

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 24th February 2020
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	La Bufet, 136 Boulton Road, Birmingham, B21 0RE
Ward affected:	Soho and Jewellery Quarter
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider an application to review a Premises Licence.

2. Recommendation:

To consider and determine the review application.

3. Brief Summary of Report:

Review application received on 9th January 2020 from the Chief Inspector of Weights & Measures in respect of La Bufet, 136 Boulton Road, Birmingham, B21 0RE.

Representations have been received from both West Midlands Police and Birmingham City Council Licensing Enforcement as responsible authorities.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

The Chief Inspector of Weights & Measures applied on 9th January 2020 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for La Bufet, 136 Boulton Road, Birmingham, B21 0RE

Representations have been received from West Midlands Police and Birmingham City Council Licensing Enforcement, as responsible authorities. See Appendices 1 and 2.

Review application is attached. See Appendix 3.

The Premises Licence is attached at Appendix 4.

Site location plans are attached at Appendix 5.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003.

The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are: -

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representations as detailed in Appendices 1 and 2.

Review Application Form, Appendix 3.

Copy of Premises Licence, Appendix 4.

Site location plans, Appendix 5.

7. Options available

Modify the conditions of Licence

Exclude a Licensable activity from the scope of the Licence

Remove the Designated Premises Supervisor

Suspend the Licence for a period not exceeding 3 months

Revoke the Licence

No Action

Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Entered 16/1/20
JS.

From: bw licensing
Sent: 16 January 2020 10:00
To: Licensing
Cc: Paul Ellson
Subject: WMP Representation - La Bufet - 136 Boulton Rd - Licence no 5092
Importance: High

Good Morning Licensing,

West Midlands Police support the representation made by Birmingham Trading Standards regarding La Bufet, 136 Boulton Road, Soho B21 0RE – premises licence number 5092.

The representation is supported under public safety and prevention of crime & disorder licensing objectives.

Trading standards visited the premises on 31st July 2019 due to a complaint from a member of the public that the premises were selling alcohol – (without a licence.) At the visit they found both illicit alcohol and cigarettes for sale at the premises.

From the representation made by Trading Standards it is obvious that Mr Mustatea who is both the premises licence holder and designated premises supervisor is either incapable or unwilling to promote the licensing objectives despite being given advice and a warning by Trading Standards regarding illicit tobacco and alcohol on 31st July 2019 less than 3 months prior to the visit on 7th October which has led to this review. This is compounded by the fact the first visit in July 2019 to the premises by Trading Standards where the original advice and traders notice were given was while Mr Mustatea was in the process of applying for a premises licence.

The premises licence was granted 6th August 2019 after West Midlands Police had objected to the application due to concerns about the premises supplying illicit medication and the negative impact the premises would have on the street drinking as associated ASB issues within the area. The committee at the time decided to give Mr Mustatea the benefit of the doubt and grant the licence. It was only 2 months after the granting of this premises licence that the visit took place which has prompted this review.

In the experience of West Midlands Police the trade in illicit cigarettes helps fund other criminal activity. Mr Mustatea would have no idea whether these illicit cigarettes were fit for human consumption, what harmful toxins may be present or what health implications it may have for anyone smoking these cigarettes. One thing for certain is the fact that there would have been no duty paid on these cigarettes and more often than not all the transactions for these cigarettes would be in cash with no tax paid. Mr Mustatea has put profit over promoting the licensing objectives of public safety and prevention of crime and disorder.

The licensing committee of 6th August 2019 put their faith in Mr Mustatea by granting him a premises licence with the expectation he would promote the licensing objectives. Bearing in mind the advice and warning given, (while his premises licence application was being processed) and the extremely short period of time between the granting of the licence and this review Mr Mustatea has definitely not repaid the committee's confidence in him.

Trading Standards have worked with Mr Mustatea and given him clear advice which he seemingly has decided to totally ignore. Even before the premises licence was granted Mr Mustatea was not only selling alcohol from the premises but selling home-made 'hooch' again having no regard for public safety. Again it is highly unlikely that tax or duty would be paid on any of this alcohol taking into account it had been decanted from the original container(s).

West Midlands Police have no confidence that Mr Mustatea has any intention of meeting or promoting the licensing objectives. It is obvious that Mr Mustatea has no intention of working alongside the responsible authorities as he has blatantly lied to Trading Standards Officers on 7th October 2019 and therefore fully agree with Trading Standards that the premises licence should be revoked.

Regards

Chris Jones 55410

Birmingham Central Licensing Team

Switchboard Tel: [REDACTED]

Direct Dial Tel: [REDACTED]

West Midlands Police HQ
Lloyd House
Colmore Circus
Birmingham
B4 6NQ

(Sat nav postcode B4 6AT)

Contact us on 999 in an emergency or for all other matters please visit [WMPolice Online](#)



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Birmingham City Council Licensing Service Birmingham

Representation as a responsible authority in respect of the premises licence no.
5092 granted under the Licensing Act 2003 in respect of premises known as

La Bufet, 136 Boulton Road, Birmingham, B21 0RE

Introduction

The current premises licence holder – Mr Stefan Mustatea

Nominated Designated Premises Supervisor – Mr Stefan Mustatea,

The licence currently authorises the following licensable activities:-

M2 - Sale of Alcohol by retail (off the premises)

And permits this licensable activity to take place:-

Sale of Alcohol

Monday – Sunday 10:00 – 22:00

Opening hours of the premises

Monday – Sunday 10:00 – 22:00

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED	
14 JAN 2020	
REF NO	Entered BN 15/1/20
INITIALS	JS

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The Premises Licence Holder shall ensure there are strong management and security procedures in place which encompasses the four licensing objectives.

The Premises Licence Holder shall ensure that all staff are trained as appropriate in respect of relevant licensing law, the Challenge 25 Policy and the requirements and the need to demand an acceptable form of age ID.

2b) Conditions consistent with, and to promote the prevention of crime and disorder

The Premises Licence Holder shall ensure a CCTV system is installed inside and outside the premises.

Any person who appears drunk / aggressive will not be permitted on the premises.

No consumption of alcohol will be permitted inside the premises.

2c) Conditions consistent with, and to promote public safety

No enforceable conditions identified from operating schedule

2d) Conditions consistent with, and to promote the prevention of public nuisance

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly.

All deliveries will be received during the daytime to control noise nuisance.

The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.

Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

2e) Conditions consistent with, and to promote the protection of children from harm

A Challenge 25 Policy will be strictly followed by all staff.

No adult entertainment is permitted at these premises.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Licensing Sub Committee C resolved to grant the premises licence on the 31st July 2019, subject to the condition below:

3b) Committee conditions to promote the prevention of crime and disorder

There shall be no sale of single cans of beer, ciders, lagers, alcopops or premixed spirit drinks.

