

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE

WEDNESDAY, 13 MARCH 2024 AT 10:30 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

	3	<u>APOLOGIES</u>	To receive any apologies.
<u>5 - 12</u>	4	<u>MINUTES OF THE LAST MEETING</u>	To confirm and sign the minutes of the last meeting held on 17 January, 2024.
<u>13 - 18</u>	5	<u>REVIEW OF HIGHWAYS LICENSING FEES AND CHARGES 2024-25</u>	Report of the Assistant Director, Highways and Infrastructure (Presenting Officer: Thomas Clarkson-Williams)
<u>19 - 30</u>	6	<u>BIRMINGHAM CITY COUNCIL HOSTED ENGLAND ILLEGAL MONEY LENDING TEAM</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Tony Quigley)
<u>31 - 36</u>	7	<u>BIRMINGHAM CITY COUNCIL HOSTED NATIONAL TRADING STANDARDS REGIONAL INVESTIGATIONS TEAM (CENTRAL ENGLAND)</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Tony Quigley)
<u>37 - 40</u>	8	<u>PRIVATE RENTED SECTOR HOUSING CHARGING FOR PART 1 HOUSING ACT 2004 ENFORCEMENT NOTICES</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Sajeela Naseer)
<u>41 - 46</u>	9	<u>UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Mark Croxford)
<u>47 - 66</u>	10	<u>PROSECUTIONS AND CAUTIONS NOVEMBER AND DECEMBER 2023</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Sajeela Naseer)
<u>67 - 70</u>	11	<u>SENIOR OFFICER ACTIONS UNDER DELEGATED AUTHORITY - MARCH 2024</u>	Report of the Director of Regulation & Enforcement (Presenting Officer: Sajeela Naseer)
	12	<u>DATE AND TIME OF NEXT MEETING</u>	To note the date and time of the next meeting,

13 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

14 **AUTHORITY TO CHAIR AND OFFICERS**

Chair to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

**LICENSING AND
PUBLIC PROTECTION
COMMITTEE
17 JANUARY, 2024**

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON WEDNESDAY, 17 JANUARY, 2024 AT 1030
HOURS AT THE COUNCIL HOUSE,
BIRMINGHAM B1 1BB**

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Diane Donaldson, Sam Forsyth, Ziaul Islam, Izzy Knowles, Saddak Miah, Julien Pritchard and Sybil Spence and Penny Wagg.

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NOTICE OF RECORDING/WEBCAST

- 1573 The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public could record and take photographs except where there were confidential or exempt items.

The business of the meeting and all discussions in relation to individual reports are available for public inspection via the web-stream.

DECLARATIONS OF INTEREST

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This includes, at Appendix 1, an interests flowchart which provide a simple guide to declaring interests at meetings.

It was reported that the report on Selective Licensing was for noting only and no decision was being made. The Chair no longer had an interest in this item

Councillor Ziaul Islam declared an interest as he owned a property that was rented out.

Councillor Narinder Kooner declared an interest as she provided support to properties who held a licence. She worked for the D V Sector

APOLOGIES

- 1575 Apologies were received from Councillors Adam Higgs and Mary Locke for non-attendance.
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MINUTES

- 1576 The minutes of the last formal meeting held on 15 November, 2023 having been previously circulated, were confirmed and signed by the Chair.
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REGULATION & ENFORCEMENT - REVIEW OF FEES AND CHARGES 2024-25

The following report of the Director of Regulation & Enforcement was submitted:-

(see document attached)

The Corporate Charging Policy and Financial Regulations require that fees and charges levied by the Licensing and Public Protection Committee be reviewed on an annual basis to ensure the continued full recovery of costs. It was noted that some of the fees relating to areas which come within the Committee's remit were set nationally through statute, and these cannot be varied by the Committee. These were indicated in the report. All fees and charges had been set with the objective of maximising income so far as is possible within legal constraints. This report deals with all fees and charges within the control of the LPPC Committee.

Appendix 1 – Review of Charges for Trading Standards.

Appendix 2(a) – Review of Charges for Environmental Health

Appendix 2(b) – Review of Animal Welfare charges

Appendix 2(c) – Review of Charges for FPNs issued by Environmental Health

Appendix 2(c) – Review of Charges for Pest Control

Appendix 3 – Review of Charges for Register Office, including statutory fees to note - (Table 5).

Appendix 4 – Review of Charges for the Coroner's Service

Appendix 5 – Review of charges for Birmingham Account Team (Acivico - Building Consultancy) (formerly Surveying Services)

Officers reported on the various services set out in the report and during the discussion that ensued responded to questions from Members:-

In particular Members made reference to the cost of living crisis. It was confirmed that Appendix 2(b) – Animal Welfare Services had not been impacted by XL Bullies as they were not currently included.

Appendix 2(d) - Cllr Sam Forsyth opposed the proposed introduction of £24 for the cost of the Domestic treatment of Rats owing to the impact on people's lives and asked that this cost be deleted. This was seconded by Councillor Diane Donaldson

Members spoke in support of Councillor Sam Forsyth's proposal and generally agreed that the introduction of the fee would be a false saving as it would act as a deterrent, resulting in residents failing to report the problem owing to the cost making matters worse. It was agreed that this was a public health issue and felt that the Council should continue to offer a free service.

Officers reported that the charge for Rats for Commercial Services was separate to Domestic Services. The proposed charge was contributory and had been set to not negatively impact upon citizens.

The Chairman put the proposal by Councillor Sam Forsyth to the vote which was seconded by Councillor Donaldson and by a show of hands it was unanimously agreed that the Licensing and Public Protection Committee did not approve the introduction of a new contributory charge (£20 plus £4 VAT) for the provision of pest control treatments for domestic rats in the house or garden. The treatment for domestic rats in the house or garden should therefore be free.

Councillor Pritchard noted that some of the increases were more than 10% increases and that there were no allowances for people on benefits. He suggested that the fees should be increased by 10% and be approximately £95 and not as suggested in the report.

Councillor Davis asked if Members were in favour of the fees at 2.16 in the report being amended to be increased by 10% from the previous year with

the exception of wasps, to be £65 (total) for 2024/2025 and domestic rats in the house or garden to be free and this was agreed.

1577

RESOLVED:-

1. That the changes to the fees and charges for Trading Standards Services, as detailed in Appendix 1, be approved to take effect from 1 April 2024.
2. That the changes to the fees and charges for Environmental Health Services, as detailed in Appendix 2(a), be approved to take effect from 1 April 2024.
3. That the changes to the fees and charges for Animal Welfare Services, as detailed in Appendix 2(b), be approved to take effect from 1 April 2024.
4. That the changes to the fees and charges for Environmental Health Fixed Penalty Notices, as detailed in Appendix 2(c), be supported having been previously approved to take effect from 1 April 2024.
5. That the changes to the fees and charges for Pest Control Services, as detailed in Appendix 2(d), be approved to take effect from 1 April 2024 subject to the following:-

Members resolved that in respect of fees relating to domestic services to treat cockroaches, bedbugs, mice, fleas and other insects that this charge should be £95 for each treatment inclusive of VAT rather than £150 per treatment inclusive of VAT proposed in the report.

Members approved the fee relating to domestic service to treat wasps at £65 for each treatment inclusive of VAT.

Members resolved that in respect of the proposed new fee relating to a domestic service to treat rat in house or garden that the service should be provided free rather than at £24 per treatment inclusive of VAT proposed in the report.

6. That the changes to the non-statutory fees and charges for the Registration Service, as detailed in Appendix 3, be approved to take effect from 1 April 2024.
7. That the statutorily set charges for the Registration Service, as detailed in Appendix 3 – Table 5 be noted.

8. That the changes to the fees and charges for Coroner's Services as detailed in Appendix 4, be approved to take effect from 1 April 2024.
 9. That the changes to the fees and charges for Statutory Team (Acivico – Building Consultancy) as detailed in Appendix 5, be approved to take effect from 1 April 2024.
 10. That authority be delegated to the Director of Regulation and Enforcement (in respect of all fees and charges) and relevant Heads of Service (in respect of fees and charges that fall within their portfolio/service area) to authorise the negotiation of variations to the relevant fees and charges identified in this report, in the interests of commercial flexibility.
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THE IMPACT OF EMPTY PROPERTIES AND THE ROLE OF PRIVATE RENTED SERVICES

The report of the Director of Regulation & Enforcement (Presenting Officer: Sajeela Naseer).

Deborah Moseley gave a summary of the report setting out the work of the Empty Property Team (EPT) within the Private Rented Service aimed at bringing empty properties back into use where possible. The report detailed the enforcement used and highlighted the collaborative working across different Council teams, community groups, the police etc. to identify the owner of an empty property to start the formal process to try to bring properties back into use. The Empty Property Strategy 2019 – 2024 was attached at appendix 1.

In response to Member's comments the target had been reduced in 2022/2023 owing to the service going through a period of change and there had been a reduction in the number of staff. It was felt it would be useful if action could be taken before a property became run down. The team was thanked for the work they had undertaken.

1578

RESOLVED:-

That the report be noted.

**TRADING STANDARDS FINALISED PROSECUTIONS BETWEEN APRIL
- NOVEMBER 2023**

The following report of the Director of Regulation & Enforcement was submitted:-

(See document attached)

Tony Quigley introduced Sobia Akhtar, a former police officer of 14 years and also Martin Williams who had joined the Trading Standards team to the Committee.

Tony Quigley gave a summary of the report summarising the outcome of legal proceedings taken by the Trading Standards service between 1 April 2023 to 30 November 2023 and gave a background of the service outlining the four key priorities for the trading standards service alongside the broad and varied work undertaken by the service. Legal costs recovered were utilised by the service to undertake investigations and projects in prioritised areas. There were financial implications for legal services in that costs could not be a consideration when taking legal action.

Martin Williams gave an overview of a few of the cases during the year informing that there had been a successful conviction. Carrying out investigations were time consuming, however they were worthwhile. They had been successful in assisting a vulnerable person in having their money returned. It was noted that Trading Standards did not always recover all their costs. It was felt that more could be done to educate people about rogue traders such as literature that Councillors could hand out to residents. Nitrous Oxide was now a police matter as it was a Class C drug. The increase in 24 hour shops was a planning matter.

Tony Quigley informed the Sub-Committee that they hoped to gain 6 further staff however this was nowhere near the amount of staff employed in 2010.

1579

RESOLVED:-

That the report be noted.

PROSECUTIONS & CAUTIONS – SEPTEMBER AND OCTOBER 2023

The following report of the Director of Regulation & Enforcement was submitted:-

(See document attached)

Sajeela Naseer presented the report summarising the outcome of legal proceedings taken by Regulation and Enforcement during the months of September and October 2023. The report outlined the amount of costs requested and awarded for the year.

1580 **RESOLVED:-**

That the report be noted.

DATE AND TIME OF NEXT MEETING

1581 The date and time of the next formal meeting on 13 March, 2024 at 1030 hours in Committee Rooms 3 & 4 was noted.

OTHER URGENT BUSINESS

1582 There was no other urgent business.

AUTHORITY TO CHAIRMAN AND OFFICERS

1583 **RESOLVED:-**

That in an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

The meeting ended at 1201 hours.

Birmingham City Council

Licensing And Public Protection Committee

Date of meeting: 13 March 2024



Subject: REVIEW OF HIGHWAY LICENSING FEES AND CHARGES 2024/25

Report of: Assistant Director, Highways & Infrastructure

Report author: Thomas Clarkson-Williams

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 The Corporate Charging Policy and Financial Regulations require that fees and charges levied by the Licensing and Public Protection Committee be reviewed on an annual basis to ensure the continued full recovery of costs.
- 1.2 All fees and charges have been set with the objective of maximising net income to cover service cost and liabilities so far as is possible within legal constraints.
- 1.3 This report only deals with all Highways Specified Licences fees and charges for the provision of highway services.

2 Recommendation(s)

- 2.1 That the Committee approves:
 - 2.1.1 Changes to the fees and charges for Highway Services as detailed in Appendix 1 are approved to take effect from 1 April 2024.
 - 2.1.2 That authority be delegated to the Assistant Director of Highways & Infrastructure and Heads of Service to authorise the negotiation of variations to the fees and charges identified in this report, in the interests of commercial flexibility.

3 Background

- 3.1 The City Council's Corporate Charging Policy and Financial Regulations require that Chief Officers, at least annually, report to and seek approval from Committee on a review of all fees and charges levied for services provided. The last review for Highways Services was approved by the Licensing and Public Protection Committee on 15th March 2023.

