

BIRMINGHAM CITY COUNCIL

**REPORT OF THE INTERIM ASSISTANT DIRECTOR REGULATION AND
ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

19 JANUARY 2022
ALL WARDS

PROSECUTIONS & CAUTIONS – SEPTEMBER, OCTOBER & NOVEMBER 2021

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of September, October and November 2021.
2. Recommendation
 - 2.1 That the report be noted.

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3. Results

3.1 During the months of September, October and November 2021, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 195 Environmental Health cases were finalised resulting in fines of £93,146. An 18 month suspended prison sentence, with 15 days rehabilitation activity and a four month curfew, and a 12 month community order were also imposed. Prosecution costs of £42,977 were awarded. Four simple cautions were administered as set out in Appendix 1.
- Two Licensing cases were finalised resulting in fines of £380. Prosecution costs of £800 were awarded. Three simple cautions were administered as set out in Appendix 2.
- One Trading Standards case was finalised resulting in a fine of £1,000. Prosecution costs of £11,364 were awarded. No simple cautions were administered as set out in Appendix 3.
- 15 Waste Enforcement cases were finalised resulting in fines of £6,781. Prosecution costs of £10,090 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district in April to November 2021.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2021 to November 2021.
- Appendix 7 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City from April to November 2021. Please note this does not include other parking tickets issued anywhere else in the City.

4. Consultation

4.1 The Enforcement Policy that underpins the work identified in this report is approved by your Committee. The policy reflects the views of the public and business in terms of the regulation duties of the Council. Any enforcement action[s] taken as a result of the contents of this report are subject to that Enforcement Policy.

5. Implications for Resources

5.1 Costs incurred in investigating and preparing prosecutions, including officers' time, the professional fees of expert witnesses etc. are recorded as prosecution costs. Arrangements have been made with the Magistrates Court for any costs awarded to be reimbursed to the City Council. Monies paid in respect of fines are paid to the Treasury.

- 5.2 For the year April 2021 to November 2021 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£384,874 has been requested with £350,888 being awarded (91%)

Licensing

£6,097 has been requested with £2,535 being awarded (42%)

Trading Standards

£47,320 has been requested with £17,898 being awarded (38%)

- 5.3 For the months of September, October and November 2021 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£64,216 has been requested with £53,067 being awarded (83%)

Licensing

£3,194 has been requested with £800 being awarded (25%)

Trading Standards

£11,364 has been requested with £11,364 being awarded (100%)

- 5.4 The following income has been received so far from the courts in 2021/22.

Licensing

£2,593 has been received.

Environmental Health

£46,586 has been received including Waste Enforcement cases.

Trading Standards

£2,592 has been received.

(Total £51,771).

- 5.5 This will not directly correlate to the values awarded in the same time period as individual cases are often cleared in instalments with the associated fines and court costs taking precedence over the settling of BCC legal costs. Therefore, income received may relate to cases from the previous financial year or earlier.

6. Implications for Policy Priorities

- 6.1 The contents of this report contribute to the priority action of ensuring business compliance with legislation to protect the economic interests of consumers and businesses as contained in the Council Business Plan 2015+.

7. Public Sector Equality Duty

- 7.1 The actions identified in this report were taken in accordance with the Enforcement Policy of the Licensing and Public Protection Committee which ensures that equality issues have been addressed.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

ENVIRONMENTAL HEALTH CASES**FOOD HYGIENE OFFENCES**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	14/10/21	Yassers Fish and Chips Ltd 133 Tame Road Birmingham B6 7DG	<p>Food Safety and Hygiene (England) Regulations 2013.</p> <p>Pleaded guilty to eight offences relating to conditions at Yasser's, 56 Showell Green Lane, Birmingham. Rat droppings were found in the kitchen and at the bottom of the salad chiller in the servery. There was a lack of adequate drainage facility for the kitchen sinks and the potato rumbler. Waste water pipes were discharging directly onto the floor in the chipping area. The premises were not kept clean or maintained in good repair. There was dirty pipework, floors, walls, a hand wash sink, fridges, a freezer, food containers and equipment. There was a lack of ceiling between parts of the servery and food preparation area and at the back of the kitchen. There was mould growth on the chipping area wall. The kitchen windowsill was in disrepair. Wall and floor surfaces were not maintained or easy to clean. The kitchen chipping area walls were in significant disrepair with missing tiles and exposed brickwork and plaster. Floors in the chipping area and kitchen were in disrepair with areas of exposed concrete and damaged tiles. There were two unlidded containers holding solidified fat in the rear alley.</p>	<p>£10,000</p> <p>£2,000 costs (£2,041 requested)</p>	Aston	Sparkhill