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

N/A

3e) Committee conditions to promote the protection of children from harm

N/A

Background Information

On 11th June 2019 an application was received by Birmingham City Council Licensing Section from Mr Stefan Mustatea for a premises licence at the address of La Bufet, 136 Boulton Road, Birmingham, B21 0RE.

On 12th July 2019 a complaint was received by Birmingham City Council Licensing Service regarding the premises La Bufet, 136 Boulton Road, Birmingham, B21 0RE. The complaint alleged that the premises were selling alcohol without a licence to do so, along with illicit tobacco and prescription only medicines. As a result of this complaint The Medicines and Healthcare Products Regulatory Agency (MHRA) were notified with regards to the allegation of prescription only medicines being supplied and Birmingham Trading Standards notified with regards to the allegation of illicit tobacco and alcohol being supplied.

As a result of the allegations made in the complaint, a joint inspection was arranged with Trading Standards and Licensing Enforcement at their earliest convenience, this being 31st July 2019 at 10:40 hours.

On entering the premises there was a woman behind the counter. The officers (Paul Ellson, Trading Standards Enforcement Officer and Sharon Watts Licensing Enforcement Officer) explained the reason for their visit but she didn't appear to understand. She made a telephone call and Trading Standards Enforcement Officer Paul Ellson spoke to a woman giving her name as Mrs P Mustatea, the wife of the owner. Mrs Mustatea arrived at the premises shortly after and she was made aware of the allegations surrounding the complaint.

Officers noted a price list displayed in the shop (Appendix 1) indicating that alcohol was already being sold from the premises. The price list was in Romanian and a translation of this can be found attached (Appendix 2).

In light of this a full inspection of the premises was made. On inspection of a large stockroom at the rear of the premises a quantity of illegal products were found:-

- 200 illegal Davidoff cigarettes found in the shop freezer. (Packaging found not to comply with tobacco labelling requirements).
- 5 litres of red wine that had been decanted into plastic bottles. (Photo Appendix 3)
- 35 litres of red wine which had been decanted into plastic bottles and hidden in a large Budweiser display barrel. (Photo Appendix 4)
- A large tapped bell jar containing what appeared to be alcohol spirit (Photo Appendix 5)

Also found in the store room:-

-
- A large quantity of canned beers found in a fridge and freezer (Photo Appendix 6 & 7)

The red wine and spirits had no labelling present on the bottles and due to its unknown origin etc was destroyed by Officer Ellson by pouring down the drain.

Trader Notices were issued by Licensing Enforcement (Enforcement Officer Sharon Watts issued Trader Notice No. 26386/7 marked for the attention of Mr Stefan Mustatea, copy attached as Appendix 8) and Trading Standards (Enforcement Officer Paul Ellson issued Trader Notice no. 13267/8, copy attached as Appendix 9). Mr Mustatea was requested to act on the information provided in the Trader Notices.

On 6th August 2019 a Premises Licence no. 5092 was granted to Mr Stefan Mustatea for the premises La Bufet, 136 Boulton Road, Birmingham, B21 0RE.

On 7th August 2019 Trading Standards Enforcement Officer Paul Ellson sent a letter to Mr Mustatea issuing him with a written warning, following the inspection carried out on 31st July 2019. (Copy of letter attached Appendix 10).

A re-visit to the premises of La Bufet, 136 Boulton Road was made by Trading Standards Enforcement Officer Paul Ellson and Licensing Enforcement Officer Sharon Watts on 7th October 2019. On this occasion a Licensing Act 2003 inspection was carried out to ensure that the business was complying with conditions attached to the Premises Licence.

On arrival at the premises the woman behind the counter was requested to contact the owner, Mr Stefan Mustatea and he arrived shortly after. On arrival Mr Mustatea was informed that an inspection would be carried out to assess compliance with conditions on his Premises Licence. Officer Ellson asked Mr Mustatea if he had any illicit tobacco on the premises to which Mr Mustatea presented a plastic bag from under the counter, containing a variety of cigarettes, all of which did not comply with labelling requirements for supply in the UK. Officer Ellson asked Mr Mustatea if there was any more tobacco on the premises and he denied this. Officer Ellson conducted an inspection of the counter area and obtained a further 131 packets of illicit tobacco (did not comply with labelling requirements for sale in the UK). Officer Ellson seized this tobacco.

The inspection carried out by Licensing Enforcement Officer Sharon Watts identified breaches of the conditions of licence. These were recorded on Trader Notice No. 26463. (Copy attached Appendix 11). Mr Mustatea was given time to rectify the licensing non-compliances. A revisit was subsequently made by Licensing Enforcement Officer Sharon Watts on 4th December 2019 and on that occasion the inspection was found to be compliant.

Licensing matters identified

The premises La Bufet, 136 Boulton Road, Birmingham, B21 0RE was initially visited as a result of a complaint made to Birmingham City Council concerning illicit products being supplied. The inspection carried out by officers on 31st July 2019 confirmed the allegations regarding illicit alcohol and tobacco. At that time a Premises Licence had been applied for but not been granted. It was decided to provide Mr Mustatea with a written warning and a follow up visit to ensure matters had been addressed following the grant of the Premises Licence. The inspection carried out by officers on 7th October 2019 hi-lighted that illicit tobacco was again found on the premises. The Licensing Act inspection was the first full inspection following the grant of the licence and therefore advisory. The revisit by Licensing Enforcement on 4th December 2019 was found to be compliant. This inspection however, does not negate the fact that illicit tobacco was found to be on the premises during the joint inspection with Trading Standards on 7th October 2019, whereby previous advice had been given.

Guidance issued under section 182 of the Licensing Act 2003 – Reviews arising in connection with crime states:-

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion

of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Licensing Enforcement Team Recommendations to the Licensing Committee

As a Licensing Authority Birmingham City Council must carry out its licensing functions with a view to promoting the licensing objectives contained in the Act. The Act is clearly intended to prevent crime and disorder in relation to premises, as well as deter and prevent unscrupulous persons from operating illegally under the authorisation of a premises licence.

Birmingham City Council Licensing Enforcement support Birmingham Trading Standards in the request for a review of the Premises Licence. Options available to the Licensing Sub Committee in determining the most appropriate course of action for this review may be suspending / revoking the licence or imposing further conditions on the licence which may include the following:-

- Only buying tobacco / alcohol from reputable sellers, keeping invoices relating to any sales for traceability purposes. The invoices to be produced at the request of an authorised agent.

-
- Keeping CCTV for a minimum of 28 consecutive days and images available to download and produce at the request of a responsible authority.
 - Providing staff training relating to the 4 licensing objectives. The training being recorded, kept on site and available for production on request by a responsible authority.

SEND & RECEIVE
**MONEY
HERE**

WESTERN UNION **WU**

SEND & RECEIVE
**MONEY
HERE**

WESTERN UNION **WU**

Appendix
1

! NUMAI LA COMANDA !