4 Options considered and recommended proposal

- 4.1 The fees proposed in this report are calculated to maximise income to recover the full cost of carrying out the various services in line with City Council policy. This includes all overheads, administrative costs, expenses, and any appropriate recharge of officers' time.
- 4.2 The fees and charges covered by this report have been reviewed in line with the Corporate Charging Policy. The fees are to be increased by 10% to 100% to allow for process changes, inflation, national insurance and pay award. All the fee increases are within 10% except for three rates.
- 4.3 The reasons for the three rates with increases over 10% are:

Developments adjacent to the Highway requiring a bond		
Administrative Fee for processing Development Bond	100% (Revised from £56 to £116)	This is due to the time change in checking process before a bond is released. This brings in line with other administrative fees.
Fees for Skip Placements on the Highway		
Skip Permit Fee	50% (Revised from £24 to £36)	This is due to the change in the review process (including administration and abandoned skips). It has historically been kept low so that citizens are not discouraged to apply which may lead to an increase in illegal behaviour e.g. fly-tipping.
Fee charged for the removal of non-permitted skips	50% (Revised from £248 to £372)	This is due to the increase in costs by our disposal service providers. It also provides a deterrent to ensure that applicants adhere to the process. Where there is an internal service provider, we will use them instead of the external service provider.

- 4.4 These fees and charges, which have been rounded for ease of use and consistency, have been provided in Appendix 1– Highway Specified Licences Charges 2024/2025.
- 4.5 The fees and charges have been benchmarked to those of neighbouring West Midlands local authorities and other core UK cities offering similar services. The outcome of the benchmark shows that Birmingham rates are not significantly disparate to those of the other authorities.

- 4.6 Where new objects or structures are to be installed by third parties on the highway under s115E Highways Act 1980, a fee is added to cover the costs of this licence. Due to the wide variety of items that could be installed and the different locations, these are included simply 'at cost' that will be determined on a case-by-case basis.
- 4.7 Where fees are not covered by the Appendix 1 or a recovery of monies is to be levied then the full recharge will be based on hourly rates already approved by the committee or based on quotes received from service providers. This enables us to recharge for any unforeseen works in delivering our services e.g. the removal and disposal of obstruction or wastes.
- 4.8 During the year ahead the financial position will continue to be closely monitored and options identified to resolve budgetary pressures as necessary and alternative savings proposals developed to meet new and emerging pressures.

5 Legal Implications

- 5.1 The fees and charges in this report support the discharging of the Council's duties under the Highways Act 1980 and the New Roads & Street Works Act 1991.

6. Financial Implications

- 6.1 As part of the ongoing efforts to find significant savings to bridge the Councils budget deficit, the decision was made to seek a 10% increase to fees and charges where possible. This is reflected in the proposals presented in this report.

7 Public Sector Equality Duty

- 7.1 There are no specific implications identified.

8 Other Implications

- 8.1 In carrying out this annual review of charges reference has been made to the requirements of the Corporate Charging Policy. Particular attention has been paid to the need to ensure that income is maximised insofar as possible to cover service cost and liabilities.
- 8.2 Based on estimated usage of services, it is envisaged that implementation of the proposed fees and charges will generate sufficient income to meet budgeted income levels for 2024/25.

9 Background Papers

- 9.1 Birmingham City Council – Corporate Charging Policy
- 9.2 APPENDIX 6 - REVIEW OF CHARGES FOR HIGHWAY SERVICES FOR 2023/2024 on LPPC Report of 15th March 2023.

Appendix 1 - Highways Specified Licences Charges 2024/25

Service/ Charge	Current Charge 2023/24	Proposed Gross charge 2024/25	£ change (24/25 - 23/24)	Diff %
Highway Licences				
New licence for private services in highway	£952.00	£1,048.00	£96	10%
Additional inspection fee for over 200 metres	£226.00	£249.00	£23	10%
New licence for overhanging canopies etc. on public highway	£921.00	£1,013.00	£92	10%
Amendment to existing canopy etc. licence	£508.00	£559.00	£51	10%
Street Café Specified Licences				
Up to 5 tables	£944.00	£1,039.00	£95	10%
5 tables or more	£1,384.00	£1,525.00	£141	10%
Transportation, Connectivity & Highways				
Specified Licence to plant trees, shrubs, etc., in a highway.				
New licence to plant and maintain vegetation in highway.	At Cost	At Cost		
Individual Specified Licence Fee				
Application Fee (non-refundable)	£105.00	£116.00	£11	10%
Specified Licences for Developments with a Value up to £1million:				
Scaffolding (up to 28 days)	£189.00	£208.00	£19	10%
Hoarding (up to 28 days)	£189.00	£208.00	£19	10%
Carting Over (Temporary Access) (up to 28 days)	£189.00	£208.00	£19	10%
Deposit of Materials (up to 28 days)	£189.00	£208.00	£19	10%
Crane - for one day only	£95.00	£105.00	£10	10%
Crane up to 2-28 days	£189.00	£208.00	£19	10%
Excavation (up to 28 days)	£189.00	£208.00	£19	10%
Licences for Developments with a Value up to £1million:				
Scaffolding (from 29 days over)	£452.00	£498.00	£46	10%
Hoarding (from 29 days over)	£452.00	£498.00	£46	10%
Carting Over (Temporary Access) (from 29 days over)	£452.00	£498.00	£46	10%
Crane (from 29 days over)	£452.00	£498.00	£46	10%
Excavation (from 29 days over)	£452.00	£498.00	£46	10%
Deposit of Materials (from 29 days over)	£452.00	£498.00	£46	10%
Additional Street Frontages				
Administration Fee per additional street frontage	£105.00	£116.00	£11	10%

Service/ Charge	Current Charge 2023/24	Proposed Gross charge 2024/25	£ change (24/25 - 23/24)	Diff %
Extension or Amendment to Specified Licence				
Administration Fee - up to & including a 4-week extension from date of original start	£105.00	£116.00	£11	10%
Large Development Highways Specified Licence				
Project Value ≥£1million and over 4 weeks	0.16%	0.16%		0%
Administrative Fee for processing Development Bond	£58.00	£116.00	£58	100%
Retrospective Specified Highway Licence issued				
Retrospective Highway Licence	2 x equivalent preapproved total permit value	2 x equivalent preapproved total permit value		
Skip Placements on the Highway*				
Registration Fee	No charge	No charge		
Permit Fee	£24.00	£36.00	£12	50%
Retrospective Permit Fee	£216.00	£238.00	£22	10%
Removal of non-permitted skips**	£248.00	£372.00	£124	50%

***Any additional costs for skip removal and/or tipping charges will be recharged as an additional fee to ensure the council recovers all its costs.*

Where there is an internal service provider, we will use this instead of the external service provider.

Birmingham City Council Licensing and Public Protection Committee

13 March 2024



Subject: Birmingham City Council Hosted England Illegal Money Lending Team
Report of: Director of Regulation and Enforcement
Report author: Tony Quigley, Head of Service

Does the report contain confidential or exempt information? ☐ Yes ☐ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :

1 Executive Summary

- 1.1 This report provides an update on the work of the England Illegal Money Lending Team (IMLT) hosted by Birmingham City Council's Regulation and Enforcement Division up to 6th February 2024.

2 Recommendation(s)

- 2.1 That the report be noted.

3 Background

- 3.1 The grant funded project was initially piloted in 2004 with teams from Birmingham and Glasgow operating across a specific region. The purpose was to identify if illegal money lending was in operation and, if so, investigate and institute proceedings against those involved. The project was commissioned for an initial period of two years. It was further extended year to year following a number of high-profile successful investigations.
- 3.2 There are also national teams covering both Scotland and Wales, along with a service covering Northern Ireland (NI). All of the teams regularly hold meetings, to share best practice and current initiatives. This year IMLT attended a conference hosted by the NI service to provide a presentation on our experiences of delivering the service in England.
- 3.3 The IMLT operates across the country using legislative powers under the Consumer Rights Act 2015.

- 3.4 The brief of the IMLT from its inception has been to investigate and prosecute illegal money lenders and to provide support to victims and communities under the control of illegal money lenders and by working with partner agencies to deliver this support. From an initial team of seven officers, the team has grown in size and now employs over 60 staff in a variety of roles, including four apprentices.
- 3.5 Initially officers gather and develop intelligence by working with local services with the aim of corroborating information. Warrants are executed and, where appropriate, cases taken into the court process. Another branch of the team (LIAISE officers) support loan shark victims throughout the process and raise awareness, with local, regional, and national services, regarding the work of the team.
- 3.6 Since its inception the team has secured over 400 prosecutions for illegal money lending and related activity, leading to almost 600 years' worth of custodial sentences. They have written off £91.2 million worth of illegal debt and helped over 35,000 people.
- 3.7 The primary legislation governing the consumer credit industry is the Financial Services and Markets Act 2000 (FSMA), previously the Consumer Credit Act 1974. The Trading Standards Service has a duty to enforce this legislation within its area.
- 3.8 The Financial Services Act 2012 amended the legislation to move the authorisation process under FSMA and retained the enforcement provisions in respect of unauthorised business for local weights and measures authorities (Trading Standards). The Financial Services Act also made provision for Trading Standards to operate nationally in this regard in order to make the administration process easier for the EIMLT (England Illegal Money Lending Team).
- 3.9 A fundamental requirement of FSMA is that all potential providers of credit must possess appropriate authority issued by the Financial Conduct Authority. To operate a credit business without authority is a criminal offence which carries a maximum penalty of a £5,000 fine and/or up to two years in prison.
- 3.10 Illegal money lenders, or "loan sharks" as they are more commonly known, have long been recognised as the most unacceptable part of the illegitimate consumer credit industry. Targeting vulnerable communities and individuals, charging exorbitant rates of interest, and using whatever means including, at times, fear and intimidation to recover monies 'owed'. Controlling lives and the community are common traits that illegal money lenders will exhibit during their operations.
- 3.11 When the team was initially set up in 2004 there was little knowledge about the scale of illegal money lending, either in the number of individuals involved or the number of possible victims across the country. Illegal money lenders were rarely, if ever, prosecuted due to victims being reluctant to come forward. Birmingham City Council has now prosecuted over 400 individuals and disrupted many more illegal lenders, stopping the pernicious enterprise.
- 3.12 New research by the Centre for Social Justice in March 2022 concluded that 1.08 million people in England alone are currently using loan sharks. This equates to 2% of the population and is more than a 3-fold rise in the previous figure.

3.13 Typically, illegal money lenders:-

- Start out being friendly – they are often heard of via friends. It is only when repayments are missed their behaviour changes.
- Offer little or no paperwork.
- Increase the debt or add additional amounts.
- Refuse to tell the borrower the interest rate, how much they still owe or how long they will be paying back. (We have seen APR's as high as 4.5 million %).
- Take items as security - this may include passports, driving licences or even bank or post office cards with the PIN to withdraw directly from borrowers' accounts.
- Sometimes resort to intimidation, threats, or violence.

3.14 Throughout its life the project has been funded by central government. This funding was always on a yearly basis and subject to annual submissions which meant the team's grant was never secure long term. However, in 2016 it was announced that a levy would be applied to credit businesses (as part of the fee they already pay to operate legitimately). This funding commenced on 1 April 2017 and has secured the work of investigating illegal lenders. The current budget for IMLT activities is £5,139,000.

4 Operating the Illegal Money Lending Team

- 4.1 The success of the team can be attributed to several factors, the quality of the intelligence gathered, the hotline and dedicated website, social media, partner engagement and partner participation. These relationships are developed and grown by the Liaise Officers (Leads in Awareness, Intelligence, Support and Education).
- 4.2 The Stop Loan Sharks brand was first introduced back in 2004 and has continued to be developed since its inception. The team has a social media presence including Facebook, YouTube, Instagram, snapchat and twitter accounts, as well as its own website and TikTok accounts.
- 4.3 The team takes a fully agile and flexible approach to tackling this type of criminality, recognising the "one hat size does not fit all" circumstances. The legislation changes under the Consumer Rights Act provide authorisation for Birmingham City Council to operate across England and Wales in respect of offences under the Financial Services and Markets Act 2000 (FSMA), changes that were introduced to lighten the administrative burden on the team and allow them to fully function in all geographical areas.
- 4.4 The Head of Service and Operational Managers within the team have the delegated authority to proffer charges at police stations, institute proceedings through the report process and make decisions regarding the outcome of investigations throughout the process. This authority speeds up the court process, allowing, in

some cases, suspects to be arrested, interviewed and charged the same day. In some instances, the defendant has been brought before the courts within 24 hours.

