

BIRMINGHAM CITY COUNCIL

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

20 APRIL 2016
ALL WARDS

PROSECUTIONS AND CAUTIONS TAKEN DURING FEBRUARY 2016

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of February 2016.
2. Recommendation
 - 2.1 That the report be noted.

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3. Results

3.1 During the month of February 2016:

- Appendix 1 lists two Licensing cases resulting in fines of £545; six penalty points were awarded; £780 in prosecution costs were awarded and 35 simple cautions were administered.
- Appendix 2 lists 80 Environmental Health cases resulting in fines of £30,847; £18,339 in prosecution costs were awarded and two simple cautions were administered.
- There were no Trading Standards cases finalised in February 2016 and no simple cautions were administered.
- Appendix 4 lists cases finalised by district in February 2016 and cases finalised by district April-February 2016.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team April 2015 - January 2016.

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 2015 to February 2016 the following costs have been requested and awarded:

Licensing

£41,910 has been requested with £25,794 being awarded (61%).

Environmental Health

£180,159 requested with £158,173 being awarded (87%).

Trading Standards

£67,040 requested with £49,381 being awarded (74%).

- 5.3 For the month of February 2016 the following costs have been requested and awarded:

Licensing

£1,409 has been requested with £1,409 being awarded (63%)

Environmental Health

£19,198 has been requested with £15,949 being awarded (85%).

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.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

LICENSING CASES**APPENDIX 1**

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Jakerin Reza Chowdhury 181 Beeches Road Great Barr Birmingham B42 2PZ	4/2/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	£130 – No Insurance No separate penalty for plying + 6 penalty points	£80 (£533 requested)	Pleaded guilty to two offences; one offence of plying for hire at New Street Station, Birmingham on 5 th June 2015 and one offence of consequently having invalid insurance.
2	Azad Kadir 16 Tennal Grove Harborne Birmingham B32 2HP	18/2/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Criminal Justice and Public Order Act 1994	£415 – Plying No separate penalty for touting	£700 (£700 requested)	Pleaded guilty to two offences; one offence of plying for hire outside the Plough Public House in Harborne High Street, Birmingham on 8 th July 2015 and one offence of soliciting persons to hire the vehicle

LICENSING SIMPLE CAUTIONS

During the period of February 2016, 35 simple cautions have been administered.

Local Government (Miscellaneous Provisions) Act 1976

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

Section 54(2) Eleven cautions were issued for failing to wear a private hire driver's badge in a manner as to be plainly and distinctly visible.

Sections 48(6) & 54(2) Four cautions were issued for failing to display private hire vehicle licence plate and wear a private hire driver's badge.

Section 50(3) One caution was issued for failing to report an accident to the City Council within 72 hours.

Section 56 One caution was administered for failing to produce records in accordance with an Operator's licence.

Section 57 Two cautions were issued for knowingly omitting information on licence application forms.

Licensing Act 2003

Section 57 One caution was issued for failing to produce upon request a copy of a premises licence when requested to do so by an authorised officer.

Section 127(1) One caution was issued for failing to notify Birmingham City Council of a change of address.

Byelaw 26 of the Birmingham City Council Hackney Carriage Byelaws 2008 made under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875

Six cautions were issued for failing to produce upon request a copy of the Hackney Carriage Byelaws for inspection.