COMANDA MINIM CU 1 ZI INAINTE

MICI DE CASA

£ 7.00 / KG

PASTRAMA:

- OAIE -----> £10.00/Kg
- PORC -----> £ 9.00/Kg

CARNATI de CASA:

Amestec carne porc in mat :

- OAIE -----> £ 8.99/Kg
- PORC -----> £ 8.00/Kg

Amestec carne porc + vita in mat :

- OAIE -----> £8.99/Kg
- PORC -----> £8.99/Kg

Patiserie de Casa :

Cozonac -----> £10.00/buc

Chec -----> £8.00/buc

Prajituri asortate --> £12.00 / Kg

Prajituri ----> £ 1.60 / buc.

TORTURI LA COMANDA !

VIN:

ALB ----->£ 6.50 / L

ROSU -----> £ 6.50 / L

ROZE -----> £ 6.50 / L

TUICA ----> £15.00/L

VISINATA -> £15.00/L

Coasta porc afumata --> £7.50/Kg

Sunca afumata -----> £ 8.00/Kg

Sunca cu usturoi -----> £ 8.00/Kg

Sunca boia + usturoi --> £ 8.00/Kg

Carne tocata porc -----> £ 5.50/Kg

Aripioare Pui £ 3.79 / Kg

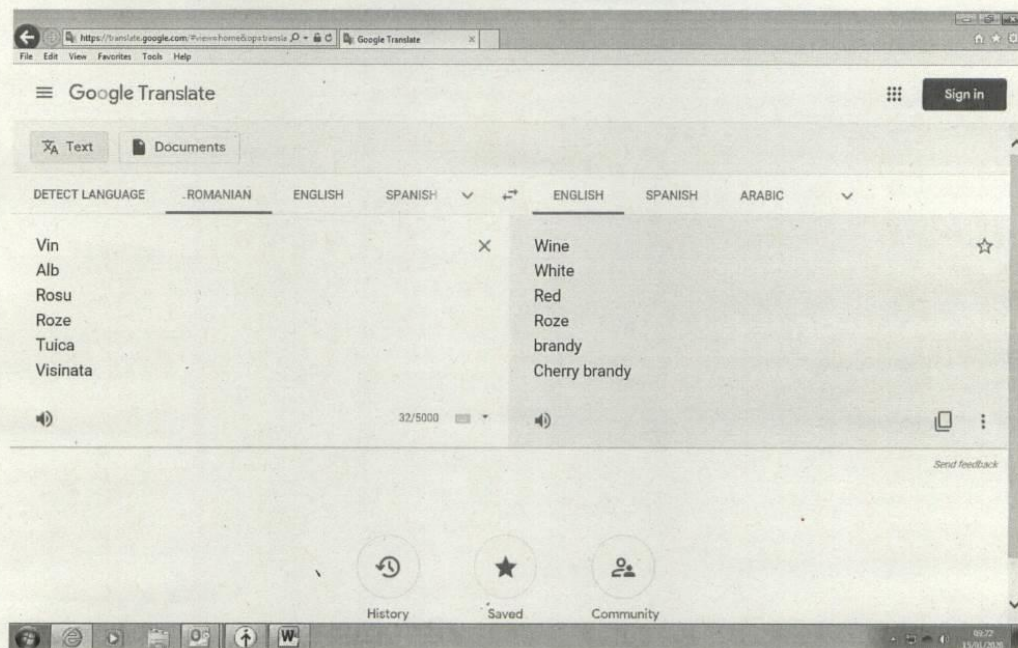
RATE

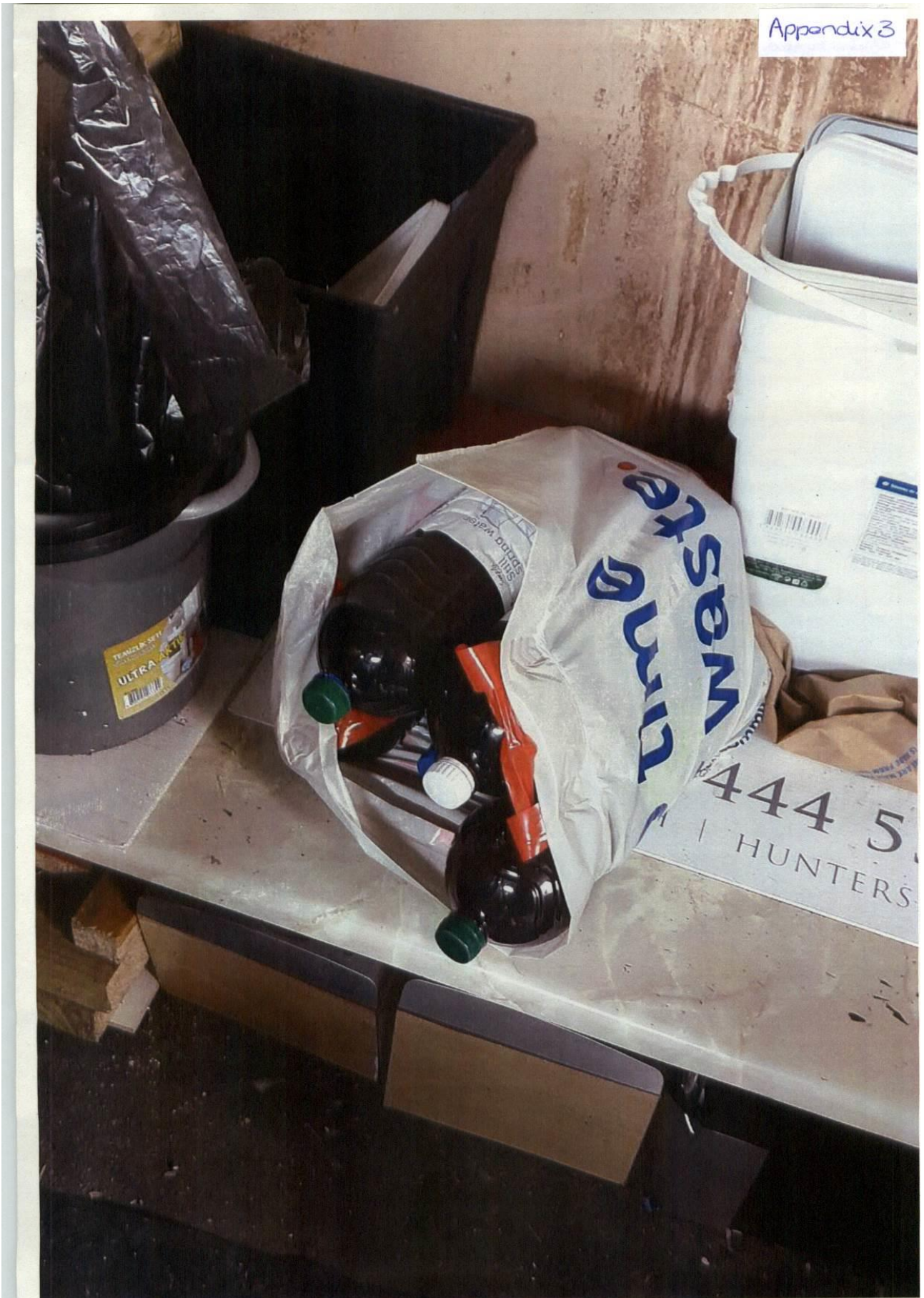
2.6 Kg ----> £ 8.69 / buc

(£ 3.35 / Kg)

