

BIRMINGHAM CITY COUNCIL

**LICENSING AND
PUBLIC PROTECTION
COMMITTEE
13 MARCH, 2024**

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON WEDNESDAY, 13 MARCH, 2024 AT 1030
HOURS AT THE COUNCIL HOUSE,
BIRMINGHAM B1 1BB**

PRESENT: - Councillor Phil Davis in the Chair;

Councillors, Sam Forsyth, Adam Higgs, Narinder Kooner, and
Julien Pritchard.

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NOTICE OF RECORDING/WEBCAST

1584 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

1585 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.

Councillor Narinder Kooner declared an interest in item 8 – Private Rented Sector as the owner of a private rented property.

APOLOGIES

1586 Apologies were received from Councillors Jilly Bermingham, Diane Donaldson, Barbara Dring, Ziaul Islam, Izzy Knowles and Mary Locke for non-attendance.

MINUTES

- 1587 The minutes of the last formal meeting held on 17 January, 2024, having been previously circulated, were confirmed and signed by the Chair.

REVIEW OF HIGHWAYS LICENSING FEES AND CHARGES 2024-25

The following report of the Assistant Director, Highways and Infrastructure was submitted:-

(See document attached)

Thomas Clarkson-Williams and Kamyah Tavassoli attended for this item to present the report setting out the fees and charges for 2024-25 that had been set with the objective of maximising net income to cover service cost and liabilities so far as was possible within legal constraints.

In response to a query whether any analysis had been done with regard to the effect of the high increases. the Committee was informed that the fees were based on the cost of the service, including managing abandoned skips and illegal flytipping.

- 1588 **RESOLVED:-**

- i) That the Committee approves changes to the fees and charges for Highway Services as detailed in Appendix 1 to take effect from 1 April 2024; and
- ii) 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.

BIRMINGHAM CITY COUNCIL HOSTED ENGLAND ILLEGAL MONEY LENDING TEAM

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

(See document attached)

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Tony Quigley presented the report providing 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 6 February 2024. The reasons for borrowing were set out in 7.3 of the report the key area being household bills and everyday expenditure. It was noted that the IMLT project was funded at no cost to the City Council through a ringfenced grant related to the proceeds of crime income. Members commended the team for the work they were carrying out.

1589 **RESOLVED:-**

That the report be noted.

BIRMINGHAM CITY COUNCIL HOSTED NATIONAL TRADING STANDARDS REGIONAL INVESTIGATIONS TEAM (CENTRAL ENGLAND)

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

(See document attached)

Tony Quigley presented the report providing 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.

Since 2011, funding had been on an annual cycle. The grant amount for 2023-24 was £334,000 and was expected to rise to £359,000 for 2024-25. The team were supported by Legal Services with regards to the work they do. They were funded through National Trading Standards at no cost to Birmingham City Council.

1590 **RESOLVED:-**

That the report be noted.

PRIVATE RENTED SECTOR HOUSING CHARGING FOR PART 1 HOUSING ACT 2004 ENFORCEMENT NOTICES

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

(See document attached)

Councillor Narinder Kooner declared an interest in the matter to be discussed as the owner of a private rented property. The Chair advised that there was no decision being made and therefore Councillor Kooner could participate in the discussion.

Simon Williams presented the report setting out the proposals 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 and responded to questions from Members.

Following a brief discussion it was:-

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RESOLVED:-

- i) That the Committee 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”); and
- ii) That the Committee recommend to Cabinet that the charges proposed in this report be approved.

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

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

(See document attached)

Officers including Martin Dando, Planning and Carla Bates, Housing attended to present the report providing the 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 with input from Environmental Health (site repossession), Planning (planning policy and site identification) and Housing (site development and management).

The Committee was informed that a joint meeting was planned to take place on Friday, 15 March, 2024 to discuss the issues and look for solutions. The approach taken meant that a fixed site no longer had to be identified. Following an update on the reasons for the delays Councillor Phil Davis commented that a joined-up approach needed to be taken.

Members were disappointed at the lack of a functioning site in the City and asked for clarification when Proctor Street site would be up and running and fit

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for purpose. It was suggested that the appropriate Strategic Directors should attend the Committee. A comment was made that there was no representative from Nechells Ward in attendance. In reply to a query whether Housing worked with people with regard to temporary accommodation the Committee was informed that not all travellers were homeless. Following some further comments Councillor Phil Davis undertook to report back the concerns expressed by Committee Members.

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RESOLVED:-

That the report be noted.

PROSECUTIONS & CAUTIONS – NOVEMBER AND DECEMBER 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 November and December 2023. The report outlined the amount of costs requested and awarded. Attention was drawn to the work carried out by the team.

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RESOLVED:-

That the report be noted.

SENIOR OFFICER ACTIONS UNDER DELEGATED AUTHORITY - MARCH 2024

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

(See document attached)

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RESOLVED:-

That the report be noted.

DATE AND TIME OF NEXT MEETING

1595 The date and time of the next formal meeting on Tuesday 14 May, 2024 at 1030 hours in Committee Room 6 was noted.

An informal online meeting would also take place on 18 April, 2024 at 1430 hours.

OTHER URGENT BUSINESS

1596 There was no other urgent business.

The meeting ended at 1154 hours.