- 4.5 Recognising the importance of communication in all aspects of the team's work has also been a key priority. The hotline is 24/7 and staffed by the team members. This promotes reassurance and allows for information to be fed directly to lead investigating officers in respect of the actions of the suspected illegal money lenders. IMLT introduced Live Chat on their website during lockdown in 2020, and 12% of intelligence now comes into the team through this channel. This figure seems to be growing however the hotline remains the most utilised reporting channel.
- 4.6 The investigations by the team have resulted in a number of high-profile court cases that have included serious criminal offences, investigated and prosecuted by Birmingham City Council. The strategy to prosecute for all matters has resulted in the prosecution of offences that may not normally be associated with a Trading Standards service. The decisions to prosecute offences such as rape, blackmail, kidnapping, wounding and assault were made after careful consideration and in consultation with Legal Services. It was recognised that these offences were directly linked with illegal money lending and occurred as a direct result of the involvement with this activity.
- 4.7 Raising awareness of the team with the public, but also with other interested parties has been critical for gathering the right intelligence. The involvement of the police and support furnished by them throughout the operations has been extremely beneficial, and the embedded Police Officers (first introduced by the Birmingham project) have given the team an added dimension to its investigatory powers.
- 4.8 Some examples of recent cases include: -
- OP PIKES PEAK (CENTSA): Loan shark Mantas Dajoutas, aged 38, was sentenced for illegal money lending, money laundering and unlawful possession of identity documents. The defendant left the country after he was arrested and had to be extradited from Lithuania.
- Dajoutas made roughly £100,000 a year from vulnerable consumers. Dajoutas, who previously worked for a legal credit business for 5 years but had no license to lend himself, had at least 260 customers. Financial investigations revealed a significant business with loans of just under £2million with a £450,000 profit between March 2015 and August 2019. Dajoutas will serve 45 months for money laundering, with a 12-month sentence for illegal money lending to run concurrently; an 8-month sentence for possessing identity documents that did not belong to him, to run consecutively; and a consecutive 1-month sentence for the bail offence.
- OP DOWNES (GREATER LONDON): A brother and sister who operated a loan shark business in London were ordered to pay back more than £350,000. John Mulvey, aged 57, and Mary Wilding, 71, appeared before Isleworth Crown Court back in February 2020 when they were each sentenced to 12

months in prison suspended for two years after admitting illegal money lending. The case came back before the court for a Proceeds of Crime Act hearing where the pair were ordered to pay back a total of £357,719.98. They were given three months to pay and default sentences of two and half years for Mulvey and two years for Wilding were fixed.

- OP MAROON PEAK (CENTSA): A 53-year-old man who illegally lent money and then intimidated and even attacked borrowers when they couldn't make repayments was jailed for 28 months. Alvin Hutchinson, of Telford, forced one borrower to buy a 65" TV on credit, which he then used, leaving the customer struggling to make the repayments. Hutchinson admitted charges of illegal money lending and concealing the proceeds of crime and appeared at Shrewsbury Crown Court for sentencing. Investigations found deposits of £92,862.93 were made into accounts registered to Hutchinson and other family members, whose accounts he was using to process payments. Hutchinson was sentenced to 12 months for illegal money lending and 16 months for concealing the proceeds of crime, to run consecutively. The POCA process is ongoing.
- OP COLENTINA (CENTSA): A loan shark pensioner who ran an illegal lending operation in Staffordshire, making thousands of pounds from hundreds of loans, was jailed for 32 months. Stafford Crown Court heard Robert Norman Phillips, aged 75, lent more than £370,000 and took repayments of more than £570,000. The court heard many of his victims were women who said he had made repeated lewd and inappropriate comments when he collected cash and even suggested 'payment in kind' if they were struggling to pay. Phillips admitted two charges of money lending between November 2006 and November 2022 as well as a charge of concealing the proceeds of his crime. He was sentenced to 10 months for each of the money lending offences and 32 months for the third offence, all to run concurrently.
- OP MAMBA (NORTHWEST): A Liverpool man who illegally lent money to vulnerable people was sentenced to 10 months in prison. Alan Hayden, 52, admitted running an unlawful money lending business and was jailed at Liverpool Crown Court. The court heard how Hayden had been running his illegal money lending scheme between 2021 and 2022. Historically, Hayden ran a legitimate, authorised credit business but in 2021, the FCA revoked his permission, meaning the company should have ceased trading. Hayden charged at least 100% interest on short term loans and lent to some very vulnerable people. The court heard from some of Hayden's borrowers who said, "he didn't care how we got it, he wanted paying" and described him as a Jekyll and Hyde character who "has this habit of sucking you in". He threatened to take a taxi driver off the road and how, when they started to struggle with repayments, they "saw the other side of him."

4.9 Between January 2023 and December 2023, the team received 533 reports of illegal money lending across England. After the impact of Covid reports are on the rise again and despite ongoing delays in the courts POCA cases are now being heard.

5 Victim Contacts

5.1 There were 769 contacts with victims in 2023. Many of these referrals to the LIAISE team were to offer emotional support and safety advice, but there were also referrals by LIAISE officers to credit unions, housing, debt advice and mental health services. This demonstrates the need for effective relationships with local partners to secure this support for victims.

5.2 The team dealt with £867,592 of new victim debt in 2023.

5.3 Some examples of victim support are below: -

- **Op Jataka** - support with promissory notes and possible charging order/bankruptcy/statutory demand plus ongoing conversation with victim as subject trying to get her to place a charging order on her property.
- **Op Taurus** - ongoing victim support. Loan made to victim, case being looked at by financial investigator to determine if it is illegal lending, fraud, or both.
- **Op Waboom** - The victim's current situation is living in private rented accommodation with his wife and 3 children. He works full-time as a care assistant. The victim heard about the subject through a work colleague at the same organisation. He initially borrowed £300, no interest was paid and paid back £300 within 2 weeks. The victim asked for a loan of £2,500 and had to pay an interest payment of £150 per month until £2,500 was cleared in one lump sum. An additional loan was taken out of £1,700 with £100 interest payment per week until £1,700 is cleared in one lump sum. He has paid back £1,800 via a banking app since July 2023 and the subject has told him he still owes £5,000.

The victim was attacked by the subject at his workplace. The Police were called and IMLT details were given to the victim. Currently, the subject does not know where the victim is living but is trying to locate him. He has a debt with British Gas, gas and electric, owing over £2,000, currently paying £90 per month. The victim has agreed to make a statement. The victim has stopped paying the subject, the subject continues to pressure the victim into paying.

- **Op Jaywalk** – Victim needs help with his housing situation. The council need a Possession Order which won't be issued until his case is completed (if the eviction is granted). His case was adjourned at the hearing on 8 December for 2 months. Loan shark threatening to expose that the victim for previous issues.
- **Op Yachts** - Victim has fled to his partner's house - both have borrowed money from loan shark. Loan shark does not know where they currently live but is trying to make contact via Facebook. Victim stated that the loan shark had him locked up in his property and refused to let him leave until he repaid him the money - Victim is diagnosed with ADHD, depression, anxiety. Victim has been given IMLT helpline and advised to call the police on 999 if urgent assistance required.

- **Op Yorker** - Victim is feeling more empowered to deal with loan shark and is in a much happier space emotionally. The loan shark has been in contact demanding his money. Victim has offered to repay the initially agreed loan. The loan shark is demanding 3 times the loan amount money – victim believes it to be around the £80k mark. Support ongoing.

6 Victim Profile

- The gender split of borrowers was 60% female and 40% male.
- 50% of victims supported were parents, half of these were lone parents.
- 64% of victims indicated they had long term health conditions.
- 27% reported mental health issues.
- 31% of victims said that they had considered suicide during their lifetime.
- 81% of borrowers said that they were in a state of worry, stress, depression, or severe anxiety because of their involvement with a loan shark.
- 73% of respondents paid rent for their home, either to a social landlord or private property owner.
- 43% of respondents said that they had visited a debt advisor.
- 17% were members of a credit union.
- 50% in receipt of Universal Credit
- 31% had been threatened with physical harm or assaulted before reporting the lender to the IMLT. Threats included physical harm and in 9% of cases suggesting or forcing sexual services as payment in kind from borrowers.

7 Victim Statistics

- 7.1 The majority (57%) of clients were introduced to the lender via family or friends. Loan sharks will be friendly all the time somebody is repaying their loan so will quite often be recommended as a credit option by new borrowers.
- 7.2 At the point of taking the loan, 43% of respondents thought they were borrowing from a friend.
- 7.3 Reasons for borrowing:

Addiction – Alcohol	2	Health or Funeral Costs	4
Addiction - Drugs	4	Holiday	6
Addiction – Gambling	4	Household Bills	33
Business Costs	6	Legal Fees	2
Childcare Costs	2	Mortgage Payments	1
Christmas Expenses	6	Motor Vehicle Repair or Purchase	6
Clothes	2	Other Celebration Event	2
Covid Expenses	1	Pet Care/medical bills	1
Debt Consolidation	4	Rent payments	4
Driving Lessons	1	School trips/uniform	1
Education Costs	3	To help out family	3
Entertainment	1	Travel Expenses	1
Furniture/Electrical Equipment	5		

- 7.4 Just as there is no typical loan shark, there is no typical loan either, apart from it is very rare that a borrower will repay less than double the amount borrowed.
- 7.5 The highest amount borrowed was £99,000 for gambling debt. The borrower repaid £450,000 over 25 years.
- 7.6 The lowest amount borrowed was £30 after the borrower lost his job – he repaid £480.
- 7.7 53% of people supported were employed..

8 Training – Partners

- 8.1 In 2023 the team trained over 23,000 frontline staff – some online and some face to face.
- 8.2 A training package for debt advice had led to an increase in intelligence from the sector – from 6 pieces in 2022 to 57 pieces in 2023.

9 National Partnerships

- 9.1 LIAISE are working with a number of organisations to develop an algorithmic approach to spotting illegal money lending through open banking. As the number of agencies who use open banking (viewing a customer's bank statements) to assess affordability increases, and around 50% of loan sharks use bank transfer to issue and collect on loans, there is an opportunity to generate intelligence.
- 9.2 IMLT have an ongoing partnership with ABCUL, ACE, UKCU and Responsible Finance – the trade bodies for the credit union and community finance sectors. Throughout 2023 there have been joint promotional campaigns with both, and IMLT have spoken at online and face to face conferences.
- 9.3 IMLT is working with Nest Egg to look at increasing access to affordable, legal credit through information and advice.
- 9.4 Ongoing partnerships with Inbest, I E Hub, Vulnerability Registration Service and Aperidata are focusing on intelligence generation and spreading the Stop Loan Sharks message.
- 9.5 Meeting with NHS Counter Fraud Manager to discuss their stand-alone service within NHS, internal & external threats and local counter-fraud capabilities that includes Health Act Powers used; warrants for properties and POCA legislation.

Agreed to the following:

1. Acting as Gatekeeper for IMLT enforcement work to include providing contacts & enforcement hub for sharing information.
2. Providing central intelligence mailbox for IMLT Intel team to raise queries and seek information across 420 HNS organisations across England.

3. Organise face to face training at Canary Wharf for their:

- Fraud Prevention Team
- National Investigators Team
- Intelligence Unit

10 Localised Partnerships

- 10.1 Work with West Midlands PCC to run a round table event to generate a plan for combating illegal lending across the force area. The plan was agreed with over 20 organisations and is now being implemented.
- 10.2 Week of action in Blackpool with partners generating multiple pieces of intelligence.
- 10.3 Work with HMP Manchester – they are keen to raise awareness with families about the service of the IMLT. The prison host family sessions online and it has been agreed that an input around money and IML will be offered.
- 10.4 AFJ coaches – IMLT have trained their staff. They are also looking to do CSR work so will distribute leaflets with IMLT and CU/CDFIs on rear of coaches in the Nechells area of Birmingham. AFJ have a garage in Manchester, and they will do a similar leaflet drop. Posters being prepared to go in their vehicles which the public will see. Press and social media to follow.

11 Credit Union Incentives

- 11.1 IMLT work with credit unions to help incentivise savings. The two organisations work together to identify a cohort at risk of using loan sharks. This might be a postcode area, people working in a particular industry, or a specific age group. People from the cohort who open an account and save regularly for 3 months have their savings matched by IMLT, up to the value of £25.
- 11.2 In 2023 630 accounts received this funding. The credit unions are supplying IMLT with the data from accounts opened under the scheme in 2022 so the success can be evidenced in terms of people continuing to save, and even going on to take out loans.