PIEPT PUI £ 3.99 / Kg

















Birmingham
City Council

Chris Neville
Head of Licensing

No. 26386

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



FS 26188

Stepan mustatea

M. La Buret

136 Bouldon Rd.

B 21 DRE

Enquiries to: *Mrs S. Watts*

Telephone: *303 9365*

Date: *21/9/19*

Legislation: *Licensing Act 2003*

The following matters have been identified which do not comply with the above legislation:

*This service is in receipt of
a complaint regarding alcohol being
sold from these premises.*

*You do not have a licence
at present to sell alcohol even
though you advertise white, red
and rose wine for sale per litre.*

*Your storage area was found to have
alcohol - (beer & ~~wine~~) which you
stated you had purchased for use
a licence may be granted.*

*You are advised that you commit
an offence under the above legislation.*

Received by: *[Signature]* Authorised Officer: *[Signature]*

PRIDONELA MUSTATEA

ptb



The Government Standard

44.49



Chris Neville
Head of Licensing

No. 26387

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



FS 26188

M. La Burel

Enquiries to: Mrs S. Watts

Telephone: 323 9345

Date: 31/7/19

Legislation: continued page 2

The following matters have been identified which do not comply with the above legislation:

If you sell alcohol / expose for
sale alcohol without a licence
to do so. Remove the advert for wine
It was also noted that there appears
to be alcohol (wine) stored in
old bottle containers with no labelling
which you stated were not for
consumption & have thrown away.

Should a licence for alcohol not
be granted, you are advised to
remove any alcohol from your premises

Received by: Authorised Officer:

PETRONELA MUSTATA



The Government Standard

44.40



No. 13267

STEFAN MUSTAFA
LABRETT 161
136 BOLLTON RD
B71 0RE

Enquiries to: P A ELLSON

Telephone: 0121 303-9337

Date: 31/7/19

Legislation: 1052- PERMISSION GIVEN TO
SEARCH - INSPECTOR
LICENSING ACT 2003, TOBACCO
AND RELATED PRODUCT 2016
STANDARDIZED PACKAGING OF
TOBACCO PRODUCTIONS 2013
FOOD SAFETY ACT 1990
INSPECTION OF PREMISES AT
ROAN STOCK ROOM - MINOR FAULTS
1x SLEEVE DAVIDOFF, COMPLIANT
5x UNITS RED WINE IN ASDA BOX
1x UNMADE BOTTLE - DESTROYED 24th
7x UNITS OF RED WINE IN BUSTONI
AQUATIQUE 5L (BABY), DESTROYED 24th
BUSTONI OF FOOD SAFETY LEGISLATION

Received by:

Authorised Officer:

SEE IMPORTANT NOTICE OVERLEAF

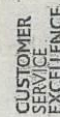
TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



FS 26188



INVESTOR IN PEOPLE



The Government Standard



47/27



Birmingham
City Council

No. 13268

M

136 BOULTON RD

Enquiries to:

Paul H. O'Leary

Telephone: 0121

303-4332

Date:

31/7/19

Legislation:

CONTINUED FROM 13267
BELL JAR OF HOME MADE/
ILLEGAL VODKA FOUND IN
STOCK ROOM WITH LARGE
QUANTITY OF EMPTY PLASTIC
BOTTLES, SMALL & LARGE
SAMPLE TAKEN IN SAKA
BOTTLE 1155 AND MARKED
IN PRESENCE BIANCA
COSMINA (WORKER)
INSTRUCTED TO DESTROYED VODKA
ENVIRONMENTAL HEALTH SHALL BE
INFORMED

Received by:

BIANCA COSMINA

Authorised Officer:

[Redacted Signature]

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



FS 26186



INVESTING IN PEOPLE



The Government Standard

47.21



Our Ref gg4/tss/9285/pae/za
Job Ref: 9447814

7 August 2019

**OFFICER WARNING
DO NOT IGNORE THIS LETTER**

La Bufet
136 Boulton Road
Soho
Birmingham
B21 0RE

Dear Mr Stefan Mustatea

**Consumer Protection Act 1987
Consumer Protection From Unfair Trading Regulations 2008
Tobacco and Related Products Regulations 2016 Standardised Packaging of Tobacco
Products Regulations 2015
Trade Marks Act 1990
EU Regulations (EU) No. 1169/2011
Food Information Regulation 2014
Alcohol Liquor Duty Act 1979
Value Added Tax Act 1999
Her Magistrates Customs & Excise, Tax, Duty, Origin and associated legislation in all
of its amended forms relating to Alcohol
Tobacco Products Duty Act 1974
Licensing Act 2003
Weights and Measures Act 1985 as Amended**

Following the inspection of your premises by Officers Watts from BCC Licensing Section and myself, I am writing to inform you concerning the contraband (tobacco and alcohol) that was found in your premises.

Upon inspection of the retail stockroom which does form part of the retail premises, a large quantity of red wine, 45 litre was discovered. This had been decanted into plastic pop and water bottles, presumable for supply. A price list was discovered in the shop, as well as numerous empty plastic bottles been amassed ready again presumably to be filled with this contraband wine.

Your contact regarding this letter is:
Paul Ellson



Birmingham City Council
Trading Standards
PO Box 16586
Birmingham
B33 3EH

Telephone: [REDACTED]
Fax: [REDACTED]
E-mail: [REDACTED]
The Place Directorate

Continuation Sheet/...

Our Ref. gg4/tss/9285/pae/za

Also an illicit "clear" alcohol spirit was discovered again ready to be sold/supplied. This discovery quite clearly breaches a vast array of Trading Standards, Licensing, Environmental Health and Custom and Excise legislation.

This legislation is primarily designed to protect the consumer and public health as well as generate income which her Majesty Government is due, and sold not be so readily and casually disregarded. The penalties for breaches can be severe and grievous.

It is not acceptable to state that such items that were found were for personal use, if they are for "personal use" they should not be in a retail premises stockroom or mixed in with what appeared to be a bottling operation and food pickling area. There are STRICT food hygiene, handling and storage regulations you MUST COMPLY with at all times.

Also 200 illicit cigarettes were found which again breaches Trading Standards Legislation. The original complaint states that you were supplying, "smuggled" alcohol to the public, indications found during this inspection would be seen to confirm this.

The Alcohol Licence that has been granted to you now to sell alcohol in the correct manner is a privilege not a right and has a number of conditions attached which you MUST comply with. Breaching the legislation may result in a review of your licence being instigated.

On this occasion it has been decided that an Officer Warning be issued. Consider this letter to be that warning. I have enclosed a number of leaflets for you which you should seriously consider reading as the licence imposes duties and obligations upon you, the limited company and all your staff.

