

BIRMINGHAM CITY COUNCIL

**LICENSING AND
PUBLIC PROTECTION
COMMITTEE
14 MAY, 2024**

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON TUESDAY, 14 MAY, 2024 AT 1030 HOURS
AT THE COUNCIL HOUSE, BIRMINGHAM B1
1BB**

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Jilly Bermingham, Diane Donaldson, Sam Forsyth, Adam Higgs, Ziaul Islam, Narinder Kooner, Izzy Knowles, Mary Locke, Saddak Miah. Julien Pritchard, Sybil Spence and Penny Wagg.

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NOTICE OF RECORDING/WEBCAST

1597 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

1598 Members were 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.

No declarations of interest were made.

APOLOGIES

1599 An apology was received from Councillor Barbara Dring for non-attendance.

MINUTES

1600 The minutes of the last formal meeting held on 13 March, 2024, having been previously circulated, were confirmed and signed by the Chair.

The Chair stated that this was the last Licensing and Public Protection Committee that he would be attending as Chair of the Committee. He thanked everyone for their support over the last 5 years. Everything had been dealt with in an effective manner and it had been a positive experience working with a team of excellent officers.

REGULATION AND ENFORCEMENT BUSINESS PLAN 2024-25

The following report of the Director of Regulation & Enforcement was submitted.

(See document attached)

Sajeela Naseer presented the report outlining the business planning process for the Regulation and Enforcement Division in terms of the Coroner and Mortuary, Environmental Health, Licensing, Private Rented Sector, Property Licensing, Markets Service, Bereavement Services, Registrars and Trading Standards services giving a brief summary of the report and informing that the service was on an improvement journey. Reference was made to Section 9.0 of the report showing the planned work for 2024/2025.

In response to questions the following comments were made:-

- With regard to monies spent on non-statutory services such as vaping, Shisha and allergens, the Chairman informed that Licensing would work with Public Health to maintain the service. Tony Quigley added that they were looking at vapes from the perspective of education rather than enforcement. The final date from government regarding rules relating to vapes had not yet been finalised.
- In response to a query whether there was any scope to increase waste enforcement officers through self-financing, Mark Croxford informed that the Duty Care Inspectors covered the whole City and the money raised could be reinvested back into the team.

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- In response to comments about fly tipping and the cost implications of installing cameras, there was legislation related to installing cameras. They were not allowed to use dummy cameras. The CCTV monitoring centre referred cases to the team. They were aware of and would review the area where fly tipping had been reported. All Members were welcomed to take part in the review. Members were asked to give details of fly tipping hotspots to Mark Croxford. The Committee was informed that the date of the introduction of the Tobacco and Vapes Bill was 2027.

It was requested that the various schemes and grants within the Plan be made clear in order for Councillors to share the information with local residents.

1601

RESOLVED:-

That the Committee note the Regulation and Enforcement' Business Plan for 2024/25.

UPDATE REPORT ON THE CITY CENTRE NOISE PUBLIC SPACE PROTECTION ORDERS

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

(See document attached)

Russell Davey, Operations Manager, Environmental Health presented the report informing the Committee that the City Council had a statutory duty to investigate and, where necessary, take enforcement action with regards to complaints of alleged statutory noise nuisance under the Environmental Protection Act 1990. On 15th August 2022, the City Council declared two city centre noise PSPOs to control excessive noise levels from the street in two distinct areas. Copies of the PSPO's were attached at appendix 1 of the report. Russell Davey gave an update on the progress of the PSPOs since their introduction. The PSPO was for a period of 3 years and was due to be reviewed as this was the last year.

In response to questions the following points were made:-

- The Land at the front and back of New Street Station was in multiple land ownership. The PSPO included Stephenson Street. It was stated that the land was a major transport route and gave a bad impression to visitors to the City.

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- In looking to renew the PSPO, the evidence would be reviewed and discussions held with other organisations and residents. It was noted that a growing number of areas of the City Centre had become residential areas and the PSPO areas would need to be extended. Officers would come back with timescales. The use of any equipment for the purpose of music was covered. There was no licensing related to busking. There were signs for the PSPO area on the street.
- Permission was sometimes given by BCC for demonstrations however it was expected that the demonstration took place in the relevant area.

1602

RESOLVED:-

That the report be noted.

PARTNERSHIP APPROACH TO ILLEGAL STREET TRADING ON THE COVENTRY ROAD DURING RAMADAN

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

(See document attached)

Tony Quigley, Head of IMLT and Trading Standards, together with Sobia Akhtar, Operations Manager, Trading Standards, presented the report and presentation with the use of slides providing an update on the work of the Regulation and Enforcement Division and City Operations Directorate, in partnership with West Midlands Police, to tackle illegal street trading and other related offences on Coventry Road, Birmingham during the month of Ramadan. The report provided an update on Operation Belfray which was carried out within existing service budgets.

In response to questions the following points were made:-

- The Councillors thanked officers for the collaborative work they had carried out for the safety and protection of residents during Ramadan to bring order to the streets.
- The huge demand for Traders to trade during Ramadan was discussed and it was queried whether a suitable site could be considered for Traders to operate from during Ramadan. The Committee was informed that in previous years there had been discussions with Traders about taking responsibility for an event during Ramadan however no progress had been made.

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- There had been talk this year about the potential of setting up an organised street trading market on a piece of private land working together with BCC the community and traders for next year. The feedback from Businesses was that they would be pleased with the intervention as they had been impacted by a lot of the stalls being set up in front of their shops. BCC would work with businesses and the community however would not be the event planners.

1603

RESOLVED:-

That the report be noted.

REGISTER OFFICE – UPDATE ON STATUTORY FEES FOR CITIZENSHIP CEREMONIES

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

(See document attached)

Bev Nash, Head of Bereavement & Registration Services presented the report providing an update to the Review of Licensing and Public Protection Fees and Charges 2024/25 report dated 17 January 2024. In reply to a question the increased fee would mean an increase in income for BCC.

1604

RESOLVED:-

That the report be noted.

PROSECUTIONS AND CAUTIONS – JANUARY AND FEBRUARY 2024

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 January and February 2024. The report outlined the amount of costs requested and awarded. Following a brief discussion it was:-

1605 **RESOLVED:-**

That the report be noted.

SENIOR OFFICER ACTIONS UNDER DELEGATED AUTHORITY

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

(See document attached)

1606 **RESOLVED:-**

That the report be noted.

DATE AND TIME OF NEXT MEETING

1607 The date and time of the next formal meeting on Tuesday 26 June, 2024 at 1030 hours in Committee Rooms 3 & 4 was noted.

OTHER URGENT BUSINESS

1608 There was no other urgent business.

The meeting ended at 1230 hours.

CHAIR