

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING SERVICE DIRECTOR REGULATION AND
ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

18 DECEMBER 2019
ALL WARDS

PROSECUTIONS AND CAUTIONS – SEPTEMBER AND OCTOBER 2019

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of September and October 2019.
2. Recommendation
 - 2.1 That the report be noted.

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3. Results

3.1 During the months of September and October 2019 the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 141 Environmental Health cases were finalised resulting in fines of £210,795. Prosecution costs of £37,693 were awarded. Two simple cautions were administered as set out in Appendix 1.
- Ten Licensing cases were finalised resulting in fines of £3,859 and 42 penalty points issued. Prosecution costs of £4,009 were awarded. 15 simple cautions were administered as set out in Appendix 2.
- Four Trading Standards cases were finalised resulting in fines of £3,601, a 21 month custodial sentence and a five year disqualification from being a Director. Prosecution costs in the sum of £7,493 were awarded and an agreed POCA confiscation order was made in the sum of £36,493. One simple caution was administered as set out in Appendix 3.
- 15 Waste Enforcement cases were finalised resulting in fines of £78,980. Prosecution costs in the sum of £8,148 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district in September and October 2019 and cases finalised by district April 2019 – October 2019.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2019 to October 2019.

4. Consultation

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

5. Implications for Resources

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

5.2 For the year April 2019 to October 2019 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)
£177,358 has been requested with £139,609 being awarded (79%).

Licensing
£12,264 has been requested with £6,772 being awarded (55%)

Trading Standards
£41,429 had been requested with £21,096 being awarded (51%).

- 5.3 For the months of September and October 2019 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£51,662 has been requested with £45,841 being awarded (89%).

Licensing

£8,580 has been requested with £4,009 being awarded (47%)

Trading Standards

£19,493 had been requested with £7,493 being awarded (38%).

- 5.4 The following income has been received so far from the courts in 2019/20. However, please note that there has been no new income items received since May 2019.

Environmental Health

£11,952 has been received including Waste Enforcement cases.

Licensing

£828 has been received.

Trading Standards

£757 has been received.

(Total £13,537).

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

6. Implications for Policy Priorities

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

7. Public Sector Equality Duty

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

DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	5/9/19	Birmingham Grab Hire and Haulage Ltd Cradley Enterprise Centre Maypole Fields Halesowen B63 2QB	Anti-Social Behaviour, Crime and Policing Act 2014 Found guilty in their absence of one offence of failing to comply with the conditions of a notice requiring they cease the practice of using "illegal advertisements" to promote Birmingham Grab Hire and Haulage Ltd and any associated trading names. Unauthorised advertisements were found on Chester Road, Erdington, Birmingham.	£2,500 £447 costs (£447 requested)	Out of area	Erdington
2	17/10/19	Prime Properties Birmingham Ltd 13a Washwood Heath Road Birmingham B8 1SH	Anti-Social Behaviour, Crime and Policing Act 2014 & Environment Act 1995 Pleaded guilty to two offences; one offence of failing to respond to a demand for information relating to the removal and disposal of waste from 1760a Pershore Road, Birmingham and one offence of failing to clear all waste, litter and refuse from the rear access way of 1758-1770 Pershore Road, Birmingham within 21 days.	£2,000 – offence 1 No separate penalty for remaining offence £1,404 costs (£1,404 requested)	Alum Rock	Stirchley

NOISE NUISANCE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
3	3/10/19	Lindsey Johnston Birmingham	Environmental Protections Act 1990 Found guilty in her absence of two offences of failing to comply with an abatement notice and causing a noise nuisance at 255 Gospel Lane, Birmingham by the playing of amplified music.	£100 – offence 1 No separate penalty for remaining offence £688 costs (£688 requested) Forfeiture order granted in respect of sound equipment.	Acocks Green	Acocks Green

FOOD HYGIENE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
4	5/9/19	Cleveland Bailey Birmingham	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to three offences relating to conditions at Nyam 'n' Jam Eat In 'n' Takeaway Restaurant, 44a Barker Street, Birmingham. There were no procedures in place to control pests, mouse droppings were found littered throughout the premises and within boxes of tomatoes and green peppers in the kitchen. There were gaps, cracks and crevices within the structure and construction of the building, in particular open sky lights in the food storeroom which could allow access to pests.	£400 – offence 1 No separate penalty for remaining offences £1,508 costs (£1,508 requested)	Newtown	Lozells