I have however notified Environmental Health of the issues that we found.

Further inspection will be carried out and warranted searches, this may be done with specialised equipment.

If you have any comments about the contents of this letter please do not hesitate to contact me.

Yours sincerely

Paul Ellison

Enforcement Officer

Direct Telephone Number:

Enclosures:

Continuation Sheet/...

Our Ref gg4/tss/9285/pae/za

1. BC – Sale of Alcohol in licensed premises
2. BC – Sale of Food and Drink
3. BC – Alcohol
4. BC – Tobacco Packaging, etc
5. BC – Tobacco and Nicotine Inhaling Product
6. BC – Copy of Licences
7. BC – Underage Sales
8. Refusal Book
9. Tobacco Display Poster



No. 26463

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



FS 26188

Chris Neville
Head of Licensing

Mr Stefan Mustatea
La Buffet
136 Boulton Road
Birmingham, B21

Enquiries to: Mrs S. Watts

Telephone: 3039345

Date: 11/10/19

Legislation: Licensing Act 2003

The following matters have been identified which do not comply with the above legislation:

A licensing Act inspection has been carried out today following the grant of your licence in August 2019.

The following conditions are not being complied with and thereby constitute offences under the above legislation.

Condition 2b. There is no CCTV system outside the premises.

Condition 2d. A notice is not displayed at the exit of the premises asking patrons to leave quickly. Please put the notice displayed behind the counter at the exit.

Condition 3b. There shall be no sale of single

Received by:

Authorised Officer:

STEFAN MUSTATEA

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

44.49



No. 26464

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



Chris Neville
Head of Licensing

M. 15 Burel
136 Burel Rd
.....

Enquiries to: Mrs S. Walth
Telephone: 303 9365
Date: 7/12/15

Legislation: Continued page 2

The following matters have been identified which do not comply with the above legislation:

Cans of beers, lagers, alcopops or pre-mixed
spirit drinks - I suggest you display a
notice informing your customers of this
and ensure this is part of your staff
training.
A review will be carried out in 7 days
to assess compliance.
Further enforcement action may be taken
should non-compliance with your conditions
be identified.
You must also ensure any staff employed
here that you leave in charge of the
premises in your absence can speak

Received by:

Authorised Officer:

STEFAN WISTAR



The Government Standard

44.49



No. 26465

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



FS 26188

Chris Neville
Head of Licensing

M. La Buel

136 Boulton Rd

Enquiries to: Mrs S. Galt

Telephone:

Date: 7/11/19

Legislation: Continued pg 3

The following matters have been identified which do not comply with the above legislation:

English and are aware of the licence
conditions and also be able to produce
any documentation relating to the licensing
conditions to an authorised person
upon request

Received by:

Authorised Officer:

SHEENA MUSTAKET



44.49

Birmingham City Council, PO Box 17013, Birmingham, B6 9ES

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Paul Ellison (for and on behalf of Donna Bensley Chief Inspector of Weights & Measures)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
La Bufet 136 Boulton Road Soho	
Post town Birmingham	Post code (if known) B21 0RE

Name of premises licence holder or club holding club premises certificate (if known) Mr Stefan MUSTATEA
--

Number of premises licence or club premises certificate (if known) 5092
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

YES

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED - 9 JAN 2020 - REF NO RECEIVED 14.07
--

3) a member of the club to which this application relates
(please complete (A) below)



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Paul Ellison (ref 9540461) Birmingham Trading Standards Manor House 40 Moat Lane Birmingham B5 5BD
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

This application to review relates to the following licensing objective(s)

- | | |
|---|---------------------------------|
| 1) the prevention of crime and disorder | Please tick one or more boxes ✓ |
| 2) public safety | YES |
| 3) the prevention of public nuisance | YES |
| 4) the protection of children from harm | YES |

Please state the ground(s) for review (please read guidance note 2)

An application for a premises licence had been received for La Bufet, 136 Boulton Road, Birmingham, B21 0RE. However, during this time, a complaint had been received that alcohol was being sold from the premises prior to the granting of the licence. As a consequent a joint visit was carried out on 31 July 2019 at 10.40hrs; this was conducted by Trading Standards Enforcement Officer Paul ELLSON and Licensing Enforcement Officer Sharon WATTS.

At the time of the visit there was a woman behind the counter; officers explained the reason for the visit, but she appeared not to understand. She made a telephone call, Officer Ellson spoke to a lady on the phone and explained the reason for the visit; she would be there in a few minutes. Shortly after a lady arrived who gave her name as Mrs P MUSTATEA the wife of the owner. Officers explained the reason for the visit and the nature of the allegations.

Officers observed a price list on display in the shop which indicated that alcohol was already being sold from the premises. Therefore, a full inspection of the premises was undertaken. In the large stock room at the rear of the premises a quantity of illegal products was found; this included:

- 200 Davidoff cigarettes hidden in the shop freezer; these cigarettes did not comply with current UK tobacco control legislation in that the packaging did not comply with The Standardised Packaging of Tobacco Products Regulations 2015 and therefore cannot be sold in the UK and therefore illegal.
- 5 litres of red wine that had been decanted into Asda Lemonade bottles.
- 35 litres of red wine which had been decanted into Busteri Auatique (baby) bottles; these had been hidden in a large Budweiser display barrel.
- A large tapped bell jar containing homemade alcoholic spirit along with a large quantity of empty plastic bottles ready to be filled.

Due to the unknown provenance of this red wine and spirit Officer ELLSON decided to destroy the items by pouring them down the drain.

A Traders Notice number 1326 was issued by Officer ELLSON; see supporting doc 1, Officer WATTS also issued a Notice number 26387; see supporting doc 2. Both detailed what had been found and action required to be taken by the owner Mr Stefan MUSTATEA.

On the 6 August 2019 a Premises Licence was granted to Mr MUSTATEA for La Bufet; (Number 5092)

On the 7 August 2019 a follow up letter was sent to Mr MUSTATEA; see supporting doc 3.

On the 7 October 2019 at 1045am officers ELLSON and WATTS returned to the premises to ensure that it was operating legally and within the terms of the Premises Licence.

Officer ELLSON noted that just behind the counter a pack of illicit tobacco (what was it) was visible. Mr MUSTATEA was not on the premises at the time of the visit and the employee was asked to contact him; Mr MUSTATEA arrived shortly after.

Officer ELLSON asked Mr MUSTATEA if he had any illicit tobacco on the premises. Mr MUSTATEA presented a plastic bag from under the counter; this contained 22 packets of a variety of illicit cigarettes; they failed to comply with the Standardised Packaging of Tobacco Products Regulations 2015 and were therefore illegal and could not be supplied in the UK. Officer ELLSON asked him if he had any more, to which Mr MUSTATEA replied no.