2	18/10/21	Muzz Enterprises Ltd 253 Alcester Road South Birmingham B14 6DT	Food Safety and Hygiene (England) Regulations 2013. Food Safety Act 1990 The Food Information Regulations 2014 Pleaded guilty to 16 offences over three separate dates relating to conditions at Kafe Karachi, 127–129 Ladypool Road, Birmingham. The premises were in a dirty condition, floors, sinks, shelving and preparation tables were dirty. Cooked chicken was in an open colander in the sink and cooked food was in open bowls in the kitchen. Food was stored on the floor of the freezer. Chopping boards were heavily scored and showed evidence of mould. There were no procedures based on HACCP. They failed to comply with a Hygiene Improvement Notice requiring accurate allergen information to be provided. Cooked food was kept below 63°C. The cooker, fridge and planetary mixer were dirty. Paint was flaking on the ceiling in the downstairs kitchen and doors to the display chillers were cracked. Food storage bins were dirty and food in the cold room was uncovered.	£4,000 £1,286 costs (£1,286 requested)	Billesley	Sparkbrook & Balsall Heath East
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3	18/10/21	Ya Sha Ali Ltd 61-63 Raddlebarn Road Birmingham B29 6HQ	<p>Food Safety Act 1990 Food Safety and Hygiene (England) Regulations 2013 Food Information Regulations 2014</p> <p>Found guilty in their absence of 18 offences relating to conditions at Ya Sha Ali Kitchen, 61 – 63 Raddlebarn Road, Birmingham on two separate dates. The company failed to comply with an Improvement Notice requiring allergen information for food produced and sold at the premises to be provided. The premises were not kept clean and food was not protected against contamination, food was stored in carrier bags and bin liners in the freezer and food was stored on the floor in the cold room. Washbasins used for cleaning hands were not provided with hot and cold running water and the sink in the kitchen only had a supply of lukewarm water. Drainage was inadequate as there was water pooling around the drain of the wooden constructed store area. Chopping boards were heavily scored and dirty. There were no permanent procedures based on HACCP. The company failed to comply with four further Improvement Notices requiring permanent procedures based on HACCP to be implemented, adequate facilities to be put in place for cleaning equipment and utensils, a sufficient number of designated hand wash basins to be provided to the kitchen and front serving area with a supply of hot and cold running water, soap and a means of drying hands and the premises and equipment to be kept clean and maintained in sound condition. During the second inspection, the premises were still not clean, food was still stored in carrier bags and bin liners in the freezer and there was an open tray of mushrooms in the cold store. The dough roller was dirty.</p>	<p>£16,000</p> <p>£1,787 costs (£1,787 requested)</p>	Bournbrook & Selly Park	Bournbrook & Selly Park
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4	29/11/21	Rai Birmingham Ltd 83 Brentwood Court Lowther Road Prestwich Manchester M25 9PX	Food Safety and Hygiene (England) Regulations 2013 Found guilty in their absence of two offences relating to conditions at Pirlo's Dessert Lounge, 6 Coventry Street, Birmingham. There were mouse droppings on the floor and adjoining walls in the kitchen. Mouse droppings were found on food storage shelves close to food preparation areas in the rear kitchen. There were possible ingress points along floor and wall junctions and inadequate measures to control pests. The premises were not kept clean, there was an accumulation of mouse droppings, grease, dirt and food debris throughout the premises on floors, walls and surfaces close to where food was being prepared.	£8,500 £1,259 costs (£1,259 requested)	Out of area	Bordesley & Highgate
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HEALTH & SAFETY OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
5	16/9/21	Shazad Butt Birmingham	Health and Safety at Work etc. Act 1974. Pleaded guilty to one offence of failing to ensure, that people not in his employment at Pams Love & Roses, 314 Coventry Road were not exposed to risks to their health and safety, in that he failed to ensure the safe operation and use of the hatch to the basement in the floor of the customer shop and address the associated risks of any person falling into the basement when the hatch was open. This resulted in a customer falling into the basement and suffering a dislocated shoulder.	£1,333 £3,552 costs (£3,552 requested)	Sparkhill	Bordesley Green

6	13/10/21	Hong Keen (Midlands) Ltd Unit 129 Bullring Indoor Market Edgbaston Street Birmingham B5 4RQ	Provision and Use of Work Equipment Regulations 1998 Health & Safety at Work etc Act 1974 Pleaded guilty to one offence of failing to ensure that work equipment, namely a Firmar bandsaw, at Hong Keen, Unit 129 Bullring Indoor Market, Edgbaston Street, Birmingham was used only for operations for which, and under conditions for which, it was suitable, in that it was used by an employee to cut meat with the guard to the bandsaw tied up with an elastic band thereby exposing the employee to the risk of coming into contact with the unguarded moving saw blade of the bandsaw.	£13,500 £3,500 costs (£3,500 requested)	Bordesley & Highgate	Bordesley & Highgate
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NOISE NUISANCE

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
7	29/11/21	Farah Ali 14 Ransom Road Erdington Birmingham B23 7DX	Environmental Protection Act 1990 Pleaded guilty to seven offences of failing to comply with a requirement imposed by an Abatement Notice, on seven separate dates, in respect of a noise nuisance being caused by a barking dog at 14 Ransom Road, Birmingham.	£600 £1,608 costs (£1,608 requested)	Stockland Green	Stockland Green

LITTERING OFFENCES – NON-SINGLE JUSTICE PROCEDURE

8	14/10/21	Kane Carney Northampton	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping litter, namely a cigarette, outside New Street station on Smallbrook Queensway, Birmingham.	£40 £90 costs (£175 requested)	Out of area	Ladywood
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LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE

Date Cases Heard	Total Number of Cases	Total Fines imposed	Total Costs awarded	Total Costs requested
14/9/21	26	£5,240	£4,450	£4,550
28/9/21	29	£6,306	£2,465	£5,075
12/10/21	44	£9,065	£6,145	£7,700
26/10/21	6	£1,320	£510	£1,050
9/11/21	30	£6,390	£5,250	£5,250
23/11/21	52	£10,852	£9,075	£9,100

