

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE 16 NOVEMBER, 2022

MINUTES OF A MEETING OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE HELD ON WEDNESDAY, 16 NOVEMBER, 2022 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, Ziaul Islam, Narinder Kooner, Mary Locke, Saddak Miah, Julien Pritchard and Penny Wagg

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NOTICE OF RECORDING/WEBCAST

1488 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

1489 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.

There were no declarations made.

APOLOGIES

- 1490 Apologies were received from Councillors Barbara Dring, Simon Morrall and Izzy Knowles for non-attendance.
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MINUTES

- 1491 The minutes of the last meeting held on 21 September, 2022, having been previously circulated were confirmed and signed by the Chair.
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REGULATING THE COMMONWEALTH GAMES 2022 REPORT

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

(See document no. 1)

Paul Lankester, Former Interim Director of Regulation and Enforcement presented this report providing a resume of the activities that took place in regulating the Commonwealth Games, which took place in late July and early August 2022. The details were set out in the report.

Members congratulated the team for the event which took place without any major issues. There was an issue with the wristbands which had been resolved. It had been a fantastic event and had received positive feedback. The work on the Commonwealth Games will act as sharing of knowledge for others to hold events and will stand the City in good stead for the European Athletics Championships and have benefits for joint working in the future. The Covid Marshalls had been adapted and used to assist the public. There were benefits from sharing resources, knowledge and data. ^A

In response to a question about lessons learnt and what he would have done differently, Paul Lankester said that he would have put a robust plan in place as BCC could have been better co-ordinated. The stadium could have been designed differently to stop the bottleneck. He would have found out more information about the opening and closing ceremony prior to the event. They had not been aware that wristbands would be issued leading to them having to deal with the issue that arose. There had been a lot of concern about the safety of the public and the operation of the Safety Advisory Group had improved as a result.

Councillor Locke expressed her thanks to all those involved. She noted the impact on all the Wards which was good for business, jobs and the economy. The point about families being separated from each other would be taken back to the SAG. The response time for business continuity was approximately the same owing to extra resources being available.

Sajeela Naseer thanked all the staff who were fantastic before, during and after the event. There had been a lot of challenges and they were proud of the team. Sajeela Naseer added that Paul Lankester was being modest about his contribution to the Commonwealth Games. He had taken the lead working both with the government and with joint regulation across local authorities. as a team with Mark Croxford and Tony Quigley she thanked Paul Lankester for his leadership.

The Chairman said this was an opportunity to celebrate success. It was his pleasure to thank Paul for his contributions and work since 2019 and to present Paul Lankester with a token of gratitude. The Committee gave a round of applause. Paul Lankester accepted the gift and said it had been an honour to work for Birmingham City Council. He had started his career in Environmental Health at Aston University. Birmingham was Innovative then in terms of environmental health. He had always considered being the senior manager in regulation in Birmingham City Council as the top job in the country and he had the pleasure to do that for three years.

1492 **RESOLVED:-**

That the report be noted.

**COMMONWEALTH GAMES LEGIONELLA ASSURANCE REPORT IN
HOTEL ACCOMMODATION PREMISES**

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

(See document no. 2)

Mark Croxford presented the report advising that owing to hotels and businesses being closed owing to the lockdown water taps had not been run in premises leading to the risk of the disease. They had advised Premises what action they needed to take. Full details were in the report.

In response to questions there was nothing to compare the test results against and that is something that could be looked at in the future. The good news was that the risk had been controlled prior to the commonwealth games. The unsatisfactory figures in the report referred to a variety of venues eg some sports facilities or hotels. Some may had remained unused during the pandemic. The disease was not difficult to eradicate if the advice was complied with. It could happen in premises that were up for sale but it was not normally a risk.

1493 **RESOLVED:-**

That the report be noted.

UPDATE ON AIR QUALITY REPORT

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

(See document no. 3)

Mark Walston gave a summary of the report. It was noted that it was the intention to put one air quality sensor in each Ward in the City. He was happy to speak to Ward Councillors about this. In reply to questions there were some barriers to schools engaging. Some schools thought it might show that the air quality in their area was not good. They would need to reassure the schools on how to interpret the data. Another barrier was finding the time to include it in the school curriculum and having the time and resources to it follow up. They would be reaching out to Ward Members for help. The issue of PM's compliance with regard to airport monitoring was discussed. BCC had a legal duty with regard to this.

Members discussed the improvement in air quality in the City owing to the Clean Air Zone. There had been a reduction in vehicles and an increase in compliant vehicles. During the discussion the congestion outside schools was discussed and whether this was being monitored. It was not always obvious that this was being monitored. Mark Wolstencroft responded to the comments made about the areas outside schools. It was stated that there had been a lot of engagement with schools about walking to school schemes and parking etc. The Committee would welcome feedback on school related issues. As a City the air quality needed to be improved.

Sajeela Naseer added that there would be a strategic approach taken and Members would be informed of the pathways they were taking to improve air quality in the City. Councillor Davis was concerned about the Government's proposal for a deadline at the end of 2023 for the legislation and felt that perhaps the full Council may want to address this.

1494 **RESOLVED:-**

That the report be noted.

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

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

(See document no. 4)

Mark Croxford presented the report giving an update on work being undertaken to further manage unauthorised encampments in the City. During the discussion he advised that the site at Aston Brook Street is presently vacant awaiting development however there was no update available. The numbers of sites were manageable at present. It would be helpful if the sites were smaller as they were easier to manage. They were looking at Housing to manage the sites. Following a comment from the Chair he would follow up joint reports with Housing and for a Housing Officer to attend the meeting. Planning were responsible for identifying the sites which were then run by Housing. The site used by one family could hold another 15 pitches. They had tried to mitigate the impact of the sites on the community.

1495 **RESOLVED:-**

That the report be noted and that an officer from Housing attend a future meeting.

HACKNEY CARRIAGE AND PRIVATE HIRE POLICY REPORT

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

(See document no. 5)

Sajeela Naseer presented the report requesting comments on the draft policy regarding the conversion of carriages to fully electric. Members were informed that an additional paragraph had been added to section 3.11 of the policy that carriages will be licensed up to a maximum of 18 years from the date of conversion (rather than date of first registration).

In response to questions Sajeela Naseer informed that the first step was for all the policy documents to be in one place to see the impact of the legislation. All drivers needed to understand their obligations with regard to disabled passengers. They would look at the use of all dogs in the review of the policy. Members felt it would be useful to have clarification on this. Drivers who had been the victim of an attack were encouraged to report it to the police. The use of more online bookings and prepayment of fares reduced the risk factors for drivers. Members were encouraged to pass on any comments to Sajeela Naseer.

1496 **RESOLVED:-**

- i) That the comments from Members be noted; and
 - ii) That the report be noted and commended to the Cabinet.
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R&E ACTIVITY REPORT - (QUARTER 2) 2022-23

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

(See document no. 6)

RESOLVED:-

That the content of the report be noted

PROSECUTIONS & CAUTIONS REPORT - AUGUST 2022

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

(See document no. 7)

1497 **RESOLVED:-**

That the report be noted.

DATE AND TIME OF NEXT MEETING

1498 **RESOLVED:-**

It was noted that the next formal meeting of the Licensing and Public Protection Committee was scheduled to take place on Wednesday, 18 January, 2023 with an informal meeting taking place on 14 December 2022.

OTHER URGENT BUSINESS

1499 There was no urgent business.

AUTHORITY TO CHAIRMAN AND OFFICERS

1500 **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 1215 hours.

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CHAIR