Upon inspection Officer ELLSON found a further 131 packets of illicit cigarettes in 3 plastic bags and one box from under the counter; these again were not compliant with The Standardised Packaging of Tobacco Products Regulations 2015 and were therefore illegal and cannot be supplied in the UK. Mr MUSTATEA stated he had forgotten these. No other illicit products were found at the premises. The items were removed, Mr MUSTATEA was given a receipt and the officers left.

Please provide as much information as possible to support the application (please read guidance note 3)

Although the quantity of illicit tobacco found was not a great amount, (153 packets of cigarettes in total) Mr MUSTATEA had received considerable advice from both the Licencing Section and Trading Standards both verbally and in writing on how to comply with the law and his obligations as the Premises Licence Holder.

When asked directly whether he had any further illicit tobacco on the premises he denied it even though he was standing just by it.

Supplying illicit tobacco is a serious matter. It brings crime into the area and has health and safety implications.

On the first visit prior to him having the licence illegal products were found and it appeared to the officers that alcohol was already being sold prior to the grant of a licence. However, on this occasion's officers dealt with the matter in an advisory capacity.

Clearly Mr MUSTATEA has little regard for his obligations and the law.

Mr MUSTATEA has had no previous dealing with the City Councils' enforcement agencies other than work generated by these two incidents following the original complaint that alcohol was being sold without a licence.

Selling and dealing in illicit tobacco is a serious matter; no duty would have been paid on the items, it undermines legitimate business and the unknown provenance of illicit products can have health implications.

Taking the above matters into consideration the Licensing Sub Committee is asked to consider this application for a review and take any action open to them which could be to temporarily suspend or permanently revoke the licence.

Have you made an application for review relating to the premises before

No

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate YES
- I understand that if I do not comply with the above requirements my application will be rejected YES

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 09/01/20

Capacity Trading Standards Enforcement Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

DOCUMENT 1



Birmingham
City Council

FAO
Stephan Mustatea

Chris Neville
Head of Licensing

No. 26386

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



M. La Barot

Enquiries to: Mrs. S. Watts

136 Boulders Rd.

Telephone: [redacted]

B. 21 DRE

Date: 21/1/19

Legislation: Licensing Act 2003

The following matters have been identified which do not comply with the above legislation:

This service is in receipt of
a complaint regarding alcohol being
sold from these premises.
You do not have a licence
at present to sell alcohol even
though you advertise white, red
and rose wine for sale per litre.
Your storage area was found to have
alcohol - (beer & ~~wine~~) which you
stated you had purchased for use
a licence may be granted.
You are advised that you commit
an offence under the above legislation.

Received by: [redacted] Authorised Officer: [redacted]

PETRONELA MUSTATEA

pto





Birmingham
City Council

No. 26387

Licensing (Enforcement) Section
P.O. Box 17013
Birmingham
B6 9ES



PS 26188

Chris Neville
Head of Licensing

M. La Bisset

Enquiries to: Mrs S. Wallis

Telephone:

Date: 31/7/19

Legislation: continued page 2

The following matters have been identified which do not comply with the above legislation:

If you sell alcohol / expose for
sale alcohol without a licence
to do so. Remove the advert for wine
It was also noted that there appears
to be alcohol (wine) stored in
old bottle containers with no labelling
which you stated were not for
consumption & have thrown away.

Should a licence for alcohol not
be granted, you are advised to
remove any alcohol from your premises

Received by:

Authorised Officer:

PETRONELA MUSTATICA



The Government Standard

44.40

DOCUMENT 2



Birmingham
City Council

No. 13267

M. STEFAN MUSTATA
LABUFET Ltd.

136 BOUTON Rd
B21 0RE

Enquiries to: P. A. ELLSON

Telephone: 0121

Date: 31/7/19

Legislation: 1052- PERMISSION GIVEN TO

SEARCH - INSPECTION

LICENSING ACT 2003, TOBACCO

AND RELATED PRODUCTS 2016

STANDARDIZED PACKAGING OF

TOBACCO PRODUCTS 2015

FOOD SAFETY ACT 1990

INSPECTION OF PREMISES AT

ROAN STOCK ROOM - WINSTON PARK

1x SLEEVE DAVIDOFF. COMPLIANT

5x UNITS RED WINE IN ASDA 2010

1x UNLABLED BOTTLE. DESTROYED 26/11

7x UNITS OF RED WINE IN BUSTARD

AQUATIQUE 5L (BABY). DESTROYED 26/11

BROKEN UP FOOD SAFETY LEGISLATION

Received by: [redacted] Authorised Officer: [redacted]

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



FS 26188



INVESTOR IN PEOPLE

CUSTOMER
SERVICE
EXCELLENCE



The Government Standard

47.27

M

136 BOULTON RD

Enquires to:

Paul A. Uy

Telephone: 0121

303-4332

Date:

31/7/14

Legislation:

CONTINUED FROM 13267
BELL JAR OF HOMEMADE/
ILLEGAL VODKA FOUND IN
STOCK ROOM WITH LARGE
QUANTITY OF EMPTY PLASTIC
BOTTLES, SMALL & LARGE
SAMPLE TAKEN IN SAKA
BOTTLE 1155 AND MARKED
IN PRESENCE BIANCA
COSMINA (WORKER)
INSTRUCTION TO DESTROYED VODKA
ENVIRONMENTAL HEALTH SHALL BE
INFORMED

Received by

BIANCA COSMINA

Authorised Officer:

[Redacted Signature]

SEE IMPORTANT NOTICE OVERLEAF

TRADING STANDARDS
Regulation and Enforcement
PO Box 16586
Birmingham
B33 3EH



FS 26188



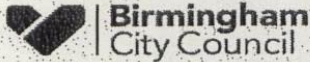
INVESTOR IN PEOPLE



The Government Standard

47/27

DOCUMENT 3



Our Ref gg4/tss/9285/pae/za
Job Ref: 9447814

7 August 2019

OFFICER WARNING DO NOT IGNORE THIS LETTER

La Bufet
136 Boulton Road
Soho
Birmingham
B21 0RE

Dear Mr Stefan Mustatea

Consumer Protection Act 1987
Consumer Protection From Unfair Trading Regulations 2008
Tobacco and Related Products Regulations 2016 Standardised Packaging of Tobacco Products Regulations 2015
Trade Marks Act 1990
EU Regulations (EU) No. 1169/2011
Food Information Regulation 2014
Alcohol Liquor Duty Act 1979
Value Added Tax Act 1999
Her Magistrates Customs & Excise, Tax, Duty, Origin and associated legislation in all of its amended forms relating to Alcohol
Tobacco Products Duty Act 1974
Licensing Act 2003
Weights and Measures Act 1985 as Amended

Following the inspection of your premises by Officers Watts from BCC Licensing Section and myself, I am writing to inform you concerning the contraband (tobacco and alcohol) that was found in your premises.