12 Other Credit Union Work

- 12.1 IMLT secured £20,000 ARIS (proceeds of crime) funding from Greater Manchester Police to run a “near miss” scheme with Stockport Credit Union, where they lowered their lending criteria (without crossing the affordability threshold) to see if they could lend to people who would currently just miss out on a loan, and not lose money. The aim is to influence a permanent change in lending criteria to enable more people to access credit union loans in Stockport going forward.
- 12.2 IMLT have been finding out credit union member’s opinions on money and loan sharks. A workshop is also being run with members.

https://docs.google.com/document/d/1e85lfocNinj6jL_XTkRPYtlwxyvgyyA-/edit?usp=sharing&oid=100896082791724049123&rtpof=true&sd=true

- 12.3 IMLT worked with a graduate student to look at credit unions and their appeal to younger people. Her paper has been circulated across the industry and government.

<https://drive.google.com/file/d/1ikIHtLKpu1roys4lo6zzlPjkneMRj2t/view?usp=sharing>

- 12.4 Hull and East Yorkshire Credit Union worked with IMLT to showcase the film “Land Sharks” at Goole Cinema as an awareness raising activity.

13 Proceeds of Crime

- 13.1 IMLT worked with Digital Arts Box to run workshops in schools in Runcorn. The students had the chance to use AI to generate Stop Loan Sharks messages.

- 13.2 IMLT used POCA money to fund prizes for students in primary schools on the Wirral. Each class that was visited by the pathfinder project had the opportunity to win an Amazon voucher by designing a poster to spread the Stop Loan Sharks message.

- 13.3 IMLT worked with Sierra Leone Bristol Association to produce an influence style video for social media.

- 13.4 IMLT have financed 2 campaigns on digital radio, both targeted at postcodes where intelligence suggests there is illegal lending. The first, with Global Radio, targeted 20 postcode areas in the 6 weeks before Christmas. The adverts achieved 274,753 impressions, with a 94.7% listen through rate. The second campaign, with Bauer media, targets a different 20 postcodes and runs from January to March 2024. This campaign includes analysis of people who went on to visit the IMLT website after hearing the advert.

- 13.5 The team also financed some adverts at football stadia. Derby County, Fleetwood, Blackpool, Bristol City and Peterborough have all displayed the Stop Loan Sharks message. The team are staging a matchday takeover at Peterborough and Derby County. The Derby County Day will include the team warming up in Stop Loan Sharks T-shirts; information on the tannoy, screens and in the programme; information on the external screen at Pride Park for 2 weeks; and the shark suit on the pitch with Derby’s two mascots.

14 Options considered and Recommended Proposal

- 14.1 This report is for information purposes, no recommendations are made.

15 Legal Implications

- 15.1 Legal Services are a key partner and are involved in the matters listed above and ongoing matters, providing advice, support and presenting matters at court. When a decision is made to institute proceedings, Legal Services provide

oversight, case management and expert legal support to ensure cases are progressed and that any necessary legal input is provided in a timely manner. Solicitors in the criminal litigation team are considered to be national experts in this area of enforcement.

16 Financial Implications

- 16.1 The IMLT project is currently funded by the Treasury. Cost recovery cannot be a consideration to ensure justice is served. Matters that are referred to the crown court due to the seriousness of the offending tend not to provide for cost recovery. It is more likely that compensation for the injured parties will be prioritised over the costs incurred by the prosecuting authority. Further, where the investigation is concluded at crown court and the defendant is convicted, it will be an expectation the authority will consider proceeds of crime investigations and seek restraint of assets as appropriate.
- 16.2 The IMLT is fully funded through external grant provided by the Treasury. For 23/24 this is £5.14m. Proceeds of crime income is received from the Home Office where applicable and based upon Home Officer allocation methodology. Use of proceeds of crime income is restricted and receipt is dependent on actual recovery through the Courts.
- 16.3 The governance of the project consists of representatives from the Financial Conduct Authority (FCA), Treasury and the hosting authorities involved (England, Northern Ireland, Scotland and Wales).

17 Public Sector Equality Duty

- 17.1 Illegal Money lenders prey on the most vulnerable members of society. They target people who may be financially excluded and, in many instances, people over whom they can exert power and control. Removing an illegal lender and introducing alternatives helps those individuals that have been trapped by the illegal lender into paying high interest or being forced into carrying out activities, under normal circumstances, they would not commit.

18 Other Implications

- 18.1 Enforcement action taken against illegal money lenders improves the quality of life for those individuals caught within the grips of this pernicious criminality.
- 18.2 Illegal money lenders prey on the most vulnerable groups and enforcement action to remove them from communities and encourage more sustainable credit sources such as credit unions is important.
- 18.3 Prosecution and removal of illegal money lenders from communities will reduce the fear of intimidation and violence.

19 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 19.1 This report is for information purposes, no recommendations are made.

20 Background Papers

20.1 None.

21 Appendices

None.

Birmingham City Council

Licensing and Public Protection Committee

13 March 2024



Subject: Birmingham City Council hosted National Trading Standards Regional Investigations Team (Central England)

Report of: Director of Regulation and Enforcement

Report author: Phillip Page – Operations Manager, Regional Investigations Team

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Does the report contain confidential or exempt information? ☒ Yes ☐ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :

1 Executive Summary

- 1.1 This report provides an update on the work of the National Trading Standards Regional Investigations Team (Central England) (RIT), hosted by Birmingham City Council's, Regulation and Enforcement Division.

2 Recommendation(s)

- 2.1 That the report be noted.

3 Background

- 3.1 The grant funded project was initially piloted in 2006. At that pilot stage there were 3 teams, one based within Central England (CEnTSA), one in the North East (NETSA) and the third team covering London, the South East and East Anglia (TRS). The CEnTSA Team was hosted at that time by Solihull MBC on behalf of the Region.
- 3.2 The Teams were formed following a Government White Paper on consumer protection in which it was identified that Regional Investigation Teams might be better placed to tackle certain offending. The rationale was that certain

perpetrators did not simply operate within local authority boundaries, but instead would affect consumers across multiple authority areas.

- 3.3 The three Teams were set up to run a 2-year pilot project. At the end of that trial period, and following the success of the 3 Teams, funding was made available to extend the project across all Regions, including Scotland, from 2008 for a 3-year period.
- 3.4 Since 2011, funding has been on an annual cycle, and has varied from between £250,000 and £334,000 per year. The grant amount for 2023-24 was £334,000 and this is expected to rise to £359,000 for 2024-25.
- 3.5 Since May 2013, the CEnTSA RIT has been hosted by Birmingham City Council.
- 3.6 The CEnTSA RIT operate across the region using legislative powers under The Consumer Rights Act 2015.
- 3.7 The RIT work in conjunction with both NTS and the 14 local authorities that make up CEnTSA. The RIT receive their work via a formal tasking process, introduced as part of the Intelligence Operating Model (IOM). Whilst work can be tasked down by NTS, the vast majority of work is tasked to the Team by one or more of the 14 local authorities within CEnTSA.
- 3.8 The RITs operate differently across the country.
- 3.9 One regional team (covering three regions) provides Officers to support more complicated investigations taken on by local authorities in its area, but once the evidence gathering has been concluded, their involvement is at an end and the case is pursued through the courts by one of the local authorities in the Region. The CEnTSA RIT have assisted some CEnTSA Authorities with evidence gathering on a similar basis.
- 3.10 Other RITs conduct the investigation themselves but then pass the prosecution file back to the originating authority to consider legal proceedings, and that local authority bears the costs of that prosecution, should it go ahead.
- 3.11 In most cases within CEnTSA, the RIT take on the case and then put any prosecution files that may follow through Birmingham City Council. This is paid for through the annual grant. For this reason, a significant amount of the annual funding is allocated to, and used up on, legal costs.
- 3.12 The RIT, therefore, is small in staff numbers, currently comprising only 2 'core' members of staff but with those numbers bolstered on an 'as needs' basis with experienced investigators employed through agency. Typically, such agency staff are retired police officers with all of the necessary skills in conducting investigations. The Team have also recently made use of a 'managed service'

provided through Red Snapper where the initial statement gathering is outsourced to provide an initial impetus to the investigation.

- 3.13 Cases are referred to the Team because intelligence shows that a trader is having a negative impact upon consumers within the Region. In most cases, the trader will also be based within CEnTSA but also, in most cases, consumers affected will be from much further afield than just CEnTSA.
- 3.14 Most of the intelligence used to identify 'problem' traders comes from access to the Citizens Advice complaints database. Citizens Advice now act as the 'front line' for providing consumer advice and for flagging issues of concern to Trading Standards through the Citizens Advice Consumer Service (CACS) reporting line (0808 223 1133).
- 3.15 Trading Standards have access to the CACS portal and can run a variety of reports to assist in identifying potentially problem traders.
- 3.16 The Regional Intelligence Analyst (RIA) based in Warwickshire Trading Standards produces a Tactical Assessment (TA) every 6 weeks. This TA will, amongst other things, highlight traders of possible concern to the Region as well as potential emerging threats.
- 3.17 The purpose for the CEnTSA RIT is to investigate traders and to ascertain whether there is evidence to show that they are acting contrary to any consumers protection legislation. If they are, then, depending on circumstances, a full investigation can follow including warrants, interviews under caution and prosecutions.
- 3.18 The investigative powers for the RIT come through The Consumer Rights Act 2015, a piece of legislation which, amongst other things, amalgamated investigative powers from disparate pieces of legislation into one set of investigative powers.
- 3.19 The 'core' offences considered by the RIT are typically contained within the Consumer Protection from Unfair Trading Regulations 2008, but there are, in addition, a host of other potential offences that are regularly included within case files, including offences under the Fraud Act 2006, Companies Act 2006, Proceeds of Crime Act 2002 and the Trade Marks Act 1994.
- 3.20 Since 2019, the Team has had additional funding from National Trading Standards to conduct Operation Beorma, which is an investigation into the trading activities of assorted Midlands based individuals involved in the manufacture, importation, wholesale and retail supply of counterfeit goods, including clothing, footwear, electrical goods, perfumes and accessories.

3.21 Updates

Operation Beorma

We have continued to suffer delays in the court system over the last couple of years as the majority of our trial dates for cases have been vacated by the court due to backlogs caused by the pandemic. We have, however, had the following matters conclude since the last update.

Saqlain Nawaz

A Birmingham based supplier of high-end counterfeit clothing, footwear, perfumes, electrical items and accessories. Linked to two retail addresses in Birmingham, and using false details when renting units, Mr Nawaz traded under the business name 'Designer4Less'. Significant seizures of counterfeit goods had been made from both of his associated units. Mr Nawaz was found guilty after a trial at Birmingham Crown Court and was sentenced to 27 months imprisonment. A POCA case is progressing against him.

Mohammed Shafiq

A Birmingham based individual who has pleaded guilty to involvement with a large-scale counterfeit goods storage unit in Digbeth, from which a large amount of counterfeit goods had been seized. At the time of writing, Mr Shafiq has not yet been sentenced, and this will follow at some point in 2024. There will be no POCA case as Mr Shafiq has no realisable assets, but all counterfeit goods will be forfeited. There are a number of other Beorma related investigations currently ongoing and at various stages of completion.

Other investigations

The Team has three very large-scale investigations on the go at the moment, all of which involve businesses in the 'home improvement' sector. One matter, **Operation Horizon**, is in the court system with a trial date set for 2025. The second matter, **Operation Guava**, will soon be with legal proceedings. This case involves consumers across 9 of the 14 CEnTSA authorities. The third matter, **Operation Momento**, is still at a relatively early stage and involves consumers across 13 local authority areas in total (9 in CEnTSA and 4 others). In addition, resource is being put into **Operation Rhubarb**, which is not an investigation but rather engagement with a national trader based within CEnTSA in an attempt to identify the cause for complaints and to take steps to address and reduce them.

4 Legal Implications

- 4.1 Enforcement action taken against dishonest traders protects not only affected consumers and potential future victims but also can help to protect legitimate traders.
- 4.2 Often our victims are members of the most vulnerable groups and therefore enforcement action helps to protect many that often cannot help themselves.

- 4.3 Prosecution of dishonest traders protects consumers and opens opportunities for honest traders.

5 Financial Implications

- 5.1 The RIT is fully funded through external grant provided by the Treasury. For 2023/24 this is £0.334m.

6 Public Sector Equality Duty

- 6.1 It is often the case that the traders subject to investigation by the RIT prey on the most vulnerable members of society. Certain traders target people who may be extremely vulnerable, either through age or infirmity or for other reason. Taking robust enforcement action in these circumstances helps to protect not only those consumers but also the wider public.

7 Other Implications

- 7.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

8 Background Papers

- 8.1 None.

9 Appendices

- 9.1 None.

Birmingham City Council

Licensing & Public Protection Committee

13 March 2024



Subject: Private Rented Sector Housing: Charging for Part 1 Housing Act 2004 Enforcement Notices

Report of: Director of Regulation and Enforcement

Report author: Simon Williams – Head of Property Licensing Service
simon.williams@birmingham.gov.uk

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1.0 Executive Summary

- 1.1 This report sets out the proposal for recovering costs incurred in serving statutory enforcement notices and orders to improve the private rented housing sector under Part 1 of the Housing Act 2004.