5	23/9/19	Westbourne Leisure Ltd Westbourne Head Office Strawberry Bank Hotel 72 Main Road Meriden Coventry CV7 7NF	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to nine offences relating to conditions found at the Irish Centre, High Street, Nechells, Birmingham on three separate occasions. During each visit there were no adequate procedures in place to control pests; there was evidence of mouse activity throughout the kitchen and adjacent food storage areas, bar areas and beer cellar. They failed to ensure the premises were kept clean and maintained in good repair and condition. A large number of mouse droppings were found throughout the premises and there was a build-up of dirt, grease and debris in the kitchen. There was a dirty damaged chiller unit and broom in the kitchen and a dirty air conditioning unit and mouldy ice machine in the beer cellar. The layout, design, construction, siting and size of the premises failed to permit good hygiene practices. There was a lack of pest proofing to doors leading into the kitchen and missing ceiling tiles in the area between the downstairs kitchen and bar. There were holes and gaps around the external roller shutter. There was damage to the wall in the main bar area and walkway between the glass wash and beer cellar. There was damage to the floor/wall junction of the dressing room. There was a hole in the bench in the customer seating area. There was a damaged mechanical extractor grill in the upstairs kitchen.	Total fine £133,334 £6,500 costs (£7,000 requested)	Out of area	Bordesley & Highgate
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6	31/10/19	PG Wu Ltd C/O Tan & Co 5 th Floor Albany House 31 Hurst Street Birmingham B5 4BD	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to five offences relating to conditions found at Peach Garden, 34 Ladywell Walk, Birmingham. Live cockroaches were found on shelves which were used to store food and takeaway containers. Cockroaches were found on the floor close to where food was stored and inside an egg box under the cooking range. The premises was not kept clean in that there was an accumulation of dead cockroaches, grease, dirt and food debris throughout the kitchen on floors and walls. Filthy cloths were found on work surfaces used to store and prepare food. Chopping boards used to prepare foods were covered in filth and dirt which had become deeply ingrained. There were no procedures based on HACCP. The Company also failed to register as a food business with the Local Authority.	£40,000 £1,650 costs (£1,650 requested)	Bordesley & Highgate	Bordesley & Highgate
7	31/10/19	Rasoul Shahneshin Solihull	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to three offences; one offence of placing food on the market which was unsafe in that a meat based pizza from Pizza Bank, 391 Sheldon Heath Road, Sheldon, Birmingham was contaminated with glass and two offences relating to conditions found at Pizza Bank following an inspection. There was no documented food safety management system in place and the kitchen window had been broken and unsuitably secured with sticky tape.	£1,600 £1,200 costs (£1,200 requested)	Out of area	Garretts Green

PEST OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
8	5/9/19	Ramanbhai Bhanabhai Patel Birmingham	Prevention of Damage by Pests Act 1949 Pleaded guilty to one offence of failing to comply with a notice requiring the removal of accumulations of rubbish and overgrowth from the front and rear gardens of 45 Gillott Road, Birmingham and to suitably treat the land to eradicate any infestation of rodents within 21 days.	£500 £608 costs (£608 requested)	Balsall Heath West	North Edgbaston
9	5/9/19	Mohammed Saleem Shahzad Birmingham	Prevention of Damage by Pests Act 1949 Pleaded guilty to one offence of failing to comply with a notice requiring the removal of accumulations of rubbish and overgrowth from the front and rear gardens of 12 Brockley Place, Birmingham and to suitably treat the land to eradicate any infestation of rodents within 21 days.	£500 £426 costs (£426 requested)	Pype Hayes	Nechells
10	31/10/19	Muhammed Khan Birmingham	Prevention of Damage by Pests Act 1949 Pleaded guilty to one offence of failing to comply with a notice requiring the removal of all accumulations of rubbish and cut back and remove all overgrowth from the rear garden of 406 West Boulevard, Quinton, Birmingham and to suitably treat the land to eradicate any infestation of rodents within 21 days.	£112 £912 costs (£912 requested)	Sparkhill	Harborne

LITTER OFFENCES – NON SJP

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
11	3/10/19	Joseph Peter Cashmore Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham. Originally listed for trial.	£100 £150 costs (£450 requested)	Sutton Vesey	Ladywood

