

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE 28 JUNE, 2023

MINUTES OF A MEETING OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE HELD ON WEDNESDAY, 28 JUNE, 2023 AT 1030 HOURS AT THE COUNCIL HOUSE, BIRMINGHAM B1 1BB

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Diane Donaldson, Sam Forsyth, Adam Higgs, Zafar Iqbal, Izzy Knowles, Mary Locke, Saddak Miah, Simon Morrall, Julien Pritchard and Penny Wagg

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NOTICE OF RECORDING/WEBCAST

The Chair advised 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.

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

1528 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>

Licensing and Public Protection Committee – 28 June, 2023

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

There were no declarations made.

APOLOGIES

- 1529 Apologies were received from Councillor Barbara Dring, Ziaul Islam and Sybil Spence for non-attendance.
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APPOINTMENT OF LICENSING AND PUBLIC PROTECTION COMMITTEE

- 1530 The appointment by the City Council of the Committee and Chair for the Municipal Year 2023/2024 was noted as follows:-

Labour Group (10)

Councillor Phil Davis (**Chairman**)
Councillor Diane Donaldson
Councillor Barbara Dring
Councillor Sam Forsyth
Councillor Zafar Iqbal
Councillor Ziaul Islam
Councillor Narinder Kooner
Councillor Mary Locke
Councillor Saddak Miah
Councillor Sybil Spence

Conservative Group (2)

Councillor Adam Higgs
Councillor Simon Morrall

Liberal Democrat Group (2)

Councillor Izzy Knowles
Councillor Penny Wagg

Green Party (1)

Councillor Julien Pritchard

ELECTION OF DEPUTY CHAIR

It was proposed and seconded

- 1531 **RESOLVED:-**

Licensing and Public Protection Committee – 28 June, 2023

That Councillor Diane Donaldson be appointed as Deputy Chair of the Committee for the Municipal Year 2023/24.

FUNCTIONS, POWERS AND DUTIES

The following schedule was submitted:-

(See Document No. 1)

1532 **RESOLVED:-**

That the Committee's functions, powers and duties, as agreed by City Council and set out in the attached schedule be noted.

COMMITTEE CODE OF PRACTICE FOR MEMBERS AND OFFICERS

The following document was submitted:-

(See Document No. 2)

1533 **RESOLVED:-**

That the Committee's Code of Practice for Members and Officers, as agreed by City Council and set out in the attached document be noted.

DATES OF MEETINGS OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE

Following a brief discussion it was

1534 **RESOLVED:-**

That meetings of the Licensing and Public Protection Committee be held on the following Wednesdays at 1030 hours at the Council House, Birmingham B1 1BB.

20 September 2023
15 November 2022
17 January 2023
13 March 2023

Informal online briefings to be held on the following dates

26 July 2022
25 October 2022
13 December 2022
14 February 2023

LICENSING SUB-COMMITTEES 2022/2023

It was

1535 **RESOLVED:-**

- (i) That the membership of Sub-Committees A, B and C appointed by the City Council for the Municipal Year 2023/2024 be noted as detailed below:-
- (ii) Each Sub-Committee comprises 3 Members (with a quorum of 3) and will determine matters relating to The Licensing Act 2003, The Gambling Act 2005, Hackney Carriage Licences, Private Hire Licences and such other business as may be referred to them by the Director of Regulation and Enforcement Services.
- (iii) The Chairs of the Licensing and Public Protection (Licensing Sub-Committee's role is to chair the Licensing Sub-Committee meetings, deal with subsequent actions of appeals and assist in finding substitutes for Members as required.

Any Member nominated must have had formal training as set out in the Licensing Procedure Rules.