2.0 Recommendation

- 2.1 To recommend to Cabinet that a charge be levied for the service of enforcement notices under Part 1 of the Housing Act 2004. In line with Sections 49 and 50 of the Housing Act 2004 ("The Act").
- 2.2 To recommend to Cabinet that the charges proposed in this report are approved.

3.0 Background

- 3.1 Under Part 1 of the Act, the Local Authority has a statutory duty to investigate instances of disrepair or deficiencies within privately rented properties and take the most appropriate action to resolve.
- 3.2 There are several potential enforcement options. The level of the action taken varies from no action through to the service of statutory notices. Where appropriate, officers will work with the person responsible to achieve compliance. In deciding whether to proceed with enforcement action, the Council will consider the

seriousness of the issue, the past and current performance of the landlord, any obstruction on the part of the landlord, and the risk/s being controlled.

- 3.3 In 2006, Section 49 and 50 were 'added' to the Act enabling Local Authorities to charge for the service of certain enforcement notices. Apart from the benefit of being able to recover costs, this charge encourages landlords to deal with issues before the issue of a notice which will results in living conditions of tenants being improved more rapidly.
- 3.4 However, where officers deliver activities relating specifically to property licensing schemes, enforcement of breaches under Part 1 cannot be undertaken within the remit of property licensing.
- 3.5 The proposed approach of charging for the service of enforcement notices under Part 1 enables action to be taken by property licensing officers when they identify breaches of Part 1 in houses that require a licence.

A charge will be made for service of any Part 1 notice to compensate for the time spent by the officer on work that cannot be funded by the property licence fee. This is in compliance with Section 63(7) and Section 87(7) of the Act, which relate to the power to charge a fee for applications for licensing (including the administration of the licensing scheme).

4.0 Legal Provision Charging for Enforcement Notices

- 4.1 Section 49 of the Act allows the local housing authority to recover administrative costs and other expenses incurred by them in the service of the following types of notices:
- Serving an improvement notice under Section 11 & 12
 - Making a prohibition order under Section 21 & 21
 - Making an emergency prohibition order under Section 43
 - Taking emergency remedial Action (EA) under Section 40
 - Serving a hazard awareness notice under Section 28 & 29
 - Making a demolition order under Section 265 of Housing Act 1985
- 4.2 Costs and expenses vary slightly between the different notice /order types, but broadly they can include the following:
- Determining whether to serve the notice / order.
 - Identifying any action to be specified in the notice, and
 - Serving the notice / order on responsible parties.
- 4.3 Section 50 of the Act relates to the recovery of the charge. It details the following legal bases for recovery:

- As from the time when the demand becomes operative, the sum recoverable by the authority is, until recovered, a charge on the premises concerned.
- The charge takes effect at that time as a legal charge which is a local land charge.
- For the purpose of enforcing the charge the authority have the same powers and remedies under the Law of Property Act 1925 (c. 20) and otherwise as if they were mortgagees by deed having powers of sale and lease, of accepting surrenders of leases and of appointing a receiver.
- The power of appointing a receiver is exercisable at any time after the end of the period of one month beginning with the date on which the charge takes effect.

5.0 Proposed Charge

- 5.1 For the more common Improvement Notices served under section 11 & 12 of the Act it is proposed that there are two charges. One for those served to deal with 1-4 hazards found to be impacting on residents, and a second for those required to deal with 5+ hazards. Each charge is based on the average time it takes to produce and serve a notice with the more complex and time-consuming notice attracting a higher charge.
- 5.2 Notices will ordinarily be served by either a Grade 4 or Grade 5 Officer. The Grade 4 rate from the 'Fees and Charges Report 2024/25' presented to and approved by the Licensing and Public Protection Committee (LPPC) on the 17 January 2024, will be used as the hourly rate.
- 5.3 Based on this approach it is proposed that the cost of the service of an Improvement Notice is:
- Notice containing 1-4 Hazards = £355 (5 hours @ £71 per hour)
 - Notice containing 5+ Hazards = £497 (7 hours @ £71 per hour)
- 5.4 For all other notices and orders detailed at point 4.1, charges will be based on the actual time and hourly rate of the officer undertaking the activities allowed to be charged for under Section 49 of the Act.

6.0 Available Options

- 6.1 **Option 1:** Adopt a policy of not charging for specific housing enforcement notices. This would preclude officers from the Property Licensing Section being able to deal with urgent repair issues outside the conditions of a licence. All cases when discovered would instead need to be referred to the Private Rented Services team which will impact on resources.
- 6.2 In addition, without the financial incentive to resolve any issues informally, it is likely that the responsible person would take longer to comply with any notices served.

This would therefore cost the council more in resources to ensure compliance and improve the living conditions of tenants.

- 6.3 **Option 2:** Agree to recommend to Cabinet the charge for Housing Act notices. This would enable all authorised officers including Property Licensing Officers to deal with breaches of Part 1 private rented sector housing issues. It would encourage the responsible person to resolve issues quicker to the benefit of the tenant, so as not to incur further cost.
- 6.4 Whilst the aim of this proposal is to encourage compliance and improve living conditions quickly without the need to serve a notice, this is not always possible. Where notices are required, it will ensure that the council tax payer or licence fee payer (as applicable) is not funding enforcement against non-compliant landlords.
- 6.5 For the above reasons it is recommended that Option 2 is agreed by Committee and recommended to Cabinet.

7.0 Legal Implications

- 7.1 Section 49 of the Act allows Local Authorities to charge for the service of certain enforcement notices and Section 50 allows for cost recovery.
- 7.2 The service of notices can be appealed to the Residential Property Tribunal based on the Officers decision for the notice and/or amount charged. Where a tribunal allows an appeal, it may make an order to reduce, cancel or require payment for the notice.

8.0 Financial Implications

- 8.1 The proposed charges are based upon agreed chargeable hourly rates agreed by Committee on 17 January 2024. This delivers cost recovery for the specific activity.

9.0 Public Sector Equality Duty

- 9.1 There are no specific implications identified.

10.0 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- Improving Service Delivery
- Recovering cost where possible to maintain essential services.

11.0 Background Papers

- 11.1 Fees and Charges Report 2024/25 agreed at the Licensing and Public Protection Committee on 13 January 2024

12.0 Appendices

- 12.1 None

Birmingham City Council

Licensing & Public Protection Committee

13 March 2024



Subject: Update report on unauthorised encampments
Report of: Director of Regulation and Enforcement
Report author: Mark Wolstencroft,
Operations Manager Environmental Protection

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

N/A

1 Executive Summary

- 1.1 This report provides Committee with an update on work being undertaken to further manage unauthorised encampments in the city since the last report on the 15 November 2023.
- 1.2 This report comprises input from Environmental Health (site repossession), Planning (planning policy and site identification) and Housing (site development and management).

2 Recommendation(s)

- 2.1 That the report is noted.

3 Background

- 3.1 This report is an update on activities since the last report to your Committee on 15 November 2023.
- 3.2 An unauthorised encampment is one which is established on land without the express permission of the landowner. The groups responsible generally comprise elements of Gypsy, Romany, Traveller or other ethnic groupings and are collectively known colloquially as “travellers” or more correctly GRT.

- 3.3 The strategy employed by the City Council to manage unauthorised encampments is contained within a Memorandum of Understanding between the City Council and West Midlands Police (WMP) and is entitled a “Joint Protocol on the Management of Unauthorised Encampments” and is currently at edition 9 dated March 2020. This edition incorporates the presence of the transit sites.
- 3.4 A transit site is an authorized site where members of the travelling community can be directed when in the city area. A transit site typically provides a hard standing for holding caravans, a secure boundary and basic sanitary provision including potable water, often at a communal level. Most sites will have some measure of lighting and some will have provision for electricity.
- 3.5 Birmingham City Council presently has one developed transit site at Proctor Street affording space for 15 caravans, planning consent granted for a second site at Aston Brook Street East affording space for 4 caravans, and a further site at Tameside Drive which has space for around 11 caravans but requires formalising of the occupancy of the current tenants.
- 3.6 It has been clarified that the identification and approval for the allocation of transit sites lies with colleagues within Planning Policy. The details of the GRT need for both settled and transit site provision is contained within the Birmingham Development Plan and the GRT needs assessment within that. The operational provision of site(s) and the day-to-day services/operations is a housing function and is to be delivered by the Housing Department. This will leave your officers from within Environmental Health to focus on recovery of land.

Site Provision Update

- 3.7 In order to identify the need for both permanent and transit pitches, a revised Gypsy and Traveller Accommodation Assessment (GTAA) is currently being prepared by RRR Consultancy who are experienced consultants in this field to assess current needs (2023-2028) and future needs (2028-2042). The GTAA will inform requirements for site provision for permanent and transit GRT pitches over the coming years to be set out in the new Local Plan.
- 3.8 The GTAA also suggests an option to provide ‘informal’ negotiated stopping sites. These would be sites which are only temporarily available due, for example, to the fact that they are awaiting development or currently disused and could be utilized to direct unauthorized encampments for a short, negotiated period. This would enable such encampments to be directed immediately away from sites more widely used by or having a greater impact on local residents such as parks. This approach has been used successfully in local authorities such as Enfield and Leeds and provides additional flexibility to Councils, in addition to the provision of transit sites, to deal with unauthorized encampments more effectively. This option

will require further consideration as to whether it will be appropriate or beneficial for Birmingham as part of its overall strategy for dealing with unauthorized encampments.

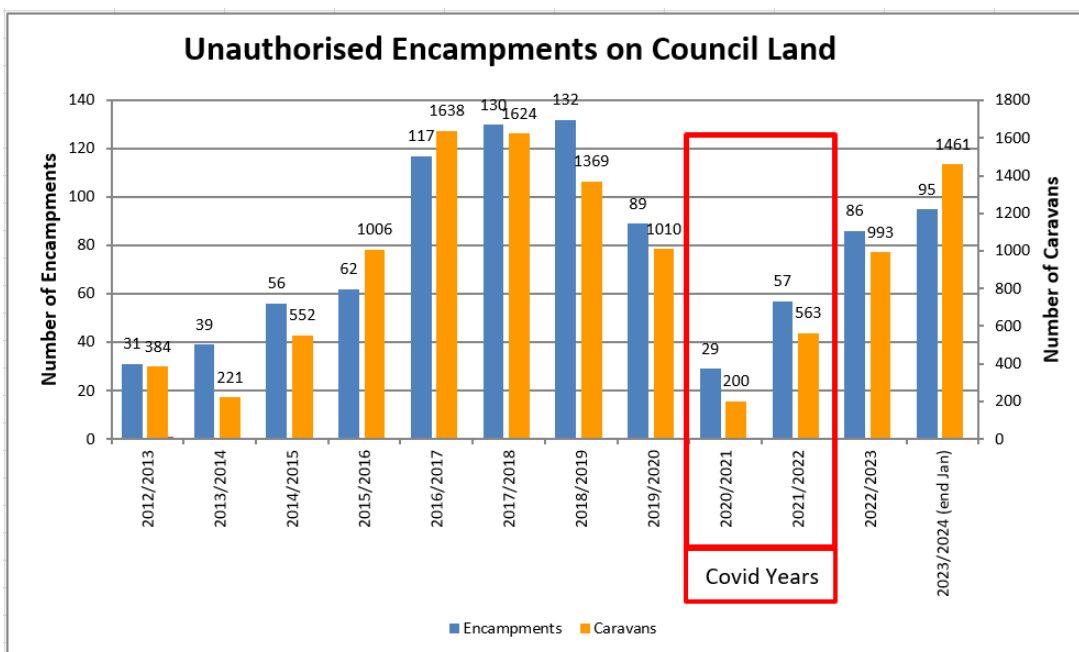
- 3.9 Alongside the GTAA and resulting from its findings, an extensive site search is continuing to identify potential sites for pitches to be allocated within the new Local Plan to meet needs through both permanent and transit sites. A draft of the Local Plan is due to be published in May 2024 which will contain proposals for potential sites for this purpose and the site search itself is focusing on Council-owned sites across the city. A shortlist of six sites is currently subject to further investigation which will be narrowed down for the consultation on the Local Plan in May 2024 following Cabinet approval.