LITTER OFFENCES – SJP

	Date Case Heard	Name	Fine/Penalty & Costs	Ward of defendant
12	13/9/19	Fahd Alajmy Liverpool Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
13	13/9/19	Mohammed Aziz Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Bartley Green
14	13/9/19	Leva Burkvica Luton Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
15	13/9/19	Sava Catalin Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Ward End

16	13/9/19	Kimberley Cattell Bilston Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
17	13/9/19	Nathaniel Chapman Cardiff Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
18	13/9/19	Jason Colvin Goole Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
19	13/9/19	Kelly Cooper Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Druids Heath & Monyhull
20	13/9/19	Tammy Deeprise Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Bartley Green
21	13/9/19	Farshad Fishtami Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Allens Cross
22	13/9/19	Blerin Grabolli Tamworth Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
23	13/9/19	Alexsandru Ion Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Small Heath

24	13/9/19	Amar Jawejed Wolverhampton Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
25	13/9/19	Jason Jennings Sheffield Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
26	13/9/19	Ruben Dias Joerinho Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Edgbaston
27	13/9/19	Amardeep Singh Khera Walsall Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
28	13/9/19	Lavrendios Konstandindis Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Edgbaston
29	13/9/19	Dina Maftei Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Stockland Green
30	13/9/19	Valentin Bogden Marin Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Handsworth Wood

31	13/9/19	Shazia Mazir Nottingham Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
32	13/9/19	Sarah Mellor Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Balsall Heath West
33	13/9/19	Mirela Mihai Leicester Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
34	13/9/19	Catalin Mocanu Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Ladywood
35	13/9/19	Farooq Naeem Burton-upon-Trent Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
36	13/9/19	Sophie Owen Chester Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
37	13/9/19	Nicu Paleru Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Heartlands
38	13/9/19	Courtney Paris Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Frankley Great Park

39	13/9/19	Omar Parvez Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Sparkbrook & Balsall Heath East
40	13/9/19	Madalin Petrache Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Ward End
41	13/9/19	Bang Quang Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Yardley West & Stechford
42	13/9/19	Moynur Rahman Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Edgbaston
43	13/9/19	Saira Shah Wolverhampton Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
44	13/9/19	Waqas Shah Walsall Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
45	13/9/19	Lisa Spencer Worcester Guilty plea	£180 fine £175 costs (£175 requested)	Out of area
46	13/9/19	Luke Stephenson Bude Proved in absence	£220 fine £175 costs (£175 requested)	Out of area

47	13/9/19	Sajidur Talukdar Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Alum Rock
48	13/9/19	Paul Taylor Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Allens Cross
49	13/9/19	Mohammed Usman London Proved in absence	£220 fine £175 costs (£175 requested)	Out of area
50	13/9/19	Mihai Virvara Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Handsworth Wood
51	13/9/19	Jade Walker Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Frankley Great Park
52	13/9/19	Wenhe Zhang Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Bordesley & Highgate
53	13/9/19	Xiaoho Zhu Birmingham Proved in absence	£220 fine £175 costs (£175 requested)	Bordesley & Highgate
54	27/9/19	Adriana Bghean Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Acocks Green

55	27/9/19	Marian Biliuz Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	North Edbaston
56	27/9/19	Tony Holland Milton Keynes Proved in absence	£440 fine £175 costs (£175 requested)	Out of area
57	27/9/19	Azir Iqbal Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Perry Common
58	27/9/19	Monica Kedzierska London Proved in absence	£440 fine £175 costs (£175 requested)	Out of area
59	27/9/19	Zbigniew Wieslaw Kuczara Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Stockland Green
60	27/9/19	Attila Micziz Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Newtown
61	27/9/19	Emily Powell Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Allens Cross

62	27/9/19	Mohamed Said Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Birchfield
63	27/9/19	Martin Stankov Coventry Proved in absence	£440 fine £175 costs (£175 requested)	Out of area
64	27/9/19	Jassim Tarek Birmingham Proved in absence	£440 fine £175 costs (£175 requested)	Ladywood
65	11/10/19	Zabar Ali Birmingham Proved in absence	£220 £175 costs (£175 requested)	Handsworth
66	11/10/19	Alaa Alsaedi Cardiff Proved in absence	£220 £175 costs (£175 requested)	Out of area
67	11/10/19	James Andrews West Bromwich Proved in absence	£220 £175 costs (£175 requested)	Out of area
68	11/10/19	Jacob Atkinson Stourbridge Proved in absence	£220 £175 costs (£175 requested)	Out of area
69	11/10/19	Yu Cai Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area