ENVIRONMENTAL HEALTH CASES

APPENDIX 2

WASTE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Mahesh Vaja 629 Bordesley Green Birmingham B9 5XZ	1/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£600 (£300 x 2)	£740 (£740 requested)	Pleaded guilty to two offences; one offence of failing to prevent controlled waste being deposited on land at Bordesley Green and one offence of failing to keep and produce within 7 days, transfer notes relating to the transfer of controlled waste from Lifestyle Express, 629 Bordesley Green.
2	Salvatore Lidgbird 208 Balden Road Birmingham B32 2EU	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£330	£175 (£175 requested)	Found guilty in his absence of one offence of depositing black bags and other items of waste in Balden Road, Birmingham.
3	Asif Bejan 26 Ralphs Meadow Birmingham B32 3RW	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£400	£657 (£657 requested)	Pleaded guilty to one offence of depositing controlled waste (fly tipping), namely a bag of rubbish, from a Vauxhall Zafira motor vehicle in Simmons Leasow, Birmingham.
4	Zeeshan Umar 1 Glascote Close Shirley Solihull B90 2TA	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£255 – 1 st offence No separate penalty x remaining offence	£175 (£175 requested)	Pleaded guilty to two offences of depositing, or knowingly permitting controlled waste to be deposited (fly tipping), in that commercial waste from Shabab Tandoori Restaurant, 163-165 Ladypool Road, Birmingham was found on the pavement outside the restaurant on two separate occasions.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
5	Sumaiyah Iftikhar 672 Church Road Yardley Birmingham B33 8ES	25/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£577 – 1 st offence No separate penalty x remaining offences	£1,135 (£1,135 requested)	Pleaded guilty to six offences: three of causing controlled waste from Savannah Hair & Beauty, 627 Bordesley Green to be deposited on land outside 629 and 627 Bordesley Green which did not have an Environmental Permit and three of failing to produce written information relating to the transfer of the waste to an authorized officer.
6	Stephen Coughlin 126 Berkeley Road Birmingham B25 8NL Samantha Johnson 126 Berkeley Road Birmingham B25 8NL	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	Total £60 (£30 each)	£50 (£175 requested) £50 (£175 requested)	Coughlin pleaded guilty and Johnson was found guilty in her absence of one offence of depositing a three piece suite in Berkeley Road, Birmingham.
7	Cleaver Cardin 255 Garretts Green Lane Sheldon Birmingham B26 2SA	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	None awarded (£175 requested)	Pleaded guilty to one offence of depositing garden waste in Garretts Green Lane, Birmingham.

HEALTH ACT OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Veronica Dennison 5 The Maples Banstead Surrey SM7 3QZ	4/2/16	Birmingham Magistrates Court	Health Act 2006	£110	£175 (£175 requested)	Found guilty in her absence of one offence of smoking in a smoke free place, namely Piccadilly Arcade, New Street, Birmingham.

ANIMAL WELFARE

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Dana Dancova 42 Onibury Road Handsworth Birmingham B21 8BD	4/2/16	Birmingham Magistrates Court	The Dogs Exclusion Order 2014 The Clean Neighbourhoods and Environment Act 1995	£440	£285 (£285 requested)	Found guilty in her absence of one offence of being in charge of a dog and allowing it to roam around school grounds at St James School, Sandwell Road, Handsworth, Birmingham whilst the children were outside.
2	Kimberley Langston 261 Kitts Green Road Kitts Green Birmingham B33 9SA	4/2/16	Birmingham Magistrates Court	The Dogs Exclusion Order 2014 The Clean Neighbourhoods and Environment Act 1995	£75	£100 (£300 requested)	Pleaded guilty to one offence of being in charge of a dog and allowing it to roam around school grounds at Hallmoor School, Hallmoor Road, Kitts Green, Birmingham where children were playing.
3	Leanne Lane 140 Crocketts Road Handsworth Birmingham B21 0HS	18/2/16	Birmingham Magistrates Court	Animal Welfare Act 2006	£120 x 1 st offence No separate penalty x remaining offence	£350 (£947 + £391 kennelling & vets costs requested)	Pleaded guilty to two offences of keeping dogs at 140 Crocketts Road, Handsworth, Birmingham: one offence of causing a protected animal, namely a Rottweiler, unnecessary suffering by failing to provide a suitable diet