	Date Case Heard	Name	Fine/Penalty & Costs	Ward of defendant
9	14/9/21	Salman Ali Solihull Proved in absence	£220 £175 costs (£175 requested)	Out of area
10	14/9/21	Karolina Bielska Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
11	14/9/21	Helen Chan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate

12	14/9/21	Marius Lucian Cojocaru Banbury Proved in absence	£220 £175 costs (£175 requested)	Out of area
13	14/9/21	Charmaine Doig Lockerbie Proved in absence	£220 £175 costs (£175 requested)	Out of area
14	14/9/21	Patrick Garby Birmingham Proved in absence	£220 £175 costs (£175 requested)	North Edgbaston
15	14/9/21	Demetri Greenfield Spalding Guilty plea	£100 £75 costs (£175 requested)	Out of area
16	14/9/21	Dario Hack Birmingham Proved in absence	£220 £175 costs (£175 requested)	Harborne
17	14/9/21	Isaiah Harbinson Belfast Proved in absence	£220 £175 costs (£175 requested)	Out of area
18	14/9/21	Nicole Harrison Manchester Proved in absence	£220 £175 costs (£175 requested)	Out of area
19	14/9/21	Aaron Higham Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath East

20	14/9/21	Joshua Hughes Telford Proved in absence	£220 £175 costs (£175 requested)	Out of area
21	14/9/21	Alli Ihimid Walsall Proved in absence	£220 £175 costs (£175 requested)	Out of area
22	14/9/21	Marius Constantin Matei Glasgow Guilty plea	£40 £175 costs (£175 requested)	Out of area
23	14/9/21	Jamie Miller Birmingham Proved in absence	£220 £175 costs (£175 requested)	Highters Heath
24	14/9/21	James Newmin Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
25	14/9/21	Carmen Nicolae Birmingham Proved in absence	£220 £175 costs (£175 requested)	Alum Rock
26	14/9/21	Lia Roberts Birmingham Proved in absence	£220 £175 costs (£175 requested)	Birchfield
27	14/9/21	Birim Shuti Barking Proved in absence	£220 £175 costs (£175 requested)	Out of area

28	14/9/21	Mark Smyth Birmingham Proved in absence	£220 £175 costs (£175 requested)	Heartlands
29	14/9/21	Katie Spencer Birmingham Proved in absence	£220 £175 costs (£175 requested)	Harborne
30	14/9/21	Rachel Verrisford Derby Proved in absence	£220 £175 costs (£175 requested)	Out of area
31	14/9/21	Scott Wall Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area
32	14/9/21	Jamie Way Stoke-on-Trent Proved in absence	£220 £175 costs (£175 requested)	Out of area
33	14/9/21	Jason Williams Milton Keynes Guilty plea	£40 £175 costs (£175 requested)	Out of area
34	14/9/21	Hannah Wilson Northampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
35	28/9/21	Abdurmajeed Ali Alalyani Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ladywood

36	28/9/21	Zeinub Aldhfeiry Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ladywood
37	28/9/21	Qais Ali Birmingham Proved in absence	£220 £85 costs (£175 requested)	North Edgbaston
38	28/9/21	Gergo Balda Birmingham Proved in absence	£220 £85 costs (£175 requested)	Erdington
39	28/9/21	Peter Boylan Isle of Wight Proved in absence	£220 £85 costs (£175 requested)	Out of area
40	28/9/21	Nicholas Brook Huddersfield Proved in absence	£220 £85 costs (£175 requested)	Out of area
41	28/9/21	Terry Burrows Stockport Proved in absence	£220 £85 costs (£175 requested)	Out of area
42	28/9/21	Mohammed Dehiba Birmingham Proved in absence	£220 £85 costs (£175 requested)	Balsall Heath West
43	28/9/21	Jennine Frances Duffy Birmingham Proved in absence	£220 £85 costs (£175 requested)	Sheldon

44	28/9/21	Perry Essex Redditch Proved in absence	£220 £85 costs (£175 requested)	Out of area
45	28/9/21	Harry Thomas Glenister Leighton Buzzard Proved in absence	£220 £85 costs (£175 requested)	Out of area
46	28/9/21	Stuart Haworth Birmingham Proved in absence	£220 £85 costs (£175 requested)	Moseley
47	28/9/21	Ahmad Hiwa Brierley Hill Proved in absence	£220 £85 costs (£175 requested)	Out of area
48	28/9/21	Deborah Jarvis Leicester Proved in absence	£220 £85 costs (£175 requested)	Out of area
49	28/9/21	Muhammad Kassama Birmingham Proved in absence	£220 £85 costs (£175 requested)	Handsworth Wood
50	28/9/21	Jay Kelso Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ladywood
51	28/9/21	Robert Knights Nuneaton Proved in absence	£220 £85 costs (£175 requested)	Out of area