70	11/10/19	Robert Close Birmingham Proved in absence	£220 £175 costs (£175 requested)	Quinton
71	11/10/19	Alun Davies Rugby Proved in absence	£220 £175 costs (£175 requested)	Out of area
72	11/10/19	Dean Delaney Birmingham Proved in absence	£220 £175 costs (£175 requested)	South Yardley
73	11/10/19	Sheila Dennison Birmingham Proved in absence	£220 £175 costs (£175 requested)	Billesley
74	11/10/19	Sarah Doody Birmingham Proved in absence	£220 £175 costs (£175 requested)	Northfield
75	11/10/19	Olive Hay Edie Stafford Guilty plea	£40 £100 costs (£175 requested)	Out of area
76	11/10/19	Gemma Evans London Proved in absence	£220 £175 costs (£175 requested)	Out of area
77	11/10/19	Leah Evans Birmingham Proved in absence	£220 £175 costs (£175 requested)	Perry Barr

78	11/10/19	Muhammad Faisal Birmingham Proved in absence	£220 £175 costs (£175 requested)	Ward End
79	11/10/19	Danny Fandon Tipton Proved in absence	£220 £175 costs (£175 requested)	Out of area
80	11/10/19	Dunstan Gabagambi Oldbury Proved in absence	£220 £175 costs (£175 requested)	Out of area
81	11/10/19	Taylor Marie Gilman Uttoxeter Guilty plea	£70 No costs awarded (£175 requested)	Out of area
82	11/10/19	Alvaro Gizler Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
83	11/10/19	Daniel Richard William Green Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkhill
84	11/10/19	Amjad Gul Birmingham Proved in absence	£220 £175 costs (£175 requested)	Heartlands
85	11/10/19	Andrew Harbury Retford Proved in absence	£220 £175 costs (£175 requested)	Out of area

86	11/10/19	Liam Harrison Blackburn Proved in absence	£220 £175 costs (£175 requested)	Out of area
87	11/10/19	Susan Healy London Proved in absence	£220 £175 costs (£175 requested)	Out of area
88	11/10/19	Elliot Holmes Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
89	11/10/19	Linda Hopkins Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
90	11/10/19	Richard Howard Birmingham Guilty plea	£40 £100 costs (£175 requested)	Bordesley Green
91	11/10/19	Sean Hurcombe London Proved in absence	£220 £175 costs (£175 requested)	Out of area
92	11/10/19	Ismail Hussain Birmingham Proved in absence	£220 £175 costs (£175 requested)	Aston
93	11/10/19	Marius Viorel Ivascu Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath East

94	11/10/19	Yvonne Jarrett Birmingham Guilty plea	£40 £100 costs (£175 requested)	Sparkbrook & Balsall Heath East
95	11/10/19	Dev Johal Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sutton Roughley
96	11/10/19	Mhamad Kareme Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
97	11/10/19	Samantha Karime Birmingham Proved in absence	£220 £175 costs (£175 requested)	Edgbaston
98	11/10/19	Ayesha Khan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Handsworth Wood
99	11/10/19	Jack Knight Henley on Thames Proved in absence	£220 £175 costs (£175 requested)	Out of area
100	11/10/19	Clement Laguerre Birmingham Proved in absence	£220 £175 costs (£175 requested)	Weoley & Selly Oak
101	11/10/19	Bowen Li Birmingham Proved in absence	£220 £175 costs (£175 requested)	Ladywood

102	11/10/19	Daryl Liney Chelmsford Proved in absence	£220 £175 costs (£175 requested)	Out of area
103	11/10/19	Siobhan Littlechild Basildon Proved in absence	£220 £175 costs (£175 requested)	Out of area
104	11/10/19	Damien Lojewski Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath West
105	11/10/19	Connor Loxton Birmingham Proved in absence	£220 £175 costs (£175 requested)	Hall Green North
106	11/10/19	Jonathan Mason Birmingham Proved in absence	£220 £175 costs (£175 requested)	Kingstanding
107	11/10/19	Salehi Masood Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
108	11/10/19	Joel McNamee Doncaster Proved in absence	£220 £175 costs (£175 requested)	Out of area
109	11/10/19	Kyle Morris Birmingham Proved in absence	£220 £175 costs (£175 requested)	Stockland Green