					Disqualified from keeping animals for 5 years		and one of failing to provide three dogs, a Rottweiler and two cross Staffordshire Bull terrier type dogs, with a safe, clean environment, clean fresh drinking water, regular opportunities for exercise, a responsible person to care for them when the owner was away and failing to take sensible precautions to keep the dogs safe from injury.
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FOOD HYGIENE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Hamid Faqiri 8 Templefield Gardens Bordesley Village Birmingham B9 4NY	4/2/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	£535 x 1 st offence No separate penalty x 2 nd offence	£500 (£999 requested)	Pleaded guilty to two offences relating to the condition of Classic Fish Bar, 276 High Street, Erdington, Birmingham, mouse droppings were found throughout the premises, including on work surfaces and within food storage containers.
2	Shaikh Amjad Mahmood 16 Foley Road Birmingham B8 2JP	4/2/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	£695 x 1st offence No separate penalty x remaining offences	£750 (£1,193 requested)	Pleaded guilty to four offences relating to the condition of Iqra Halal Meat, 22 Alum Rock Road, Birmingham, mouse droppings were found on shelves used to display food, packets of flour had been gnawed by mice, procedures based on HACCP principles were not in place and staff had not received formal food hygiene training.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
3	Suitable Ventures Ltd 2 Water Court Water Street Birmingham B3 1HP	4/2/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £5,400 (£2,700 x offences 1 & 6) No separate penalty x remaining offences	£1,774.25 (£1,774.25 requested)	Pleaded guilty to 8 offences: five relating to the condition of The Chameleon Restaurant and Bar, 1 Hill Street, Birmingham on 11 th December 2014. There were holes in the external wall and ceiling, there was evidence of mouse activity throughout the premises and badly scored chopping boards were found. Three offences relate to a further inspection on 8 th January 2015, mouse droppings were found throughout the premises, raw meat was in contact with open ready to eat food and there was no evidence of a documented food safety management system in place.
4	Chop and Wok Ltd 2-5 Suffolk Street Queensway Birmingham B1 1LT	18/2/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £7,000 (£1,000 x 7)	£593 (£593 requested)	Pleaded guilty to 7 offences relating to the condition of Chop and Wok, 11 Suffolk Street Queensway, Birmingham, the premises were dirty, there was no hot water provided to the wash hand basin and no evidence of any formal food hygiene training. Raw meat was found next to a container of noodles and there was no documented food safety management system in place and dirty and damaged plastic containers were being used to store food.