52	28/9/21	Leon Benjamin Letts Smethwick Proved in absence	£220 £85 costs (£175 requested)	Out of area
53	28/9/21	Charlotte Margri Birmingham Proved in absence	£220 £85 costs (£175 requested)	Hall Green North
54	28/9/21	Stefan Marinescu Leicester Proved in absence	£220 £85 costs (£175 requested)	Out of area
55	28/9/21	Cristian Marius Birmingham Proved in absence	£220 £85 costs (£175 requested)	Stockland Green
56	28/9/21	Numan Minhas Birmingham Guilty plea	£146 £85 costs (£175 requested)	Sparkbrook & Balsall Heath East
57	28/9/21	Sydney Poolton Mitcham Proved in absence	£220 £85 costs (£175 requested)	Out of area
58	28/9/21	Mami Raja Coventry Proved in absence	£220 £85 costs (£175 requested)	Out of area
59	28/9/21	Natasha Rigby Shrewsbury Proved in absence	£220 £85 costs (£175 requested)	Out of area

60	28/9/21	Vlisda Szlieou Birmingham Proved in absence	£220 £85 costs (£175 requested)	Handsworth Wood
61	28/9/21	Serena White Cardiff Proved in absence	£220 £85 costs (£175 requested)	Out of area
62	28/9/21	Mark William Whitfield Ballymoney Proved in absence	£220 £85 costs (£175 requested)	Out of area
63	28/9/21	Jordan Williams Birmingham Proved in absence	£220 £85 costs (£175 requested)	Glebe Farm & Tile Cross
64	12/10/21	Mohammed Ali Coventry Proved in absence	£220 £150 costs (£175 requested)	Out of area
65	12/10/21	Antoinette Ambler Nottingham Proved in absence	£220 £150 costs (£175 requested)	Out of area
66	12/10/21	Mark Barrows Birmingham Proved in absence	£220 £150 costs (£175 requested)	Sparkhill
67	12/10/21	Florin Birta Birmingham	£220 £150 costs (£175 requested)	Alum Rock

68	12/10/21	Amanda Jane Butler Derby Proved in absence	£220 £150 costs (£175 requested)	Out of area
69	12/10/21	Man Chi Birmingham Proved in absence	£220 £150 costs (£175 requested)	Soho & Jewellery Quarter
70	12/10/21	Florin Chirazil Birmingham Proved in absence	£220 £150 costs (£175 requested)	Aston
71	12/10/21	Jodie Clark Birmingham Proved in absence	£220 £150 costs (£175 requested)	Erdington
72	12/10/21	Christian Cleary Chelmsley Wood Proved in absence	£220 £150 costs (£175 requested)	Out of area
73	12/10/21	Kylie Coates Telford Proved in absence	£220 £150 costs (£175 requested)	Out of area
74	12/10/21	Charles Cramer Birmingham Proved in absence	£220 £150 costs (£175 requested)	Stockland Green
75	12/10/21	Demetri Cuscito Birmingham Proved in absence	£220 £150 costs (£175 requested)	Soho & Jewellery Quarter

76	12/10/21	Michael David Leamington Spa Guilty plea	£40 £85 costs (£175 requested)	Out of area
77	12/10/21	Christopher Davis Shrewsbury Proved in absence	£220 £150 costs (£175 requested)	Out of area
78	12/10/21	Kim Evans Manchester Proved in absence	£220 £150 costs (£175 requested)	Out of area
79	12/10/21	Robina Evans Birmingham Proved in absence	£220 £150 costs (£175 requested)	Soho & Jewellery Quarter
80	12/10/21	Julieanna Gallagher Rubery Proved in absence	£220 £150 costs (£175 requested)	Out of area
81	12/10/21	Peter Robert Green Worcester Proved in absence	£220 £150 costs (£175 requested)	Out of area
82	12/10/21	Pawell Grzeskowiak Oxford Proved in absence	£220 £150 costs (£175 requested)	Out of area
83	12/10/21	Daniel Hadland Birmingham Proved in absence	£220 £150 costs (£175 requested)	Nechells

84	12/10/21	Phillip Hassan Hussain Wolverhampton Proved in absence	£220 £150 costs (£175 requested)	Out of area
85	12/10/21	Julia Hutchinson Bromley Proved in absence	£220 £150 costs (£175 requested)	Out of area
86	12/10/21	Natasha Jones Manchester Proved in absence	£220 £150 costs (£175 requested)	Out of area
87	12/10/21	Lawand Kakemad Folkestone Proved in absence	£220 £150 costs (£175 requested)	Out of area
88	12/10/21	Karl Latchford Stafford Proved in absence	£220 £150 costs (£175 requested)	Out of area
89	12/10/21	Tom Martisius Leicester Proved in absence	£220 £150 costs (£175 requested)	Out of area
90	12/10/21	Peter Maynard Birmingham Proved in absence	£220 £150 costs (£175 requested)	Aston
91	12/10/21	Patrick Mayo Crawley Proved in absence	£220 £150 costs (£175 requested)	Out of area

92	12/10/21	Chloe Louise McLaughlin Birmingham Proved in absence	£220 £150 costs (£175 requested)	South Yardley
93	12/10/21	Danny Milne Seaton	£220 £150 costs (£175 requested)	Out of area
94	12/10/21	Cheval Murrain Birmingham Proved in absence	£220 £150 costs (£175 requested)	Stockland Green
95	12/10/21	Hung Nguyen Bromley Proved in absence	£220 £150 costs (£175 requested)	Out of area
96	12/10/21	Tyler Robinson Shrewsbury Proved in absence	£330 £150 costs (£175 requested)	Out of area
97	12/10/21	Yvonne Rockett Birmingham Proved in absence	£220 £150 costs (£175 requested)	Glebe Farm & Tile Cross
98	12/10/21	Yaoyu Shi Birmingham Proved in absence	£220 £150 costs (£175 requested)	Ladywood
99	12/10/21	David Peter Smith Swadlincote Proved in absence	£220 £150 costs (£175 requested)	Out of area