110	11/10/19	Gabriel Musi Birmingham Proved in absence	£220 £175 costs (£175 requested)	Aston
111	11/10/19	Alin Nemciuc Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sheldon
112	11/10/19	Xiaoxia Nian London Proved in absence	£220 £175 costs (£175 requested)	Out of area
113	11/10/19	Luke Steven Nicholls Bromsgrove Proved in absence	£220 £175 costs (£175 requested)	Out of area
114	11/10/19	Ian Nie Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
115	11/10/19	Alison Nightingale Birmingham Proved in absence	£220 £175 costs (£175 requested)	Oscott
116	11/10/19	Zara Nisar Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley Green
117	11/10/19	Marian Nitu Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bournbrook & Selly Park

118	11/10/19	Daniel Owen Reading Proved in absence	£220 £175 costs (£175 requested)	Out of area
119	11/10/19	Georgiana Paduraru Birmingham Proved in absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
120	11/10/19	Artur Pajak Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area
121	11/10/19	Elena Peris Dudley Proved in absence	£220 £175 costs (£175 requested)	Out of area
122	11/10/19	Boris Poliakov Chertsey Proved in absence	£220 £175 costs (£175 requested)	Out of area
123	11/10/19	Marian Ramandan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Aston
124	11/10/19	Andrew Liam Rogers Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
125	11/10/19	Gintautas Saltemis Birmingham Proved in absence	£220 £175 costs (£175 requested)	Newtown

126	11/10/19	Abdulrahman Ali Shafi Birmingham Proved in absence	£220 £175 costs (£175 requested)	Ladywood
127	11/10/19	Karan Sharma Cardiff Proved in absence	£220 £175 costs (£175 requested)	Out of area
128	11/10/19	Richard Sheridan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Kings Norton South
129	11/10/19	Donna Simkiss Birmingham Proved in absence	£220 £175 costs (£175 requested)	Longbridge & West Heath
130	11/10/19	Amun Thompson Smith Dudley Proved in absence	£220 £175 costs (£175 requested)	Out of area
131	11/10/19	Catherine Stuart Birmingham Guilty plea	£40 £100 costs (£175 requested)	Perry Barr
132	11/10/19	Aurika Titaite Birmingham Proved in absence	£220 £175 costs (£175 requested)	Newtown
133	11/10/19	Wang Guo Tong Walsall Proved in absence	£220 £175 costs (£175 requested)	Out of area

134	11/10/19	Raluca Vasile Stevenage Proved in absence	£220 £175 costs (£175 requested)	Out of area
135	11/10/19	Alison Wall Birmingham Guilty plea	£53 £175 costs (£175 requested)	Highters Heath
136	11/10/19	Astie Wallis Birmingham Proved in absence	£220 £175 costs (£175 requested)	Kingstanding
137	11/10/19	Lewis Walters Warwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
138	11/10/19	Aimee Waude Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bartley Green
139	11/10/19	Paul White Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bournbrook & Selly Park
140	11/10/19	Jordan Woodward Willenhall Guilty plea	£106 £175 costs (£175 requested)	Out of area
141	11/10/19	Anna Wrobel Birmingham Proved in absence	£220 £175 costs (£175 requested)	Stockland Green

LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE

Date Cases Heard	Total Number of Cases	Total Fines imposed	Total Costs awarded	Total Costs requested
13/9/19	42	£9,200	£7,350	£7,350
27/9/19	11	£4,840	£1,925	£1,925
11/10/19	77	£15,609	£12,925	£13,475

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During the period of September and October 2019 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 CASES**APPENDIX 2**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
142	5/9/19	Mahabat Khan Smethwick	Town Police Clauses Act 1847, Road Traffic Act 1988 & Local Government (Miscellaneous Provisions) Act 1976 Pleaded guilty to three offences: one of plying for hire on Temple Row West, Birmingham, one of consequently having invalid insurance and one offence of failing to exhibit the vehicle identity plate externally on the rear of the vehicle.	£300 – no insurance + 6 penalty points No separate penalty for remaining offences. £511 costs (£511 requested)	Out of area	Ladywood
143	5/9/19	Faud Kayse Omer Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences: one of plying for hire on Bristol Road, Birmingham and one of consequently having invalid insurance.	£465 – no insurance + 6 penalty points No separate penalty for plying £499 costs (£499 requested)	Newtown	Ladywood
145	5/9/19	Javaid Iqbal Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences: one of plying for hire on Alcester Road, Birmingham and one of consequently having invalid insurance.	£770 – no insurance + 6 penalty points No separate penalty for plying £499 costs (£499 requested)	Oscott	Moseley