LITTERING OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Laura Guy 35 Harlech Close Birmingham B32 4JR	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
2	Tracy Humphries 42 Watton Green Castle Vale Birmingham B35 7JP	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.
3	Tariq Mahmood 29 Staplehurst Road Hall Green Birmingham B28 9AR	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Place, Birmingham.
4	Michael Mooney 4 Turves Green West Heath Birmingham B31 4AA	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.
5	Ryan O'Sullivan 369 Rocky Lane Great Barr Birmingham B42 1NL	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.
6	Gemma Hutchings 64 Silverdale Road Orpington BR5 2LT	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
7	Mariana Tudor 271 Rotten Park Road Birmingham B16 0LD	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Chamberlain Square, Birmingham.
8	Cody Smith Flat 1 155 Popes Lane Kings Norton Birmingham B38 8AS	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
9	Lu Shuer 177 Apartment Latitude 155 Bromsgrove Street Birmingham B5 6AE	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.
10	Leah Confrey 71 Grange Rise Birmingham B38 9SA	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
11	John Clancy 14 Bicknell Court Druids Heath Birmingham B14 5LY	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
12	Samantha Welch 206 Market Street Crewe CW1 2NP	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
13	Kane Burdus 18 Park Meadow Avenue Wolverhampton WV14 6HA	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£100	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.
14	Emma McGregor 7 Pinner Grove Quinton Birmingham B32 2RB	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£45 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.
15	Lisa Thompson 55 Granville Square Granville Street Birmingham B15 1UJ	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£25	£55 (£175 requested)	Pleaded guilty to one offence of dropping a drinks can on the pavement in Colmore Row, Birmingham.
16	Gavin McLeod 29 Wychbold Crescent Kitts Green Birmingham B33 9TF	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£25	£55 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
17	Leanne Green 29 Peake Road Walsall Wood Walsall WS8 7BZ	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
18	Lina Grifuolaite 19 Mitcham Grove Kingstanding Birmingham B44 0QL	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£85	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
19	Mohammed Jama Ali 4 Park Villas Witton Street Birmingham B9 4LJ	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of spitting on the pavement in High Street, Birmingham.
20	Wayne Bolton 31 Hollybush Skelton-in- Cleveland TS12 2LP	4/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.
21	Daniel Glover 46 Henry Street Hinkley LE10 0HD	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham
22	Sarah Elizabeth Moore 26 Firtree Road Birmingham B24 9SH	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£135	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt in Temple Street, Birmingham.
23	Marta Zawiasa 2/8 Winchester Road London E4 9LN	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
24	Adam John Wheeldon 168 Outmore Road Sheldon Birmingham B33 0UN	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
25	Alex Timms 124 Kimberley Road Solihull B92 8QA	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£65	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Carrs Lane, Birmingham.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
26	Robin Andrew Michael Streeter 19 Silverdale Drive Sompting Lancing BN15 9SH	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£45	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
27	Paula Dwyer 59 Churchill Road Bordesley Green Birmingham B9 5NY	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£85	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
28	Petra Dirdova 7 Bailey Street West Bromwich B70 9UE	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Rotunda Square, Birmingham
29	Muska Asghary 32 Church Lane Handsworth Wood Birmingham B20 2EP	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham
30	Thomas Piggott 22 Hawthornden Court 183 Penns Lane Sutton Coldfield B76 1JU	12/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£160	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham. Originally listed for trial.
31	Oliver Bird 34 Lypiatt View Stroud GL6 8DA	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£335	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
32	Paul Carruthers 6 Cherry Court Leeds LS6 1WB	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham
33	Blake Cole 26 Leasow Drive Edgbaston Birmingham B15 2SN	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
34	Asad Hussain 32 Bellefield Road Winson Green Birmingham B18 4EP	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
35	Ikalaq Hussain 94 Crescent Road Telford TF1 5JX	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
36	Christopher Joines 119 Westerham Road Sittingbourne ME10 1XG	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham
37	Benjamin Potter 253 James Green Way Lichfield WS13 7JZ	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£295	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham
38	Kayleigh O'Sullivan 369 Rocky Lane Great Barr Birmingham B42 1NL	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
39	Qais Ali 50 Patrick Road Yardley Birmingham B26 1SS	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
40	Avril Alick 21 Tudor Close Highgate London N6 5PR	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
41	Jade Aston 23 Carisbrooke Hse Culmington Road Longbridge Birmingham B31 4JL	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham
42	Francesca Moore 17 Rainford Avenue Manchester M20 1BR	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement at the junction of New Street and High Street, Birmingham
43	Robert McCullough 57 Armstrong Avenue Stafford ST16 3UW	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
44	Tom Marsden 21 Dorrington Green Birmingham B42 1QA	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Broad Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
45	Kasia Kowalse Flat 89 Avoca Court 25 Moseley Road Birmingham B12 0HJ	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in John Bright Street, Birmingham
46	Emma Jones 75 Newcombe Road Birmingham B21 8DD	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham
47	Karen Sutherland Coull 14 Towerhill Peterhead AB42 2GP	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
48	Waqas Rashid 17 Ward End Park Road Birmingham B8 3PH	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
49	Stewart Glen Tyler 11 Frederick Early House Studley Road Redditch B98 7XA	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
50	Kathryn Singh 7b Dewhurst Croft Kitts Green Birmingham B33 9QP	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
51	Max Charles Rathbone 5 Kingsley Avenue Redditch B98 8PL	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
52	Natalie Whiston 16 Bromford Mews 94 Alcester Road Moseley Birmingham B13 8EF	18/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
53	Tom Kozak 6 Sidney Avenue London N13 4UY	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Snow Hill, Birmingham
54	Ben James Palmer 40 Dare Road Erdington Birmingham B23 6PD	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
55	Iulion Placinta 733 Chester Road Birmingham B24 0BY	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bennetts Hill, Birmingham
56	Sebastian Dragos Flat 10 43 Henrietta Street Hockley Birmingham B19 3PS	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
57	Patrick Brian Harness 31 Greenvale Birmingham B31 1PQ	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham
58	Xuyand John 456b Glossop Road Sheffield S10 2QA	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
59	James Brady Apartment 20 Godfrey Mill Commercial Street Hyde SK14 2HH	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham
60	Andrei Costea 351 Rocky Lane Great Barr Birmingham B42 1NG	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
61	Peter Cannon 19 Lenchs Green Edgbaston Birmingham B5 7PX	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
62	Jane Annie Smith 37 Malt House Drive Dudley DY1 2BY	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Pinfold Street, Birmingham