100	12/10/21	Gordon Sterling London Proved in absence	£220 £150 costs (£175 requested)	Out of area
101	12/10/21	Liam Stevenson Ashbourne Proved in absence	£220 £150 costs (£175 requested)	Out of area
102	12/10/21	Keary Thomas Birmingham Proved in absence	£220 £150 costs (£175 requested)	Rubery & Rednal
103	12/10/21	Mark Thompson Worcester Guilty plea	£109 £85 costs (£175 requested)	Out of area
104	12/10/21	Laura Tyson Birkenhead Proved in absence	£220 £150 costs (£175 requested)	Out of area
105	12/10/21	Kieran Wood Derby Proved in absence	£220 £150 costs (£175 requested)	Out of area
106	12/10/21	Anne Marie Wright Solihull Proved in absence	£220 £150 costs (£175 requested)	Out of area
107	12/10/21	Daniel Zhang Birmingham Proved in absence	£220 £150 costs (£175 requested)	Bordesley & Highgate

108	26/10/21	Thomas Barton Stafford Proved in absence	£220 £85 costs (£175 requested)	Out of area
109	26/10/21	Maria Ann Foxall Birmingham Proved in absence	£220 £85 costs (£175 requested)	Allens Cross
110	26/10/21	Lewis Gethen Coventry Proved in absence	£220 £85 costs (£175 requested)	Out of area
111	26/10/21	Alyisha Florence Hine Warrington Proved in absence	£220 £85 costs (£175 requested)	Out of area
112	26/10/21	Barbara Lakosne Birmingham Proved in absence	£220 £85 costs (£175 requested)	Handsworth
113	26/10/21	Karl Scott London Proved in absence	£220 £85 costs (£175 requested)	Out of area
114	9/11/21	Joanne Karen Baineaves Kirriemuir Proved in absence	£220 £175 costs (£175 requested)	Out of area
115	9/11/21	Charles Barlow London Guilty plea	£150 £175 costs (£175 requested)	Out of area

116	9/11/21	Ellis Barnes Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
117	9/11/21	Katita Burtea Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
118	9/11/21	Andrew Case Warwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
119	9/11/21	Sean Davis Harrogate Proved in absence	£220 £175 costs (£175 requested)	Out of area
120	9/11/21	John Doody Birmingham Proved in absence	£220 £175 costs (£175 requested)	Yardley East
121	9/11/21	Amanda Franks Birmingham Proved in absence	£220 £175 Costs (£175 requested)	Weoley & Selly Oak
122	9/11/21	Raeed Garden Derby Proved in absence	£220 £175 costs (£175 requested)	Out of area

123	9/11/21	Aamir Hussain London Proved in absence	£220 £175 costs (£175 requested)	Out of area
124	9/11/21	Thomas Keenan Bilston Proved in absence	£220 £175 costs (£175 requested)	Out of area
125	9/11/21	Thodri Kristaq Birmingham Proved in absence	£220 £175 costs (£175 requested)	Tyseley & Hay Mills
126	9/11/21	Vaduva Laurentiu Redditch Proved in absence	£220 £175 costs (£175 requested)	Out of area
127	9/11/21	Louise Leham Leeds Proved in absence	£200 £175 costs (£175 requested)	Out of area
128	9/11/21	Naresh Mahay Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
129	9/11/21	Sarvana Mohanraj Midhurst Proved in absence	£220 £175 costs (£175 requested)	Out of area

130	9/11/21	Alexander Joseph Murray Leicester Proved in absence	£220 £175 costs (£175 requested)	Out of area
131	9/11/21	Claudia Nicola Birmingham Proved in absence	£220 £175 costs (£175 requested)	Perry Barr
132	9/11/21	Emma Jayne Parker Derby Proved in absence	£220 £175 costs (£175 requested)	Out of area
133	9/11/21	Amber Phelps Llandrindod Guilty plea	£150 £175 costs (£175 requested)	Out of area
134	9/11/21	Alexandre Rosa Priesen Reis Wokingham Guilty plea	£150 £175 costs (£175 requested)	Out of area
135	9/11/21	Jack Richardson Devon Proved in absence	£220 £175 costs (£175 requested)	Out of area
136	9/11/21	Marcin Skupinski Bradford Proved in absence	£220 £175 costs (£175 requested)	Out of area

137	9/11/21	Paul Smedley Birmingham Proved in absence	£220 £175 costs (£175 requested)	Rubery & Rednal
138	9/11/21	Dean Smith Milton Keynes Proved in absence	£220 £175 costs (£175 requested)	Out of area
139	9/11/21	Pavel Sura Oxford Proved in absence	£220 £175 costs (£175 requested)	Out of area
140	9/11/21	Traian Tatarasuna Leicester Proved in absence	£220 £175 costs (£175 requested)	Out of area
141	9/11/21	Joanna Venables Edinburgh Proved in absence	£220 £175 costs (£175 requested)	Out of area
142	9/11/21	Suzanne Walton Birmingham Proved in absence	£220 £175 costs (£175 requested)	Weoley & Selly Oak
143	9/11/21	Yun Zhao London Proved in absence	£220 £175 costs (£175 requested)	Out of area
144	23/11/21	Haden Bacciochi Birmingham Proved in absence	£220 £175 costs (£175 requested)	Tyseley & Hay Mills