Transit Site Update

- 3.10 Proctor Street transit site became operational on 1st November 2020 but, following significant damage and vandalism, in January 2023 the site was forced to be closed to undergo substantial repairs. Due to the level of damage to both the welfare unit and electrical feeder pillar, coupled with unforeseen complications with the electrical supply, lengthy contractor response times and new spend control processes, repairs have taken longer than anticipated. Repairs are now nearing completion with mobilisation works now being instructed. The site is due to reopen within the month.
- 3.11 Positive progress has been made in developing processes for the operational management of Proctor Street. A full risk assessment has highlighted several concerns and these are being addressed. In particular, fire safety has been raised and a meeting has taken place on site with the fire service; it is very likely that the site will lose a number of pitches due to new spacing requirements from the government post Grenfell.
- 3.12 A business case has been drafted and is due for review by City Housing Directors to approve the budget requirement; this will then need to be submitted for approval by the S151 Board.

Unauthorised Encampments

- 3.13 The number of incursions and associated caravans on council land is displayed in the graph below. This shows the trend data for total encampments per financial year since 2012/2013 with the final column showing data for 2023/2024 up to the end of January 2024.



- 3.14 Although the number of encampments on Council land has dropped in the years after the transit site opened in November 2019 it should be borne in mind that this also covers the period encapsulated by the pandemic and as such the circumstances have not been 'normal'.
- 3.15 The numbers of unauthorised encampments in 2022/23 is almost level with the numbers seen in the pre-Covid year of 2019/20 up to when the first lockdown commenced. During 2022/23 the transit site was occupied in seven instances.
- 3.16 This unauthorised use of the Proctor Street Transit Site has led to increased pressure on that neighbourhood and both EH and WM Police have come under pressure to deal with the behaviour of occupants of the site. Having additional Transit sites with effective management would alleviate some of the pressures being experienced in and around Proctor Street.
- 3.17 Presently, during 2023/2024 the numbers of UE is the highest post the pandemic and is likely reflecting a continuance of the trend from 2016/17 to 2018/19 before the start of the pandemic. This was one of the reasons behind the establishment of the transit site and clearly shows the need for such a site(s) to afford the regulatory agencies the ability to better manage UE.

Strategic Management of Unauthorised Encampments

- 3.18 As noted in the background the strategic approach to managing unauthorised encampments is contained within a joint protocol between BCC and WMP. This protocol presently relies on the use by WMP of powers under the Criminal Justice and Public Order Act 1994 to direct groups to the transit site where their stay in the city can be 'managed'.

3.19 The current version of the protocol is edition 9 and incorporates the use of transit sites. Discussions are ongoing between BCC and WMP on effective management of the transit site in the event of a UE being established and the outcome from those meetings will likely give rise to an update to the protocol.

3.20 An action plan is also in development covering the management of the transit site with contribution from relevant stakeholders.

4 Options considered and Recommended Proposal

4.1 The report is for noting and no proposals are being submitted for decision.

5 Legal Implications

5.1 The identification of required site provision for permanent and transit GRT pitches over the coming years to be set out in the new Local Plan. The preparation of the Birmingham Local Plan is a requirement of the Planning and Compulsory Purchase Act 2004 and is prescribed under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

5.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF is also to be applied in conjunction with the Government's Planning Policy for Traveller Sites (2015), both of which refer to the need to assess and then address the accommodation needs of those who are ethnically recognised Gypsies and Travellers (as in line with the Equalities Act 2010).

5.3 In relation to housing provision, Birmingham City Council allocations policy would be applicable for any traveller looking for permanent accommodation and would be assessed by those current policies in place. The housing management team provide day to day management of transient traveller sites, namely Proctor Street, and conditions of tenancy are currently being agreed prior to site reopening.

5.4 Whilst regaining possession of land from unauthorised occupiers is a non-statutory function, it does remain the right of a land-owner such as the City Council to enact in order to ensure the proper use of its own land, much of which has public amenity. This service is delivered by Environmental Health in partnership with West Midlands Police in line with an agreed strategy.

6 Financial Implications

- 6.1 Environmental Health is responsible for and funds the assessments leading up to legal action, the service of notices and arrangement of resources for an eviction to occur.
- 6.2 The default costs (bailiff actions), the repair of land and its cleansing, is borne by the land owning departments.
- 6.3 The resources required for identifying and gaining strategic approval for the allocation of transit sites lies with colleagues within Planning Policy
- 6.4 The resources required for developing and managing transit site operations is the responsibility of the Housing Department.

7 Public Sector Equality Duty

- 7.1 The management of unauthorised encampments is a process that affects groups and individuals who are (mostly) from specific and defined ethnic minorities e.g. Romany Gypsies, Irish Travelers.

8 Other Implications

- 8.1 The work to provide a good quality transit site provision meets with the statutory duties the council has for all residents of Birmingham, which includes the travelling community. It also means that Birmingham is an entrepreneurial city to learn, work and invest in.
- 8.2 This work supports the Regulation and Enforcement Division's mission statement to provide 'locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors'.

9 Background Papers

- 9.1 NIL

10 Appendices

- 10.1 NIL

Birmingham City Council

Licensing and Public Protection Committee

13 March 2024



Subject: Prosecutions and Cautions
November and December 2023

Report of: Director of Regulation and
Enforcement

Report author: Sajeela Naseer

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :

1 Executive Summary

- 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of November and December 2023.

2 Recommendation(s)

- 2.1 That the report be noted.

3 Background

- 3.1 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.

4 Results

4.1 During the months of November and December 2023, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 158 Environmental Health cases were finalised resulting in fines of £88,333.15. Prosecution costs of £27,817.75 were awarded.
- Three Licensing cases were finalised resulting in fines of £1,473. Prosecution costs of £1,938.60 and 8 penalty points were awarded.
- Three Trading Standards cases were finalised resulting in fines of £1,080 and a 3 year and 9 month custodial sentence. Prosecution costs of £2,300 were awarded.
- Three Waste Enforcement cases were finalised resulting in fines of £1,321 and a 12 month Community Order with 80 hours unpaid work. Prosecution costs of £1,228 were awarded.

5 Legal Implications

5.1 There are no legal implications in relation to this report.

5.2 Legal Services are a key partner and are involved in the matters listed above and ongoing matters, providing advice, support and presenting matters at court. When a decision is made to institute proceedings, Legal Services provide oversight, case management and expert legal support to ensure cases are progressed and that any necessary legal input is provided in a timely manner.

6 Financial Implications

6.1 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.

6.2 The actual receipt of awarded costs depends on payment plan timings as agreed through the Courts and could cover a number of years.

6.2 For the year April 2023 to March 2024 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£247,178.90 has been requested with £200,489.30 awarded (81%)

Licensing

£15,447.45 has been requested with £9,204.60 being awarded (60%)

Trading Standards

£37,775.75 has been requested with £26,244 being awarded (69%)

- 6.3 For the months of November and December 2023 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£44,449.35 has been requested with £29,045.75 awarded (65%)

Licensing

£2,915.45 has been requested with £1,938.60 awarded (66%).

Trading Standards

£2,300 has been requested with £1,080 awarded (47%)

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.

8 Other Implications

- 8.1 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+.

9 Background Papers

- 9.1 Nil

10 Appendices

- 10.1 Appendix 1 details all prosecutions finalised during November 2023 by ward.
10.2 Appendix 2 details all prosecutions finalised during December 2023 by ward.
10.3 Appendix 3 details all cautions administered during November and December 2023.
10.4 Appendix 4 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2023 to March 2024.
10.5 Appendix 5 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City from April 2023 to March 2024. Please note this does not include other parking tickets issued anywhere else in the City.

Nov-23

#	Department	Date Case Heard	Name & Address	Ward of defendant	Offence details (including Legislation)	Fine issued	Costs awarded	Costs requested	Penalty Total	penalty details	Ward - Offence committed
1	Environmental Health	02/11/2023	Avtar Singh Willenhall	Out of area	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to seven offences relating to conditions found at Diamond Drinks, 319 Soho Road, Birmingham, B21 9SD. There was rat activity at the premises and gaps in the structure which could allow the ingress of rats. The premises was dirty and poorly maintained and equipment was not kept clean. Packets of food were gnawed and contaminated by rat urine and rat kill cake. There were no hand drying materials provided to the wash hand basin. Rubbish stored inside an unlidded bin in the storage area.	£0.00	£1,430.00	£1,430.00	£1,430.00	12 month community order & 120 hrs unpaid work.	Soho & Jewellery Quarter
2	Environmental Health	02/11/2023	Sun & Seal Ltd Apartment 199 41 Essex Street Birmingham B5 4TU Jun Yan Birmingham	Bordesley & Highgate	Food Safety and Hygiene (England) Regulations 2013 Food Information Regulations 2014 Both the Company and Director pleaded guilty to 29 offences relating to conditions found at Harbinger, 66 Bromsgrove Street, Birmingham B5 6NU on four separate visits. The premises were dirty and poorly maintained, there was no designated wash hand basin in the kitchen and food handlers working in the kitchen were wearing outdoor clothing. Chopping boards were worn and badly damaged and equipment was dirty including knives, freezers, fat fryers and the grill. The ice machine producing and storing ice cubes was extensively mouldy inside and food was stored at incorrect temperatures. Mouse activity and cockroaches were found throughout the premises.	£8,320.00	£2,000.00	£2,600.00	£10,320.00	Company fined £8,000 Director fined £320 Prohibition Order granted	Bordesley & Highgate
3	Waste Enforcement	02/11/2023	Mohammed Nadeem Birmingham	Small Heath	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely car oil bottles, from a Volkswagen motor vehicle on land at Stanmore Road, Birmingham.	£921.00	£570.00	£570.00	£1,491.00		North Edgbaston
4	Environmental Health	03/11/2023	Anthony Cooper Oldbury	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
5	Environmental Health	03/11/2023	Jobeeshmon Devassy Croydon	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hurst Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Bordesley & Highgate
6	Environmental Health	03/11/2023	Ionel Florea Birmingham	Yardley & West Stechford	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Moor Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Bordesley & Highgate
7	Environmental Health	03/11/2023	Khuram Javaid Birmingham	Birchfield	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hill Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
8	Environmental Health	03/11/2023	Debra Jones Meriden	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood

9	Environmental Health	03/11/2023	Marcie Kuimba Milton Keynes	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
10	Environmental Health	03/11/2023	Philip Marke Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Spiceal Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
11	Environmental Health	03/11/2023	Rebecca Marshall Birmingham	North Edgbaston	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
12	Environmental Health	03/11/2023	Natan Mihai Birmingham	Yardley East	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
13	Environmental Health	03/11/2023	William Miles Wolverhampton	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
14	Environmental Health	03/11/2023	Bajram Qenari Oldbury	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
15	Environmental Health	03/11/2023	Hanjing Shi Coventry	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hurst Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Bordesley & Highgate
16	Environmental Health	03/11/2023	George Stoica Birmingham	Ward End	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
17	Environmental Health	03/11/2023	Marion Stoican Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
18	Environmental Health	03/11/2023	Alexandra Maria Tomescu Birmingham	Gravelly Hill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Edgbaston Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
19	Environmental Health	03/11/2023	Paul Turner Tamworth	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£175.00	£175.00	£395.00		Ladywood
20	Environmental Health	03/11/2023	Shane Williams Rugby	Out of area	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in High Street, Birmingham.	£100.00	£100.00	£175.00	£200.00		Ladywood
21	Environmental Health	10/11/2023	Vasile Anghel Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in Slade Road, Stockland Green, Birmingham.	£220.00	£85.00	£175.00	£305.00		Stockland Green
22	Environmental Health	10/11/2023	Emma Dixon Burton on Trent	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
23	Environmental Health	10/11/2023	Samantha Evans Birmingham	Perry Barr	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Reservoir Road, Birmingham.	£220.00	£85.00	£175.00	£305.00		Stockland Green

24	Environmental Health	10/11/2023	Jama Hussein Birmingham	Aston	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
25	Environmental Health	10/11/2023	Neil James Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
26	Environmental Health	10/11/2023	Amie Louise Keeling Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Erdington, Birmingham.	£220.00	£85.00	£175.00	£305.00		Erdington
27	Environmental Health	10/11/2023	Anthony Mooney Birmingham	Erdington	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Erdington, Birmingham.	£220.00	£85.00	£175.00	£305.00		Erdington
28	Environmental Health	10/11/2023	Kawan Omar Hull	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
29	Environmental Health	10/11/2023	Emil Pokuta Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Colmore Row, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
30	Environmental Health	10/11/2023	En Song Yan Wickford	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Johns Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
31	Environmental Health	24/11/2023	Mark Connolly Birmingham	Handsworth	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
32	Environmental Health	24/11/2023	Milena Curiova Coventry	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£95.00	£175.00	£310.00		Ladywood
33	Environmental Health	24/11/2023	Sanam Cutting Essex	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Navigation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
34	Environmental Health	24/11/2023	Marta Da Silva Great Yarmouth	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
35	Environmental Health	24/11/2023	Keery Drakulic Cannock	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
36	Environmental Health	24/11/2023	Jan Fero Birmingham	Handsworth Wood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
37	Environmental Health	24/11/2023	Rebecca Lunn Cannock	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
38	Environmental Health	24/11/2023	Sivako Marino Coventry	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Lower Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