Upon inspection of the retail stockroom which does form part of the retail premises, a large quantity of red wine, 45 litre was discovered. This had been decanted into plastic pop and water bottles, presumable for supply. A price list was discovered in the shop, as well as numerous empty plastic bottles been amassed ready again presumably to be filled with this contraband wine.

Your contact regarding this letter is:
Paul Ellison
Birmingham City Council
Trading Standards
PO Box 16586
Birmingham
B33 3EH



Telephone: [REDACTED]
Fax: [REDACTED]
E-mail: [REDACTED]
The Place Directorate

Continuation Sheet/...

Our Ref gg4/tss/9285/pae/za

Also an illicit "clear" alcohol spirit was discovered again ready to be sold/supplied. This discovery quite clearly breaches a vast array of Trading Standards, Licensing, Environmental Health and Custom and Excise legislation.

This legislation is primarily designed to protect the consumer and public health as well as generate income which her Majesty Government is due, and should not be so readily and casually disregarded. The penalties for breaches can be severe and grievous.

It is not acceptable to state that such items that were found were for personal use, if they are for "personal use" they should not be in a retail premises stockroom or mixed in with what appeared to be a bottling operation and food pickling area. There are STRICT food hygiene, handling and storage regulations you MUST COMPLY with at all times.

Also 200 illicit cigarettes were found which again breaches Trading Standards Legislation. The original complaint states that you were supplying, "smuggled" alcohol to the public, indications found during this inspection would be seen to confirm this.

The Alcohol Licence that has been granted to you now to sell alcohol in the correct manner is a privilege not a right and has a number of conditions attached which you MUST comply with. Breaching the legislation may result in a review of your licence being instigated.

On this occasion it has been decided that an Officer Warning be issued. Consider this letter to be that warning. I have enclosed a number of leaflets for you which you should seriously consider reading as the licence imposes duties and obligations upon you, the limited company and all your staff.

I have however notified Environmental Health of the issues that we found.

Further inspection will be carried out and warranted searches, this may be done with specialised equipment.

If you have any comments about the contents of this letter please do not hesitate to contact me.

Yours sincerely

Paul Ellson

Enforcement Officer

Direct Telephone Number: [REDACTED]

Enclosures:

Continuation Sheet/...

Our Ref gg4/tss/9285/pae/za

1. BC – Sale of Alcohol in licensed premises
2. BC – Sale of Food and Drink
3. BC – Alcohol
4. BC – Tobacco Packaging, etc
5. BC – Tobacco and Nicotine Inhaling Product
6. BC – Copy of Licences
7. BC – Underage Sales
8. Refusal Book
9. Tobacco Display Poster

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

5092 / 1

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
La Bufet 136 Boulton Road	
Post town:	Post Code:
Birmingham	B21 0RE
Telephone Number:	
Not Specified	
Where the licence is time limited the dates	
N/A	
Licensable activities authorised by the licence	
M2	Sale of Alcohol by retail (off the premises)
The times the licence authorises the carrying out of licensable activities	
Monday - Sunday	10:00 - 22:00 M2
The opening hours of the premises	
Monday - Sunday	10:00 - 22:00
Where the licence authorises supplies of alcohol whether these are on and/or off supplies	
Off Supplies Only	

BIRMINGHAM CITY COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mr Stefan Mustatea	
Post town:	Post Code:
Telephone Number: Not Specified	
Email Not Specified	

Registered number of holder for example company number or charity number (where applicable) N/A

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Stefan Mustatea	
Post town:	Post Code:
Telephone Number: N/A	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 19/00135/LAPER	Issuing Authority SANDWELL METROPOLITAN BOROUGH COUNCIL

Dated 06/08/2019

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

BIRMINGHAM CITY COUNCIL

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The Premises Licence Holder shall ensure there are strong management and security procedures in place which encompasses the four licensing objectives.

The Premises Licence Holder shall ensure that all staff are trained as appropriate in respect of relevant licensing law, the Challenge 25 Policy and the requirements and the need to demand an acceptable form of age ID.

2b) Conditions consistent with, and to promote the prevention of crime and disorder

The Premises Licence Holder shall ensure a CCTV system is installed inside and outside the premises.

Any person who appears drunk /aggressive will not be permitted on the premises.

No consumption of alcohol will be permitted inside the premises.

2c) Conditions consistent with, and to promote, public safety

No enforceable conditions identified from operating schedule.

2d) Conditions consistent with, and to promote the prevention of public nuisance

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly.

All deliveries will be received during the daytime to control noise nuisance.

The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.

Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

2e) Conditions consistent with, and to promote the protection of children from harm

A Challenge 25 Policy will be strictly followed by all staff.

No adult entertainment is permitted at these premises.

BIRMINGHAM CITY COUNCIL

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Licensing Sub Committee C resolved to grant the premises licence on the 31st July 2019, subject to the condition below:

3b) Committee conditions to promote the prevention of crime and disorder

There shall be no sale of single cans of beers, ciders, lagers, alcopops or premixed spirit drinks