145	23/11/21	Yassar Bashir Hounslow Proved in absence	£220 £175 costs (£175 requested)	Out of area
146	23/11/21	Bruce Bishop Hereford Proved in absence	£220 £175 costs (£175 requested)	Out of area
147	23/11/21	Liberty Bodycot Leicester Proved in absence	£220 £175 costs (£175 requested)	Out of area
148	23/11/21	Liam Cook Gloucester Proved in absence	£200 £175 costs (£175 requested)	Out of area
149	23/11/21	Billie Daniels Birmingham Proved in absence	£200 £175 costs (£175 requested)	North Edgbaston
150	23/11/21	Thomas Dibble Birmingham Proved in absence	£220 £175 costs (£175 requested)	Weoley & Selly Oak
151	23/11/21	Rebecca Duggan Birmingham Guilty plea	£40 £150 costs (£175 requested)	Stockland Green
152	23/11/21	Viktorija Gabalaite Birmingham Proved in absence	£220 £175 costs (£175 requested)	Erdington

153	23/11/21	Danielle Gibson Birmingham Proved in absence	£220 £175 costs (£175 requested)	Kings Norton North
154	23/11/21	Donna Glide Birmingham Proved in absence	£220 £175 costs (£175 requested)	Lozells
155	23/11/21	Richard Edward Gullick Wednesbury Proved in absence	£220 £175 costs (£175 requested)	Out of area
156	23/11/21	Jonathan Gumbley Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
157	23/11/21	Atlanta Gurdin Solihull Proved in absence	£200 £175 costs (£175 requested)	Out of area
158	23/11/21	Linda Hanslow Birmingham Proved In absence	£220 £175 costs (£175 requested)	Brandwood & Kings Heath
159	23/11/21	Christina Hartszti Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
160	23/11/21	Philip Anthony Hillier Warwick Proved in absence	£220 £175 costs (£175 requested)	Out of area

161	23/11/21	Kirsty Hirrell Nottingham Proved in absence	£220 £175 costs (£175 requested)	Out of area
162	23/11/21	Leah Hyland Meriden Proved in absence	£220 £175 costs (£175 requested)	Out of area
163	23/11/21	Kim Jones Liverpool Proved in absence	£220 £175 costs (£175 requested)	Out of area
164	23/11/21	Louise Jones Birmingham Proved in absence	£220 £175 costs (£175 requested)	Weoley & Selly Oak
165	23/11/21	Sadique Kabiree Birmingham Proved in absence	£220 £175 costs (£175 requested)	Small Heath
166	23/11/21	Betty Kibrom Birmingham Proved in absence	£220 £175 costs (£175 requested)	Harborne
167	23/11/21	Emily Lattimer Birmingham Proved in absence	£220 £175 costs (£175 requested)	Allens Cross

168	23/11/21	Charlotte Lewis Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
169	23/11/21	Lashur Liu London Proved in absence	£220 £175 costs (£175 requested)	Out of area
170	23/11/21	George Maren Birmingham Proved in absence	£220 £175 costs (£175 requested)	Edgbaston
171	23/11/21	Michael McInerney Wednesbury Proved in absence	£220 £175 costs (£175 requested)	Out of area
172	23/11/21	Laura McKenna Glasgow Proved in absence	£220 £175 costs (£175 requested)	Out of area
173	23/11/21	Sinead McKenna Birmingham Proved in absence	£220 £175 costs (£175 requested)	Birchfield
174	23/11/21	Chantal Miller Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
175	23/11/21	Tin Nhan Moi Walsall Proved in absence	£220 £175 costs (£175 requested)	Out of area

176	23/11/21	Adam Reece Orgel London Guilty plea	£40 £175 costs (£175 requested)	Out of area
177	23/11/21	Ellie Pendrey Birmingham Proved in absence	£220 £175 costs (£175 requested)	Quinton
178	23/11/21	Michael Perri Birmingham Proved in absence	£220 £175 costs (£175 requested)	South Yardley
179	23/11/21	Emily Pike Wales Proved in absence	£220 £175 costs (£175 requested)	Out of area
180	23/11/21	Elena Alina Precupeti Birmingham Proved in absence	£220 £175 costs (£175 requested)	Stirchley
181	23/11/21	Solomon Price Nottingham Proved in absence	£220 £175 costs (£175 requested)	Out of area
182	23/11/21	Yi Qin York Proved in absence	£220 £175 costs (£175 requested)	Out of area

183	23/11/21	Mihai Serban Birmingham Proved in absence	£220 £175 costs (£175 requested)	Highters Heath
184	23/11/21	Bep Sharma London Proved in absence	£220 £175 costs (£175 requested)	Out of area
185	23/11/21	Rebecca Sigsworth Bedworth Guilty plea	£66 £175 costs (£175 requested)	Out of area
186	23/11/21	Joseph Samuel Smith Bicester Proved in absence	£220 £175 costs (£175 requested)	Out of area
187	23/11/21	Steven Spencer Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
188	23/11/21	Lauren Tonks Rowley Regis Proved in absence	£220 £175 costs (£175 requested)	Out of area
189	23/11/21	Paige Tronson Birmingham Proved in absence	£220 £175 costs (£175 requested)	Glebe Farm & Tile Cross
190	23/11/21	Hayley Weyer Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bournbrook & Selly Park

191	23/11/21	Scot Williamson Thornton-Cleveleys Proved in absence	£220 £175 costs (£175 requested)	Out of area
192	23/11/21	David Wilson Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkhill
193	23/11/21	Ronald Wilson Droitwich Proved in absence	£220 £175 costs (£175 requested)	Out of area
194	23/11/321	Mostufa Yusuf Birmingham Proved in absence	£220 £175 costs (£175 requested)	Lozells
195	23/11/21	Xing Zheng Stafford Guilty plea	£146 £175 costs (£175 requested)	Out of area

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

Four simple cautions were administered during September, October and November 2021.