146	3/10/19	Afzol Hussain Chowdhury Walsall	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on High Street, Sutton Coldfield, Birmingham and one of consequently having invalid insurance.	£276 – no insurance No separate penalty for plying + 6 penalty points £150 costs (£456 requested)	Out of area	Sutton Trinity
147	3/10/19	Mostafa Abera Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on High Street, Sutton Coldfield, Birmingham and one of consequently having invalid insurance.	£660 – no insurance No separate penalty for plying + 6 penalty points £150 costs (£464 requested)	Nechells	Sutton Trinity
148	17/10/19	Mohammed Emran Khan Birmingham	Equality Act 2010 Pleaded guilty to one offence of failing or refusing to carry out a booking accepted by his operator at Sainsbury's, Castle Vale, Birmingham made by a disabled person and the reason for the failure was that the disabled person was accompanied by an assistance dog.	£113 £400 costs (£846 requested)	Birchfield	Castle Vale
149	31/10/19	Casem Ahmed Abdul Hafidh West Bromwich	Local Government (Miscellaneous Provisions) Act 1976 Pleaded guilty to one offence of causing a vehicle, not being a Hackney Carriage, to wait on a stand for Hackney Carriages in Station Street, Birmingham.	£147 £100 costs (£593 requested)	Out of area	Ladywood

150	31/10/19	Abdiweli Jaama Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on Smallbrook Queensway, Birmingham and one of consequently having invalid insurance.	£133 – no insurance No separate penalty for plying + 6 penalty points £100 costs (£459 requested)	Gravelly Hill	Ladywood
151	31/10/19	Mohammed Jakir Hussain Shipu Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded <u>not guilty</u> to two offences; one of plying for hire in Aston, Birmingham and one of consequently having invalid insurance. Found guilty after trial. Exceptional hardship found – not disqualified from driving.	Total fine £380 (£330 for no insurance £50 for plying) + 6 penalty points £50 costs (£2,703 requested)	Aston	Aston
152	31/10/19	Shavan Abbas Ali Oldbury Shemal Ali Birmingham	Licensing Act 2003 Pleaded guilty to three offences; one offence of selling alcohol from The Local Shop, 94 Ridgacre Lane, Quinton, Birmingham without a licence; one offence of exposing alcohol for sale at the premises and one offence of keeping alcohol on the premises for unauthorised sale. Found guilty in his absence of one offence of selling alcohol from The Local Shop, 94 Ridgacre Lane, Quinton, Birmingham without a licence	Shavan £175 – offence 1 No separate penalty for remaining offences £1,150 costs (£1,150 requested) Shemal £440 £400 costs (£400 requested)	Out of area	Quinton

LICENSING SIMPLE CAUTIONS

During the period of September and October 2019 fifteen simple cautions were administered.

Local Government (Miscellaneous Provisions) Act 1976

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

Section 54(2) One caution was issued for failing to wear the drivers badge in a position and manner as to be plainly and distinctly visible

Section 48(6) & Section 54(2) Two cautions were issued for failing to display a private hire vehicle licence plate and for failing to wear the drivers badge in a position and manner as to be plainly and distinctly visible

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

Section 64 Three cautions were issued for waiting on a Hackney Carriage stand without being licensed as a Hackney Carriage

Town Police Clauses Act Section 47 & Road Traffic Act 1988 Section 143

One caution was issued for plying for hire and consequently having invalid insurance

Licensing Act 2003

Section 57 One caution was issued for failing to produce upon request and display a premises licence

Section 136 One caution was issued for carrying on a licensable activity otherwise than in accordance with an authorisation

Licensing Act 2006

Section 57 & 136(a) One caution was issued for failing to display a summary licence and breaching conditions of a licence