Licensing Sub-Committee A – Mondays (1000 hours)

Cllrs Phil Davis (Chair)	Lab Billesley Ward
Mary Locke	Lab Stirchley Ward
Adam Higgs	Con Highters Heath War

Licensing Sub-Committee B – Tuesdays (1000 hours)

Cllrs Diane Donaldson (Chair)	Lab Bromford & Hodge Hill Ward
Saddak Miah	Lab Garretts Green
Simon Morrall	Con Frankley Great Park

Licensing Sub-Committee C – Wednesdays (1000 hours)

Cllrs Sam Forsyth (Chair)	Lab Quinton Ward
Zafar Iqbal	Lab Tyseley and Hay Mills Ward
Penny Wagg	L/D Acocks Green Ward

MINUTES

1536 The Minutes of the last meeting held on 15 March, 2023 having been previously circulated, were confirmed and signed by the Chair.

REGULATION & ENFORCEMENT ANNUAL REPORT 2022-23

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 3)

Sajeela Nasser introduced Bev Nash and Nick Lowe to the Committee.

Presentations were made by Heads of Service on the work undertaken during the year April 2022 to March 2023 by the Regulation and Enforcement Sections consisting of Environmental Health, Trading Standards, Private Rented Sector, the Register Office, Licensing, the Coroners and Mortuary service and the England Illegal Money Lending Team which report to the Licensing and Public Protection Committee and following the presentations officers responded to questions from Members.

1537 **RESOLVED:-**

That the content of the report and presentations be noted.

FOOD LAW ENFORCEMENT PLAN 2023-2024

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 4)

The Food Law Enforcement Plan setting out the City's commitment to Food Safety Enforcement for the year ahead was presented. The plan showed the number of food hygiene and food standards interventions which would be required and identified those areas of work which were considered essential to protect food safety in Birmingham, and included the targets for the last year (2022/2023) and reviewed performance against them. It was noted that the activities in the plan were a statutory requirement. Following the presentation officers responded to questions from Members. It was

1538 **RESOLVED:-**

That the Food Law Enforcement Plan be agreed

HEALTH & SAFETY LAW ENFORCEMENT REPORT

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 5)

The report was presented to the Committee setting out the Health and Safety work programme for 2023 – 2024.

1539 **RESOLVED:-**

That the report be noted and the Health and Safety Law Enforcement Plan for 2023/24 be approved.

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 6)

The report was presented to the Committee with an update on work being undertaken to further manage unauthorised encampments in the City as set out in the report. As well as the regulatory aspect, colleagues in Housing were leading on devising a mechanism for management of occupancy on the transit site. Following the presentation officers responded to questions from Members. In addition the Transient site occupied in January had been recovered and was waiting to be repaired.

Councillor Davis undertook to write to the Leader and Councillor Francis, Cabinet Member on the issue of capacity at unauthorised encampments sites. Members were interested to have more information about the guidance related to the sites and the training that had been delivered to officers.

1540 **RESOLVED:-**

That the report be noted

ENFORCEMENT POLICY REVIEW REGULATION & ENFORCEMENT 2023

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 7)

Sajeela Naseer presented the report to the Committee giving the background to the policy. During the discussion it was noted that an addition to the policy consisting of a Public Space Protection Order had been included in Appendix A, 7.1.1 - section j.

1541 **RESOLVED:-**

That Committee adopts the Enforcement Policy as attached at appendix A in the report.

PROSECUTIONS AND CAUTIONS JAN-FEB-MARCH 2023

The following Report of the Director of Regulation & Enforcement was submitted-

(See document no. 8)

Sajeela Naseer presented the report to the Committee summarising the outcome of legal proceedings taken by Regulation and Enforcement during the months of January, February and March 2023.

1542 **RESOLVED:-**

That the report be noted.

CHAIRS AUTHORITY REPORT – FEB-MARCH-APRIL 2023

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

(See document no. 9)

1543 **RESOLVED:-**

That the report be noted

OTHER URGENT BUSINESS

1544 There was no other urgent business.

AUTHORITY TO CHAIRMAN AND OFFICERS

1545 **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 1241 hours.

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CHAIR