Food Information Regulations 2014

One caution was issued for failing to make available information relating to ingredients likely to cause food allergies and intolerances

Food Safety and Hygiene (England) Regulations 2013

Three cautions were issued for failing to comply with Food Hygiene Regulations

LICENSING CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
196	11/11/21	Sohail Ahmed Taj Birmingham	Equality Act 2010 Pleaded guilty to one offence of failing to carry out a booking at Beeches Road, Birmingham, which had been accepted by his operator and the reason for the failure was that the customer was accompanied by an assistance dog.	£80 £100 (£1,159 requested)	Lozells	Oscott
197	22/11/21	James Dainty Derby	Local Government (Miscellaneous Provisions) Act 1982 Pleaded <u>not guilty</u> to two offences of engaging in street trading on High Street, Birmingham, on two occasions when not authorised to do so. Found guilty after trial.	£300 – offence 1 No separate penalty on second offence £700 (£2,035 requested)	Out of area	Ladywood

LICENSING SIMPLE CAUTIONS

13 simple cautions were administered during September, October and November 2021.

Local Government (Miscellaneous Provisions) Act 1976

Section 46 One caution was issued for permitting a vehicle to be used within the controlled district of Birmingham as a private hire vehicle without a current licence.

Section 48(6) Ten cautions were issued for failing to display a private hire vehicle licence plate.

Section 57 One caution was issued for failing to disclose change of address details on an application form

Section 64(3) One caution was issued for waiting on a Hackney Carriage stand without being licensed as a Hackney Carriage.

APPENDIX 3**TRADING STANDARDS CASES**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
198	15/11/21	Shivam Hintendra Chudasama Birmingham Pricemark Motors UK Ltd 14 Sherwood Close Birmingham B28 0JU	Road Traffic Act 1988 Company, Limited Liability Partnership and Business (Names & Trading Disclosures) Regs 2015 Both defendants pleaded <u>not guilty</u> to one offence of supplying a Volkswagen Polo motor vehicle from Pricemark Motors, 78a Wharfdale Road, Birmingha in an unroadworthy condition and the company pleaded guilty to one further offence of providing a receipt which did not disclose the company name Found guilty following trial	Chudasama £1,000 fine No separate penalty for company £11,364 costs (£11,364 requested)	Hall Green South	Tyseley & Hay Mills

TRADING STANDARDS SIMPLE CAUTIONS

No simple cautions were administered during September, October and November 2021.

WASTE ENFORCEMENT CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
199	16/9/21	Mohammed Harun Birmingham	Environmental Protection Act 1990 Pleaded guilty to three offences; two offences of depositing controlled waste, namely a large quantity of loose plastic sheeting, carpet cuttings, black bin bags and tree cuttings, from a motor vehicle on Baker Street, Small Heath, Birmingham on two separate occasions and one offence of failing to comply with a notice requiring details of the driver and person in control of the vehicle on the dates of offence.	£1,200 £753 costs (£753 requested)	Rubery & Rednal	Bordesley Green
200	16/9/21	Mahmood Khan Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely used laminate flooring, from a motor vehicle on Cranby Street, Birmingham.	£300 £1,078 costs (£1,078 requested)	Bromford & Hodge Hill	Alum Rock
201	23/9/21	Terence Victor Mason Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a settee, a bed base and numerous broken wooden boards, in Aston Park, Trinity Road, Birmingham.	£120 £85 costs (£334 requested)	Aston	Aston

202	23/9/21	Sadakat Mohammed Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information to be provided as to how the business at Simple Housing Solutions, 59 Marsh Hill, Birmingham disposes of its waste.	£384 £185 costs (£630 requested)	Stockland Green	Stockland Green
203	30/9/21	Christopher Cavanagh Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a settee, a bed base and numerous broken wooden boards, in Aston Park, Trinity Road, Birmingham.	£142 £85 costs (£334 requested) £80 towards clean up costs	Aston	Aston
204	4/10/21	Sarah Badar Birmingham	Environmental Protection Act 1990 Road Traffic Act 1988 Pleaded guilty to two offences; one offence of depositing controlled waste, namely black bags containing carpet and vinyl flooring, from a motor vehicle onto land at the rear of Hob Moor Road, Yardley, Birmingham and one offence of driving without valid insurance.	£300 fine – offence 1 No separate financial penalty for offence 2 + 6 penalty points £1,515 costs (£1,515 requested)	Heartlands	Yardley West & Stechford
205	7/10/21	Everton Clarke Birmingham	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of knowingly causing controlled waste, namely six bags of asbestos, to be deposited from a motor vehicle on land on All Saints Road, Hockley, Birmingham and one offence of failing to respond to a Statutory Demand for Information.	18 months prison sentence suspended for 18 months 15 days rehabilitation activity 4 month electronically monitored curfew £600 costs (£1,382 requested)	Nechells	Soho & Jewellery Quarter