TRADING STANDARDS CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
153	3/10/19	Iqbal Hussain Birmingham	Criminal Justice Act 1988 Pleaded guilty to two offences of selling knives on two separate dates, namely an 8 inch chef knife and a seven piece kitchen set, from Big H, 15-17 Priory Square off Bull Street Birmingham to persons under the age of 18 years.	£268 – offence 1 No separate penalty for second offence. £764 costs (£764 requested)	Sparkbrook & Balsall Heath East	Ladywood
154	3/10/19	Priceland Ltd 133 Tame Road Birmingham B6 7DG	Criminal Justice Act 1988 Pleaded guilty to two offences of selling knives on two separate dates, namely a professional kitchen knife and a utility knife, from Priceland Ltd, 184-186 Soho Road, Birmingham to persons under the age of 18 years.	£333 – offence 1 No separate penalty for second offence. £1,729 costs (£1,729 requested)	Aston	Handsworth
155	21/10/19	Chetan Pal Panesar Birmingham	Companies Act 2006 Pleaded guilty to one offence of knowingly carrying on a fraudulent business, namely E-Tickets Worldwide Limited, a travel agent based at 94 Grove Lane, Handsworth, Birmingham, for a fraudulent purpose, namely defrauding customers of E-Tickets Worldwide Limited. Numerous customers booked and paid for flight tickets but did not receive any tickets. A number of customers arrived at their departure airport, expecting to catch flights that they had paid for, only to find that the business had not paid for their flights and they were denied boarding by the airlines.	21 months imprisonment. 5 year disqualification from acting as a Director. POCA timetable set.	Holyhead	Handsworth

TRADING STANDARDS SIMPLE CAUTIONS

During the period of September and October 2019 one simple caution was administered.

Criminal Justice Act 1988

One caution was issued for selling a knife to a person under the age of 18 years.

WASTE ENFORCEMENT CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
156	5/9/19	Scizzor Sisters Midlands Ltd 586 Bristol Road Selly Oak Birmingham B29 6BE	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Scissor Sisters, 586 Bristol Road, Birmingham was disposed of within 7 days.	£300 £100 costs (£386 requested)	Bournbrook & Selly Park	Bournbrook & Selly Park
157	5/9/19	Amara 138 Ltd 138b Ladypool Road Birmingham B12 8JA	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Amara Shoe Boutique, 138 Ladypool Road, Birmingham was disposed of within 7 days.	£300 £392 costs (£392 requested)	Sparkbrook & Balsall Heath East	Bournbrook & Selly Park
158	30/9/19	Aman Supermarket Saleh Ltd 127-131 Bordesley Green Birmingham B9 5EG	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Aman Supermarket, 127-131 Bordesley Green, Birmingham was disposed of within 7 days	£150 £200 costs (£620 requested)	Bordesley Green	Bordesley Green
159	30/09/19	Tayyaba Foods Ltd 146-148 Bordesley Green Birmingham B9 4SU	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Star Grillz, 146/148 Bordesley Green, Birmingham was disposed of within 7 days.	£300 £400 costs (£669 requested)	Bordesley & Highgate	Bordesley & Highgate

160	30/09/19	The Moors Garden Ltd 441 Moseley Road Birmingham B12 9BX	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Moors Garden, 441 Moseley Road, Birmingham was disposed of within 7 days.	£500 £700 costs (£700 requested)	Balsall Heath West	Balsall Heath West
161	30/09/19	Mahdi Mohammadi Birmingham	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of failing to comply with a notice requiring written information of how waste from Istanbul Fashions, 615 Washwood Heath Road, Birmingham was disposed of within 7 days. Found guilty after trial.	£300 £500 costs (£1,133 requested)	Ward End	Ward End
162	3/10/19	Sardar Khan Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of knowingly causing controlled waste, namely building waste to be deposited onto land on Crick Lane, Handsworth, Birmingham.	£100 £961 costs (£961 requested)	Handsworth	Birchfield
163	7/10/19	Peter Lewis Birmingham	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to two offences; 1 of knowingly causing controlled waste, namely wood and other waste, to be deposited from a vehicle onto south side of Alum Rock Road and north side of Couchman Road, Saltley, Birmingham and 1 offence of failing to comply with a notice requiring written information of how waste from Fast Response Rubbish Removals, 120 Biirkenshaw Road, Birmingham was disposed of within 7 days. Found guilty after trial.	£180 £520 (£1,758 requested)	Oscott	Alum Rock

