensure that we adhere with the representations. I confirm that I have made the adjustments to adhere and comply with the representations.

Thank you for considering my application. Yours

sincerely

Erkut Ogut