39	Environmental Health	24/11/2023	Kyla O'Brien Birmingham	Birchfield	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
40	Environmental Health	24/11/2023	Tracey Sadler Birmingham	Highters Heath	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in Edgbaston Street, Birmingham.	£40.00	£44.00	£175.00	£84.00		Ladywood
41	Environmental Health	24/11/2023	Lidia Shiba Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
42	Environmental Health	24/11/2023	Kimberley Smith Birmingham	Hall Green South	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
43	Environmental Health	24/11/2023	Vasilica Stan Smethwick	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
44	Environmental Health	24/11/2023	Nguyen Tuan Birmingham	Bordesley Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hurst Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
45	Environmental Health	24/11/2023	Dwayne Turner Birmingham	Allens Cross	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Holloway Circus, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
46	Environmental Health	24/11/2023	Michelle Wavier Milton Keynes	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
47	Environmental Health	30/11/2023	Summer Fielding Sheffield	Out of area	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in Navigation Street, Birmingham.	£150.00	£100.00	£264.75	£250.00		Ladywood
48	Waste Enforcement	30/11/2023	Daniel Morgan Tipton	Out of area	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a large cardboard box full of waste, from a vehicle on land at Newcombe Road, Birmingham.	£400.00	£160.00	£1,495.00	£560.00		Holyhead
49	Environmental Health	30/11/2023	T&S Superstores Limited 33-35 Edgewood Road Birmingham B45 8SB	Rubery & Rednal	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to three offences relating to conditions at 33-35 Edgewood Road, Birmingham. There were inadequate procedures in place to manage risks associated with separation of raw and ready to eat food in that packets of raw sausages/bacon were on display above bottles of milk. No form of documented food safety management system was available at the premises and the Safer Food Better Business pack had not been filled in to make it relevant to the business.	£1,102.50	£897.50	£897.50	£2,000.00	Fine x offence 1 No separate penalty on remaining offences	Rubery & Rednal

50	Environmental Health	30/11/2023	Pizza Boss (Midlands) Ltd 666 Coventry Road Birmingham B10 0UU	Small Heath	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to eight offences following a food hygiene inspection at Pizza Boss, 666 Coventry Road, Birmingham. Mouse droppings were found throughout the premises including on equipment. There were gaps around the drainage pipe, the rear exit door in the chipping room and side entrance door which could allow pests to enter. The premises was not kept clean and equipment was dirty. The business also failed to comply with two Hygiene Improvement Notices requiring they keep the premises clean and implement procedures to control pests.	£20,000.00	£4,431.60	£4,431.60	£24,431.60	£5000 x offence 1 £7000 x offence 4 £8000 x offence 7 No separate penalty on remaining offences	Small Heath
51	Environmental Health	30/11/2023	Javed and Co Int Ltd 86 Hobs Moard Road Solihull B92 8PF	Out of area	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to three offences of failing to comply with Hygiene Improvement Notices relating to Javed & Co, Unit 34 Birmingham Wholesale Market, Nobel Way, Birmingham. The Company failed to comply with two notices relating to implementing procedures based on HACCP principles and one requiring food handlers received adequate training.	£5,000.00	£702.25	£702.25	£5,702.25	£2000 x offence 1 £3000 x offence 2 No separate penalty for offence 2	Perry Barr
52	Environmental Health	30/11/2023	Russell's Workers Cooperative Limited 56C Lozells Road Birmingham B19 2TJ	Lozells	Food Safety & Hygiene (England) Regulations 2013. Pleaded guilty to 23 offences on three separate dates regarding conditions at Russell's, 56A-C Lozells Road, Birmingham. The premises was dirty and poorly maintained, mouse droppings were found in several areas and flies were present in the first floor bakery. There were a number of holes and gaps which would allow the ingress of pests. Equipment was poorly maintained and food was being stored contrary to manufacturer's storage instructions. Procedures based on HACCP were not being implemented.	£20,000.00	£2,395.60	£2,395.60	£22,395.60	£5400 x offence 1 £6600 x offence 11 £8000 x offence 21	Lozells

APPENDIX 2

Dec-23

#	Department	Date Case Heard	Name & Address	Ward of defendant	Offence details (including Legislation)	Fine issued	Costs awarded	Costs requested	Penalty Total	penalty details	Ward - Offence committed
1	Environmental Health	08/12/2023	Tracy Abrahms Birmingham	Balsall Heath West	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in East Mews, Birmingham.	£220.00	£85.00	£175.00	£305.00		Oscott
2	Environmental Health	08/12/2023	Hamad Alhajri Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
3	Environmental Health	08/12/2023	Mohammed Ali Birmingham	Alum Rock	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
4	Environmental Health	08/12/2023	Amiro Aliq Birmingham	Perry Barr	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
5	Environmental Health	08/12/2023	Ria Balache Leighton Buzzard	Out of area	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in New Street, Birmingham.	£50.00	£80.00	£175.00	£130.00		Ladywood
6	Environmental Health	08/12/2023	Andrei Balog Smethwick	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Chads Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
7	Environmental Health	08/12/2023	Ryan Barry Walsall	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
8	Environmental Health	08/12/2023	Anna Berca Tamworth	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Lower Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
9	Environmental Health	08/12/2023	Alfred Bogdan Birmingham	Stirchley	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Waterloo Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
10	Environmental Health	08/12/2023	Henry Booton Plymouth	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Lower Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
11	Environmental Health	08/12/2023	Jason Bright Birmingham	Ward End	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
12	Environmental Health	08/12/2023	Carl Brown Birmingham	Nechells	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
13	Environmental Health	08/12/2023	Colleen Brown Birmingham	Bournville & Cotteridge	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in St Martins Queensway, Birmingham.	£50.00	£80.00	£175.00	£130.00		Ladywood

14	Environmental Health	08/12/2023	Hayley Brown Birmingham	Longbridge & West Heath	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
15	Environmental Health	08/12/2023	Sonia Brown Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
16	Environmental Health	08/12/2023	Clevis Camaj Birmingham	South Yardley	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
17	Environmental Health	08/12/2023	Yun He Cheung Birmingham	Newtown	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
18	Environmental Health	08/12/2023	Gilbert Chikomba Stoke on Trent	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Grand Central, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
19	Environmental Health	08/12/2023	Tonra Coates Birmingham	Gravelly Hill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Erdington, Birmingham.	£220.00	£85.00	£175.00	£305.00		Erdington
20	Environmental Health	08/12/2023	Charlie Coil Startford upon Avon	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
21	Environmental Health	08/12/2023	Jamie Crutcher Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
22	Environmental Health	08/12/2023	Mihaela Diancon Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Place, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
23	Environmental Health	08/12/2023	Jennifer Doan Birmingham	Glebe Farm & Tile Cross	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Ladywell Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
24	Environmental Health	08/12/2023	Sally Dowler Birmingham	Rubery & Rednal	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
25	Environmental Health	08/12/2023	Damien Duignan Birmingham	Holyhead	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Bull Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
26	Environmental Health	08/12/2023	Alex Duka Birmingham	South Yardley	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
27	Environmental Health	08/12/2023	Buin Dun Telford	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hurst Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
28	Environmental Health	08/12/2023	John Egan Birmingham	South Yardley	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

29	Environmental Health	08/12/2023	Robert Fenton Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Lower Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
30	Environmental Health	08/12/2023	John Gall Troon	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
31	Environmental Health	08/12/2023	Lee Lowe Birmingham	Perry Barr	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
32	Environmental Health	08/12/2023	Nisar Mann Sheffield	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
33	Environmental Health	08/12/2023	Guanbo Mao Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Cathay Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
34	Environmental Health	08/12/2023	Semiba Marcu Birmingham	Holyhead	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
35	Environmental Health	08/12/2023	Pendele Marius Coventry	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
36	Environmental Health	08/12/2023	Michelle Mayo London	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Navigation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
37	Environmental Health	08/12/2023	Michelle Mcadorey Birmingham	Glebe Farm & Tile Cross	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
38	Environmental Health	08/12/2023	Brendan McLaughlin Birmingham	Sparkbrook & Balsall Heath East	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Dale End, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
39	Environmental Health	08/12/2023	Semir Ahmed Mohammedaman Birmingham	Bromford & Hodge Hill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
40	Environmental Health	08/12/2023	Abdirahan Mohammed Birmingham	Garretts Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
41	Environmental Health	08/12/2023	Salar Mohammed Birmingham	Aston	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
42	Environmental Health	08/12/2023	Akeel Muhammed Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
43	Environmental Health	08/12/2023	Briah Anthony Munde London	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

44	Environmental Health	08/12/2023	Thanh Nguyen Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Edgbaston Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
45	Environmental Health	08/12/2023	Darren Night Nuneaton	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hurst Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
46	Environmental Health	08/12/2023	Jessica Northall Nuneaton	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
47	Environmental Health	08/12/2023	Roza Antoninia Paslawska Birmingham	Sparkbrook & Balsall Heath East	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
48	Environmental Health	08/12/2023	Lee Pugh Birmingham	Tyseley & Hay Mills	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
49	Environmental Health	08/12/2023	Charisse Reynolds Birmingham	Shard End	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Broad Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
50	Environmental Health	08/12/2023	Claire Rippin Rugby	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
51	Environmental Health	08/12/2023	Suzanne Rowley Meriden	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
52	Environmental Health	08/12/2023	Darryl James Paul Saunders Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Carrs Lane, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
53	Environmental Health	08/12/2023	Marian Stoican Birmingham	Aston	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
54	Environmental Health	08/12/2023	Robert Sukling Birmingham	Perry Common	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Priory Sqaure, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
55	Environmental Health	08/12/2023	Diane Tajbaqh Birmingham	Handsworth	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
56	Environmental Health	08/12/2023	Danielle Thomas Birmingham	Alum Rock	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
57	Environmental Health	08/12/2023	George Sandu Turcanu Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Smallbrook Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
58	Environmental Health	08/12/2023	Steluta Catalina Utoi Birmingham	Sparkhill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

59	Environmental Health	08/12/2023	Maria Varga Birmingham	Sparkhill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
60	Environmental Health	08/12/2023	Cristinel Ionut Vasile Birmingham	Small Heath	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
61	Environmental Health	08/12/2023	Filipe Vieira Christchurch	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Lower Temple Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
62	Environmental Health	08/12/2023	Mihai Vila Burton on Trent	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Spiceal Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
63	Environmental Health	08/12/2023	Simran Viridi Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
64	Environmental Health	08/12/2023	Cong Vo London	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Hill Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
65	Waste Enforcement	11/12/2023	Imran Masood Birmingham	Bromford & Hodge Hill	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely wooden kitchen cupboards, doors, broken wooden bits of furniture, chairs, metal frames, two large fridges, one small fridge, cardboard and hard plastic trays and boxes, from a vehicle onto land at on Crawford Street, Birmingham. Originally listed for trial.	£0.00	£498.00	£1,715.85	£498.00	12 month Community Order + 80 hours unpaid work	Alum Rock
66	Environmental Health	14/12/2023	ZW(66) Ltd Unit 1a & 1b Southside Hurst Street Birmingham B5 4TD	Bordesley & Highgate	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to 12 offences relating to conditions found at Pepper Chef, Unit 1a & 1b Southside, Hurst Street, Birmingham on three separate occasions. There were mouse droppings throughout the kitchen, store room and kitchen loft space being used to store food and equipment. There was no hot water to the premises and fittings and equipment were dirty, damaged and posed a contamination risk. There were no procedures in place based on HACCP principles and food handlers were not supervised/trained in food hygiene matters commensurate to their work activity. The company failed to comply with two Prohibition Notices prohibiting access to the loft space as the hatch was not suitably guarded, a lip had been installed around the loft hatch which created a trip hazard, and prohibiting the use of the dough roller which was unguarded and available for use by food handlers.	£1,674.65	£1,696.80	£1,696.80	£3,371.45	Fine imposed on 1st offence No separate penalty on remaining offences	Bordesley & Highgate
67	Licensing	14/12/2023	Safdar Ali Birmingham	Erdington	Town Police Clauses Act 1847 Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire at New Street station, Birmingham without being licensed as a hackney carriage and 1 offence of consequently having invalid insurance.	£323.00	£300.00	£300.00	£623.00	Fine imposed on no insurance offence + 8 penalty points	Ladywood