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

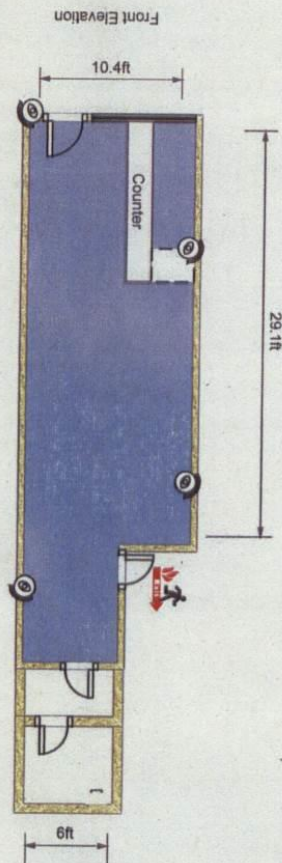
N/A

3e) Committee conditions to promote the protection of children from harm

N/A

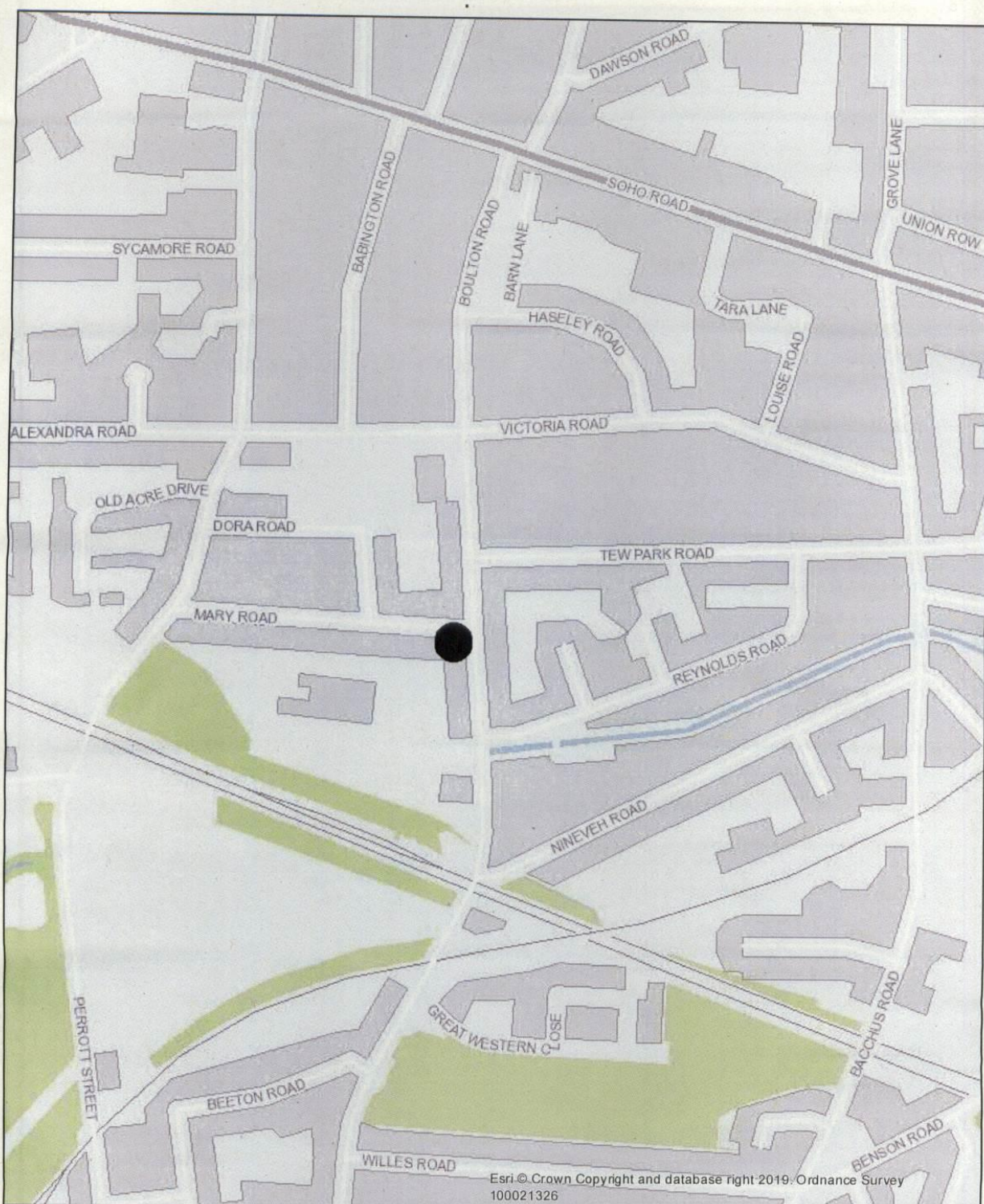
BIRMINGHAM CITY COUNCIL

Annex 4 – Plans



Floor Plan
Scale 1:100

La Bufet Ltd
136 Boulton Road
Handsworth
Birmingham
B21 0RE



Birmingham
City Council

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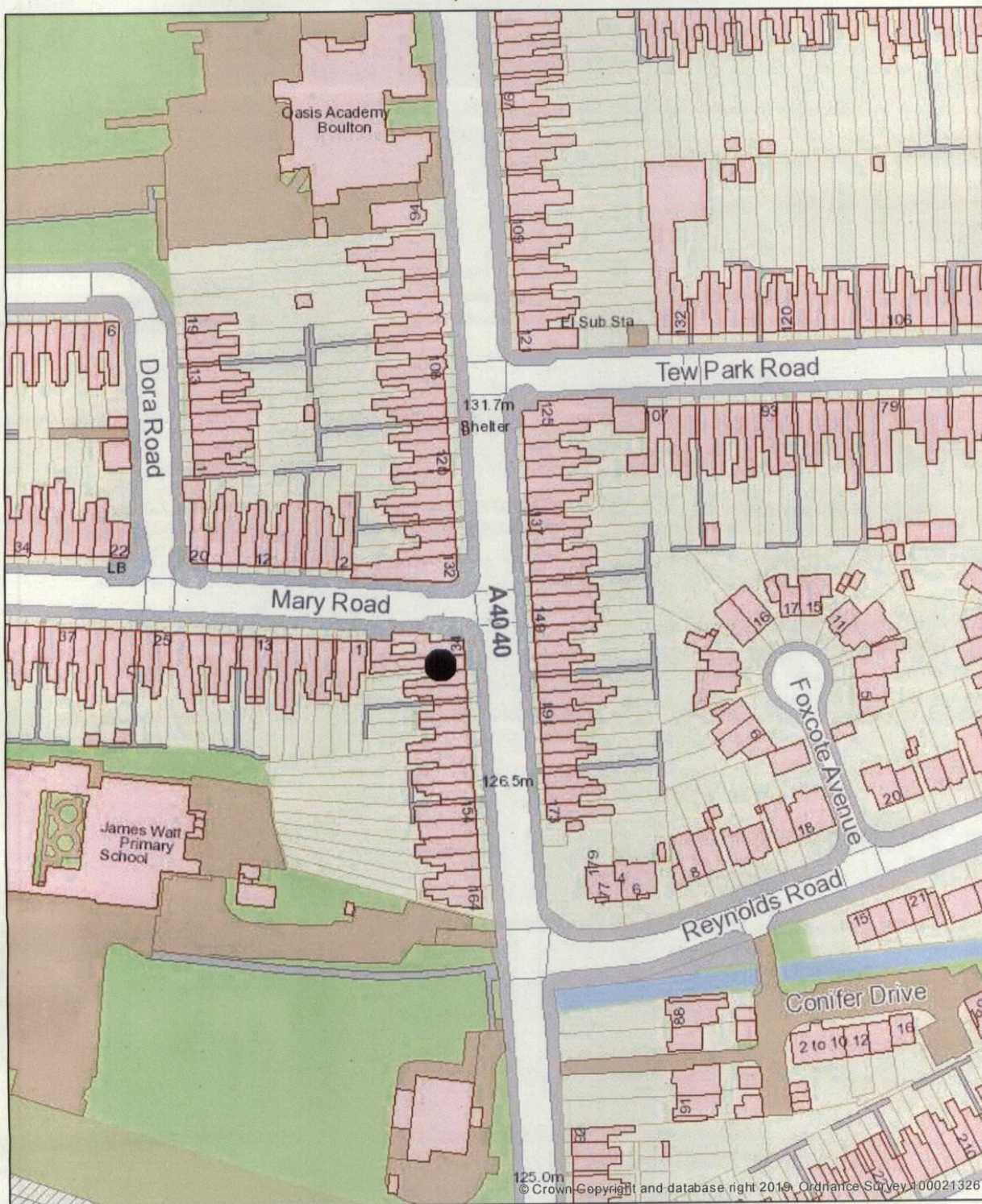
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Date of Map Creation: 03/02/2020

Map Created By:

Scale: 1:4,000





Birmingham
City Council

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