

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE 15 MARCH, 2023

MINUTES OF A MEETING OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE HELD ON WEDNESDAY, 15 MARCH, 2023 AT 1030 HOURS AT THE COUNCIL HOUSE, BIRMINGHAM B1 1BB

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Barbara Dring, Sam Forsyth, Adam Higgs, Ziaul Islam, Izzy Knowles, Mary Locke, Saddak Miah, Julien Pritchard and Penny Wagg

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NOTICE OF RECORDING/WEBCAST

- 1513 The Chair advised that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) 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

- 1514 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 – 15 March, 2023

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

The Chair highlighted that Members had received a letter from the Monitoring Officer regarding agenda items 10 and 11 on the agenda related to Private Rented Sector Selective Licensing Fees and Charges and Smaller Houses in Multiple Occupation – Additional Licence Fees and Charges.

Councillor Phil Davis declared a pecuniary interest in the matters to be discussed at items 10 and 11 on the agenda and stated his intention to leave the meeting for the two items. Councillor Sam Forsyth would chair the meeting for those items.

APOLOGIES

- 1515 Apologies were received from Councillors Diane Donaldson, Iqbal, Narinder Kooner for non-attendance.
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MINUTES

- 1516 The minutes of the last meeting held on 18 January, 2023, having been previously circulated were confirmed and signed by the Chair.
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UPDATE FROM CHAIR

- 1517 The Chair stated his intention to vary the agenda order for item 7 to enable the officer to be present for the item.
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BCC HOSTED ENGLAND ILLEGAL MONEY LENDING TEAM

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

(See document no. 1)

Tony Quigley gave a summary of the report giving 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 2023.

During the discussion that ensued the following points were made:-

- In response to Councillor Islam's query regarding the 400 plus prosecutions for illegal money lending and related activity, Tony Quigley informed that a global national picture had been provided without matching the areas as they were reliant on people to come forward.
- With regard to examples of recent cases, operation Mamba had been referred to the Crown Court and had been deferred.

- Councillor Sam Forsyth thanked Tony Quigley and his team for their work and offered any assistance that could be given in light of the Cost of Living Crisis.
- The Chair concurred with the comments made by Councillor Sam Forsyth and said that the extra resources that would be made available was good news.

1518 **RESOLVED:-**

That the report be noted.

PROSECUTIONS & CAUTIONS – NOVEMBER & DECEMBER 2022

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

(See document no. 2)

1519 **RESOLVED:-**

That the report be noted.

BCC HOSTED NATIONAL TRADING STANDARDS REGIONAL INVESTIGATIONS TEAM (CENTRAL ENGLAND)

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

(See document no. 3)

Tony Quigley gave 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. He added that there had been more organised crime related to counterfeit products and also the issue of slave labour in the production of the goods. The Chair noted the valuable work that had been undertaken.

1520 **RESOLVED:-**

That the report be noted.

HIGHWAY AND REGISTRATION SERVICES FEES AND CHARGES ADDENDUM 2023-24

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

(See document no. 4)

Mark Croxford gave a summary of the report correcting the error related to room bookings at the Register Office and providing the missing fee table in appendix 6(a) that applied to the Highways fees and charges.

1521

RESOLVED:-

- i) That the changes to the non-statutory fee for the Registration Service, as detailed in 4.1, is approved to take effect from 1 April 2023.
 - ii) That the changes to the fees and charges for Highway Licences as detailed in Appendix 6, are approved to take effect from 1 April 2023.
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Councillor Phil Davis declared a pecuniary interest in items 10 and 11 on the agenda and left the meeting taking no part in the discussion.

(Councillor Sam Forsyth in the Chair)

PRIVATE RENTED SECTOR SELECTIVE LICENCING FEES AND CHARGES 2023-24

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

(See document no. 5)

- Sajeela Naseer gave a summary of the report explaining that from the 5 June 2023, 25 of the city's wards will become subject to the Council's selective licensing fees. Members were requested to consider the selective licensing fees and charges as detailed in Appendix 1 of the report to be approved to take effect from 1 April 2023 for any licence commencing on or after 5 June 2023.
- In response to a query about the fees Sajeela Nasser explained that the fee calculations were based on projections for salary, premises and other costs for the duration of the designation. If the cost of the fees needed to be reviewed a further report would be submitted to the Committee with the reason for the variation.
- Licensing had the ability to issue a one year licence if they felt it was necessary. The report was welcomed by the Committee and the officers were thanked for their hard work.

1522

RESOLVED:-

That the selective licensing fees and charges as detailed in Appendix 1 be approved to take effect from 1 April 2023 for any licence commencing on or after 5 June 2023, which is the date of commencement of the scheme

SMALLER HOUSES IN MULTIPLE OCCUPATION- ADDITIONAL LICENCE FEES AND CHARGES 2023-24

Councillor Phil Davis remained absent for this item having declared a pecuniary interest.

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

(See document no. 6)

Sajeela Naseer gave a summary of the report asking the Committee to consider the report for approval. In response to a query regarding the occupancy of a property requiring a mandatory licence, each licence would be considered on its merits.

1523

RESOLVED:-

That the additional licensing fees and charges as detailed in Appendix 1 be approved to take effect from 1 April 2023 for any licence commencing on or after 5 June 2023, which is the date of commencement of the scheme.

Councillor Phil Davis attended the meeting at 1125 hours.

(Councillor Phil Davis in the Chair)

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

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

(See document no. 7)

Mark Croxford together with Guy Chaundy and Uyen-Phan Han gave the background to the unauthorised encampments and an update on work being undertaken to further manage unauthorised encampments in the City as detailed in the report.

Guy Chaundy added that some resources had been identified from Housing to take the project forward. They had been working with Mark Croxford and Planning on a business plan however a dedicated management resource was required. Members queried the number of sites available and a comment was made that more capacity was required however they were pleased with the progress made. In reply to questions regarding areas and land that could be used the officers undertook to provide a further briefing on the scope of the review. The timelines will be shared and work was ongoing to identify land to provide permanent provision. They were working with Legal Services regarding an equality assessment for a transit site. The Chairman said that a further report on progress should be submitted.

1524 **RESOLVED:-**

That the report be noted.

DATE AND TIME OF NEXT MEETING

1525 **RESOLVED:-**

It was noted that the next proposed formal meeting of the Licensing and Public Protection Committee was scheduled to take place on Wednesday, 28 June, 2023.

OTHER URGENT BUSINESS

1526 There was no urgent business.

AUTHORITY TO CHAIRMAN AND OFFICERS

1527 **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 1158 hours.

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CHAIR