68	Licensing	14/12/2023	Jamie Buffery Solihull	Out of area	Local Government (Miscellaneous Provisions) Act 1982 Found guilty in absence of one offence of engaging in street trading in High Street, Birmingham without being authorised to do so.	£1,000.00	£738.60	£738.60	£1,738.60		Ladywood
69	Trading Standards	15/12/2023	Ayub Ahmadi Smethwick	Out of area	Children & Young Persons Act 1933 Trade Marks Act 1994 Ayub Ahmadi pleaded guilty to two offences; one of selling a tobacco product, namely a packet of Richmond King size cigarettes, to a person under the age of 18 at MK General Store Fruit & Veg, 532 Moseley Road, Birmingham and one of having a packet of Richmond King Size cigarettes for sale at the premises which bore a registered trademark without the consent of the trademark holder	£80.00	£300.00		£380.00	Fine imposed on 1st offence No separate penalty for remaining offence	Balsall Heath West
70	Trading Standards	15/12/2023	Sarwar Ahmadi Birmingham	Heartlands	Tobacco & Related Products Regulations 2016 Pleaded guilty to two offences, one of having in possession for supply tobacco products at MK General Store Fruit & Veg, 532 Moseley Road, Birmingham, namely 2 packets of John Player cigarettes, 3 packets of Richmond cigarettes, 4 packets of Rothmans cigarettes, 16 packets of Minsk cigarettes, 93 blocks of Black Naswar tobacco and 11 blocks of Khyber Naswar tobacco, which did not carry the required health warnings and one offence of possessing for supply disposable electronic cigarettes, namely 228 Crystal Legend 4000 puffs, 331 Firerose 4500 puffs, 155 Elux Legend 3500 puffs, 196 R And M Tornado 7000 puffs, 94 Gorilla Bar 7000 puffs and 4 ISOK 800 puffs, which did not comply with product requirements in that the nicotine-containing liquid in the cigarette, single use cartridge, or tank volume exceeded 2 millilitres.	£1,000.00	£2,000.00		£3,000.00	£500 x 2	Balsall Heath West
71	Licensing	18/12/2023	Syed Mohibur Rahman Smethwick	Out of area	Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 Pleaded <u>not guilty</u> to two offences; one of plying for hire on Cambridge Street, Birmingham without being licensed as a hackney carriage and one of waiting on a stand for Hackney Carriages. Found guilty following trial.	£150.00	£900.00	£1,876.85	£1,050.00	Fine imposed on plying offence No separate penalty on remaining offence	Ladywood
72	Trading Standards	22/12/2023	Scott Murray Warwick	Out of area	Fraud Act 2006 Pleaded <u>not guilty</u> to two offences; one of committing fraud by dishonestly making a false representation by carrying on a business namely Scott Murray trading as Scott Murray, Chris Murray, Chris Parker, Sam Matthews, CP Home Improvements and SMA Home Improvements intending to make a financial gain for himself and one of being knowingly party to the carrying on of the above business for a fraudulent purpose, namely to defraud customers. Found guilty following trial.	£0.00	£0.00	£0.00	£0.00	3 years & 9 months custody POCA timetable set	Hall Green South
73	Environmental Health	22/12/2023	Abdul Ali Birmingham	Sparkbrook & Balsall Heath East	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

74	Environmental Health	22/12/2023	Shohaib Ali Birmingham	Heartlands	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
75	Environmental Health	22/12/2023	Florin Alin Nacu Birmingham	Tyseley & Hay Mills	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
76	Environmental Health	22/12/2023	Justin Astley Brewer Tamworth	Out of area	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in High Street, Birmingham.	£40.00	£85.00	£175.00	£125.00		Ladywood
77	Environmental Health	22/12/2023	Zadine Azad Birmingham	Small Heath	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Newhall Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
78	Environmental Health	22/12/2023	Martin Baikes West Bromwich	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Moor Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
79	Environmental Health	22/12/2023	Daniel Baker Birmingham	Acocks Green	Environmental Protection Act 1990 Section 87 Pleaded guilty to one offence of dropping litter in Warwick Road, Acocks Green, Birmingham.	£131.00	£85.00	£175.00	£216.00		Acocks Green
80	Environmental Health	22/12/2023	Gergo Balda Birmingham	Perry Barr	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Temple Row, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
81	Environmental Health	22/12/2023	Corey Bean Birmingham	Harborne	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
82	Environmental Health	22/12/2023	Nicholas Beet Birmingham	Frankley Great Park	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
83	Environmental Health	22/12/2023	Liam Burton Newark	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
84	Environmental Health	22/12/2023	Ramona Calin Smethwick	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Spiceal Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
85	Environmental Health	22/12/2023	Marcel Chromy Birmingham	Handsworth Wood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
86	Environmental Health	22/12/2023	Yanbo Cl Exeter	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Bromsgrove Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
87	Environmental Health	22/12/2023	Lucian Feraru Birmingham	Ward End	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
88	Environmental Health	22/12/2023	Lauren Foster Brighton	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

89	Environmental Health	22/12/2023	Samantha Gallagher Bickerstaff Birmingham	Kings Norton South	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
90	Environmental Health	22/12/2023	Weizhe Goa Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Upper Dean Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
91	Environmental Health	22/12/2023	Maria Gheorge Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
92	Environmental Health	22/12/2023	Timothy Gill Birmingham	Druids Heath & Monyhull	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
93	Environmental Health	22/12/2023	James Gilson Halesowen	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Bull Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
94	Environmental Health	22/12/2023	Joshua Grant Birmingham	Sparkhill	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
95	Environmental Health	22/12/2023	Carol Green Milton Keynes	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
96	Environmental Health	22/12/2023	Milan Grundza Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
97	Environmental Health	22/12/2023	Ling Guangwang Manchester	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Smallbrook Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
98	Environmental Health	22/12/2023	Ho Ha Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Ladywell Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
99	Environmental Health	22/12/2023	Jia Haoran Coventry	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Ladywell Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
100	Environmental Health	22/12/2023	Anne Harvy Birmingham	Kings Norton North	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Silver Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Brandwood & Kings Heath
101	Environmental Health	22/12/2023	Alex Harwood Evesham	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
102	Environmental Health	22/12/2023	Deborah Hassall Birmingham	Weoley & Selly Oak	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£215.00	£85.00	£175.00	£300.00		Ladywood
103	Environmental Health	22/12/2023	Lu Hauyu Birmingham	Bordesley & Highgate	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

104	Environmental Health	22/12/2023	William Hayden Shears Worcester	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in St Martins Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
105	Environmental Health	22/12/2023	Shihao He Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Smallbrook Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
106	Environmental Health	22/12/2023	Daniel Heffernan Birmingham	Glebe Farm & Tile Cross	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Spiceal Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
107	Environmental Health	22/12/2023	Andrew Ho Birmingham	Stockland Green	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Edgbaston Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
108	Environmental Health	22/12/2023	Jack Hopkins Solihull	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Smallbrook Queensway, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
109	Environmental Health	22/12/2023	Mario Horvath Birmingham	Erdington	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in New Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
110	Environmental Health	22/12/2023	Kazem Hosseini Peterborough	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
111	Environmental Health	22/12/2023	Paul Hudspith Worcester	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Corporation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
112	Environmental Health	22/12/2023	Lyndon Hughes Birmingham	Soho & Jewellery Quarter	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Navigation Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
113	Environmental Health	22/12/2023	Guo Hui Birmingham	Ladywood	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Stephenson Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood
114	Environmental Health	22/12/2023	Nguyen Van Hung Bolton	Out of area	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in Ladywell Walk, Birmingham.	£220.00	£85.00	£175.00	£305.00		Bordesley & Highgate
115	Environmental Health	22/12/2023	Imtiaz Hussain Birmingham	Lozells	Environmental Protection Act 1990 Section 87 Found guilty in absence of one offence of dropping litter in High Street, Birmingham.	£220.00	£85.00	£175.00	£305.00		Ladywood

SIMPLE CAUTIONS ADMINISTERED DURING NOVEMBER AND DECEMBER 2023

ENVIRONMENTAL HEALTH

Two simple cautions were administered.

Food Safety and Hygiene (England) Regulations 2013

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

LICENSING

15 simple cautions were administered.

Local Government (Miscellaneous Provisions) Act 1976

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

Local Government (Miscellaneous Provisions) Act 1976

Section 48(6) & 54(2) One caution was issued for failing to display a private hire vehicle licence plate and failing to wear private hire driver's badge

Local Government (Miscellaneous Provisions) Act 1976

Section 64(3) Six cautions were issued for waiting on a Hackney Carriage stand when not a Hackney Carriage.

Town Police Clauses Act 1847 Section 68 & Public Health Act 1875 Section 171

One caution was issued for failing to display a Hackney Carriage fare table as required by Byelaw 10 of the Birmingham City Council Hackney Carriage Byelaws 2008

TRADING STANDARDS

No simple cautions were administered.

WASTE ENFORCEMENT

No simple cautions were administered.

APPENDIX 4**WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY**

Waste Investigation Outcomes													
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	58	59	63	75	46	21	14	44	26				406
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	49	56	86	54	37	7	9	30	10				338
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	9	25	8	5	13	3	1	0	1				65
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences (£150)	1	4	0	1	0	0	0	0	0				6
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	9	18	8	14	11	7	4	5	13				89
Prosecutions													
Number of prosecution files submitted to legal services, (number produced quarterly.	1	4	1	2	1	4	6	2					21

Monthly Parking Pcns Issued in Taxi Ranks	Processing
April 2023	299
May 2023	331
June 2023	327
July 2023	330
August 2023	257
September 2023	344
October 2023	454
November 2023	555
December 2023	486
January 2024	
February 2024	
March 2024	
TOTAL	3383

Birmingham City Council
Licensing & Public Protection Committee
13 March 2024



Subject: Actions Taken by Senior Licensing Officers Under Delegated Authority

Report of: Nick Lowe, Head of Licensing, Markets and Private Rented Sector

Report author: Chris Arundel, Principal Licensing Officer

Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 This report advises your committee of actions taken by senior licensing officers, under authority delegated by the Licensing & Public Protection Committee, with an explanation as to why delegated authority was used in each case.

2 Recommendation(s)

- 2.1 The report to be noted.

3 Background

- 3.1 On 16 March 2007 Section 52 of the Road Safety Act 2006 came into force. This has had the effect of enabling a licensing authority to suspend or revoke a hackney carriage or private hire driver's licence with immediate effect – meaning that the suspension or revocation takes effect immediately once notice of the authority's decision has been given to the driver – where this decision is considered necessary in the interests of public safety.

4 Options considered and Recommended Proposal

Summary of Action Taken, November 2023 to January 2024

- 4.1 On 30 November 2023, information was supplied by West Midlands Police, with respect to a Birmingham licensed private hire driver, identified here as M. On 25 November 2023, M was arrested on suspicion of sexual assault against a female child, under thirteen years old. M was interviewed and released on bail.
- 4.2 The matter was referred to a member of the Senior Officer Panel for consideration. Having taken account of the serious nature of the allegation, the officer determined to revoke M's private hire driver's licence with immediate effect, in the interest of public safety. The revocation notice was hand delivered on 30 November 2023, by a member of the Licensing Enforcement Team and M returned his badge and plate to the Licensing Office the following day.
- 4.3 On 10 January 2024, Information was supplied by West Midlands Police, indicating a Birmingham licensed private hire driver, identified here as N, had been arrested on 22 December 2023 in connection with an investigation into an attempted murder. N, had been interviewed and released on bail, pending further investigation, his licensed private hire vehicle had been retained by police, as evidence.
- 4.4 The matter was referred to a member of the Senior Officer Panel for consideration. After careful consideration of the information supplied and the alleged circumstances of the offence, the officer revoked N's private hire driver's licence with immediate effect, in the interest of public safety. The revocation notice was delivered in person, by PC Greg Ward, Police Taxi Liaison Officer. PC Ward also recovered the vehicle identity plate, driver's badge and Home to School transport ID belonging to N, from police storage and returned them to the Licensing Office.

5 Legal Implications

- 5.1 Any action to suspend or revoke a licence can be appealed via the Magistrate's Court. Where an appeal is lodged, the Licensing Authority will be required to defend the Panel decision.

6 Financial Implications

- 6.1 Legal costs incurred through an appeal are funded within the ring-fenced Licensing Service budget. Legal Services will seek to recover costs whenever an appellant is unsuccessful. The decision to award costs, the amount involved and payment timing, is at the discretion of the Court.

- 7.1 No issues have been identified. The actions referred to above were necessarily undertaken in the course of fulfilling a statutory duty.

7 Other Implications

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.2 The work detailed in this report contributes to the priority 'A Safe Birmingham': through a focus on making the city safer, safeguarding vulnerable citizens.

8 Background Papers

- 9.1 None

9 Appendices

- 10.1 None