206	14/10/21	Ahsan Mahmood Birmingham	<p>Environmental Protection Act 1990</p> <p>Pleaded guilty to one offence of depositing controlled waste, namely a fridge, small tables, a stool, two sofas, broken wood, a bed base and mattress, on Baker Street, Small Heath, Birmingham.</p>	<p>12 month community order with 100 hours community service</p> <p>£1,000 costs (£1,901 requested)</p>	South Yardley	Bordesley Green
207	14/10/21	Ian Mahon Walsall	<p>Environmental Protection Act 1990</p> <p>Pleaded guilty to one offence of depositing controlled waste, namely several large blue/green plastic sacks containing rubbish, planks of wood and broken furniture, from a vehicle on land outside Dovey Tower, Duddeston Manor Road, Birmingham.</p>	<p>£435 fine</p> <p>£500 costs (£983 requested)</p>	Out of area	Nechells
208	14/10/21	Ifeanyi Jude Mobi Birmingham	<p>Environmental Protection Act 1990</p> <p>Pleaded guilty to two offences occurring on two separate dates; the first offence of depositing controlled waste, namely a large box and large pieces of cardboard from a vehicle onto Abberley Street, Winson Green, Birmingham. The second offence of depositing controlled waste, namely a sofa/seat, a washing machine, a large sheet of glass, a glass panelled door and other items, from a motor vehicle onto Brickfield Road, Yardley, Birmingham.</p>	<p>£200 No separate penalty for offence 2</p> <p>£500 costs (£1,614 requested)</p>	Balsall Heath West	Tyseley & Hay Mills
209	14/10/21	Constantin-Nicusor Radu Smethwick	<p>Environmental Protection Act 1990</p> <p>Pleaded guilty to one offence of knowingly causing controlled waste, namely black bags of household waste, to be deposited from a vehicle onto Abberley Street, Winson Green, Birmingham.</p>	<p>£500</p> <p>£500 costs (£1,191 requested)</p>	Out of area	Soho & Jewellery Quarter

210	15/10/21	Kulvir Singh Dhaliwal Coventry	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to two offences of depositing or knowingly causing controlled waste, namely black bags of waste, to be deposited from a vehicle onto Hollybank Road, Kings Heath, Birmingham. Found guilty in his absence after trial of the knowingly causing offence and found not guilty of the alternative offence of depositing waste.	£1,760 £2,047 costs (£2,047 requested)	Out of area	Billesley
211	15/11/21	Michael Orzechowski Birmingham	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of depositing controlled waste, namely bags of general and building waste, from a vehicle on land at Saltley Cottages, Tyburn Road, Birmingham and one offence of failing to comply with a statutory demand requiring information as to the person in control of the vehicle on the date of offence.	£320 £742 costs (£742 requested)	Erdington	Gravelly Hill
212	17/11/21	Elena Nicolae Birmingham	Environmental Protection Act 1990 Pleaded guilty to five offences of depositing controlled waste on five separate occasions, namely black bins bags, wooden boards, a wooden table and chairs and a trampoline base on Tame Road, Birmingham.	£1,000 (£200 x 5) £400 costs (£510 costs)	Aston	Aston
213	25/11/21	Craig Neville Hastings-Spaine Birmingham	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of depositing controlled waste, namely timber, broken furniture and other building waste, from a vehicle on land at Allens Croft Road, Kings Heath and one offence of failing to comply with a statutory demand requiring information as to the person in control of the vehicle on the date of offence.	£120 £100 costs (£1,269 requested)	Stirchley	Kings Heath

WASTE ENFORCEMENT SIMPLE CAUTIONS

No simple cautions were administered during September, October and November 2021.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-NOVEMBER 2021

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	4	0	1	0	0	0	0	5
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	385	0	0	0	0	0	0	385
Environmental Health (including WEU)	1	5	6	5	21	2	4	5	3	5	0	57
Trading Standards	0	0	2	0	0	0	0	0	0	2	0	4

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) APRIL-NOVEMBER 2021

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	1	0	0	1	0	0	0	3	5
Environmental Health (FPNs) Not paid and prosecuted	10	12	17	19	37	11	21	11	1	15	231	385
Environmental Health (including WEU)	0	8	4	6	12	2	6	4	2	4	9	57
Trading Standards	0	0	2	0	1	0	0	0	0	0	1	4

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY

Waste Investigation Outcomes													
	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	19	55	23	29	35	61	231	30					483
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	19	33	17	29	17	46	186	18					365
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	1	0	3	0	0	0	3	3					10
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences(£80)	0	0	0	0	0	0	0	0					0
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	4	5	6	5	6	3	7	13					49
Prosecutions													
Number of prosecution files submitted to legal services, (number produced quarterly.	2	10	6	5	3	3	1	1					31

APPENDIX 7

Monthly Parking Pcms Issued in Taxi Ranks	Processing
April 2021	103
May 2021	154
June 2021	142
July 2021	106
August 2021	114
September 2021	114
October 2021	206
November 2021	274
December 2021	
January 2022	
February 2022	
March 2022	
TOTAL	1213