164	17/10/19	Steven Lawson Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a mattress, plastic boxes, commercial signage, wood, cardboard, black bags, a fridge freezer, children's toys, plastic crates and boxes and general waste to be deposited on Baker Street, Small Heath, Birmingham.	£350 £100 costs (£1,120 requested)	Small Heath	Sparkhill
165	17/10/19	Magic Wedding Services Ltd 458 Stratford Road Birmingham B11 4AE	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to comply with a notice requiring written information of how waste from Magic Party Balloons, 458 Stratford Road, Birmingham was disposed of within 7 days.	£400 £420 costs (£420 requested)	Sparkhill	Sparkhill
166	17/10/19	Sangam1 Ltd 334 Soho Road Birmingham B21 9NA	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Sangam (Veg) Restaurant, 334 Soho Road, Birmingham was disposed of within 7 days.	£400 £520 costs (£520 requested)	Handsworth	Handsworth
167	21/10/19	Zahid Maroof Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from TZ Convenience Store, 96-98 St Margaret's Avenue, Birmingham was disposed of within 7 days.	£300 £600 costs (£600 requested)	South Yardley	Ward End
168	31/10/19	All Nationz Barbers Ltd 57 Marsh Hill Birmingham B23 7DS	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to comply with a notice requiring written information of how waste from All Nationz Barbers, 57 Marsh Hill, Birmingham was disposed of within 7 days.	£400 £870 costs (£870 requested)	Stockland Green	Stockland Green

169	31/10/19	Springfield Car Spares Ltd 966 Stratford Road, Sparkhill Birmingham B11 4BU	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Springfield Car Spares, 966 Stratford Road, Birmingham was disposed of within 7 days.	Absolute discharge No costs awarded (£605 requested)	Hall Green North	Hall Green North
170	31/10/19	Saif Supermarket Ltd 444-446 Alum Rock Road Birmingham B8 3HT	Environmental Protection Act 1990 Found guilty in their absence of three offences; two offences of depositing controlled waste, namely black bags of food waste and plastic packaging from Saif Supermarket, 444-446 Alum Rock Road, Birmingham, on Foxtan Road on two separate dates and one offence of failing to comply with a notice requiring written information on how waste from the business was disposed of within 7 days.	£75,000 – offence 1 no separate penalty for remaining offences. £1,865 (£1,865 requested)	Alum Rock	Alum Rock

WASTE ENFORCEMENT SIMPLE CAUTIONS

No simple cautions were administered in September or October 2019.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – SEPTEMBER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	1	0	2	0	0	0	0	0	0	3
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	53	0	0	0	0	0	0	53
Environmental Health (non FPNs)	0	1	1	1	5	0	1	2	0	0	0	11
Trading Standards	0	0	0	0	1	0	0	0	0	0	0	1

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – SEPTEMBER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	1	0	1	0	0	0	1	3
Environmental Health (FPNs) Not paid and prosecuted	5	3	1	5	6	5	3	1	0	3	21	53
Environmental Health (non FPNs)	0	1	3	1	3	0	0	1	0	0	2	11
Trading Standards	0	0	0	0	0	1	0	0	0	0	0	1

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – OCTOBER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	1	0	0	3	0	0	0	2	0	0	7
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	78	0	0	0	0	0	0	78
Environmental Health (including WEU)	1	1	3	2	1	0	3	1	0	2	0	14
Trading Standards	0	0	0	0	1	0	2	0	0	0	0	3

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – OCTOBER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	1	0	0	2	0	1	0	0	0	3	7
Environmental Health (FPNs) Not paid and prosecuted	4	4	5	3	9	3	7	4	2	2	35	78
Environmental Health (including WEU)	0	1	3	4	1	0	2	0	0	2	1	14
Trading Standards	0	0	1	0	0	0	2	0	0	0	0	3

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-OCTOER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	1	1	0	9	0	0	0	3	0	0	16
Environmental Health (FPNs) Not paid and prosecuted	0	1	0	0	399	0	0	0	0	0	0	400
Environmental Health (including WEU)	2	5	15	18	31	2	9	6	2	4	0	94
Trading Standards	0	0	0	2	4	1	5	0	1	3	0	16

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL-OCTOBER 2019

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	2	0	2	5	0	2	0	0	1	4	16
Environmental Health (FPNs) Not paid and prosecuted	26	19	21	26	47	15	32	14	4	19	177	400
Environmental Health (including WEU)	1	9	18	17	22	0	8	4	1	4	10	94
Trading Standards	0	0	1	2	1	1	5	1	1	3	1	16

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2019 – MARCH 2020

Waste Investigation Outcomes

	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20
Duty of care inspections into the waste disposal arrangements of commercial premises	64	97	93	94	92	83	127					
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	37	59	64	51	45	50	76					
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	7	9	39	37	10	36	39					
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences(£80)	0	0	0	0		0	2					
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	4	7	4	7	4	10	6					
Prosecutions												
Number of prosecution files submitted to legal services, (number produced quarterly.	13	10	35	9	9	7						