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
63	Gemma D'Angelo 25 Alpha Way Great Wyrley Walsall WS6 6AH	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£20	£75 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham
64	Nicholas Mills 32 Nelson Road Portsmouth PO5 2AS	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£50	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham
65	Mohammed Ateeq 29 Cavendish Road Edgbaston Birmingham B16 0HY	26/2/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110 – 2 nd offence No separate penalty on 1 st offence	£250 (£250 requested)	Pleaded guilty to two offences: one of dropping a cigarette box foil on the pavement in New Street, Birmingham and one of giving a false name and address to an authorised officer

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During February 2016 two simple cautions were administered.

Food Safety and Hygiene (England) Regulations 2013

One caution was issued for failing to comply with food hygiene regulations

Environmental Protection Act 1990 Section 80

One caution was issued for failing to comply with an Abatement Notice in respect of noise from a barking dog

TRADING STANDARDS

There were no Trading Standards cases finalised in February 2016 and no simple cautions were administered.

APPENDIX 4

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – FEBRUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	0	0	1	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	65	0	0	0	0	0	0	65
Environmental Health (non FPNs)	2	1	1	4	4	0	1	0	0	2	0	15
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – FEBRUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	0	0	0	0	1	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	3	5	3	4	8	5	6	1	1	2	27	65
Environmental Health (non FPNs)	2	0	0	3	4	0	1	0	0	3	2	15
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2015 - FEBRUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	4	2	3	0	30	0	0	1	1	0	1	42
Environmental Health (FPNs) Not paid and prosecuted	2	2	2	0	504	1	0	0	1	0	0	512
Environmental Health (non FPNs)	3	8	11	11	31	3	6	8	2	7	0	90
Trading Standards	0	1	2	7	6	0	1	1	0	2	2	22

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2015 - FEBRUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	3	6	11	5	1	2	1	0	2	9	42
Environmental Health (FPNs) Not paid and prosecuted	25	30	27	30	55	20	26	18	10	25	246	512
Environmental Health (non FPNs)	4	4	9	12	18	2	6	6	1	8	20	90
Trading Standards	0	1	2	7	6	1	1	0	1	3	0	22

APPENDIX 5

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2015 - JANUARY 2016

	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Total 2015/2016	
Waste Investigation Outcomes												
Investigations into commercial waste disposal suspected offences and offences	57	32	44	123	13	27	41	33	11	22	403	
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	40	25	30	95	23	18	22	19	10	13	295	
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	2	2	4	6	6	5	1	5	6	3	40	Payment rate = 27%
<u>Section 87 Environmental Protection Act</u> . Fixed Penalty notices issued for commercial and residential litter offences (£80)	26	15	15	11	15	16	14	4	9	2	127	Payment rate = 66%
Prosecutions												
Prosecutions submitted to legal services											119	