

BIRMINGHAM CITY COUNCIL

**LICENSING AND
PUBLIC PROTECTION
COMMITTEE
20 JANUARY 2016**

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON WEDNESDAY 20 JANUARY 2016 AT 1000
HOURS IN COMMITTEE ROOMS 3&4, COUNCIL
HOUSE, BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Nawaz Ali, Bob Beauchamp, Alex Buchanan,
Basharat Dad, Neil Eustace, Mahmood Hussain, Nagina
Kausar, Tony Kennedy, Mike Leddy, Gareth Moore and Anita
Ward.

NOTICE OF RECORDING

592

The Chair advised that the meeting would be webcast for live and subsequent broadcast via the Council's internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting would be filmed except where there were confidential or exempt items.

It was noted there were no confidential or exempt items.

APOLOGIES

593

Apologies were submitted on behalf of Councillors Kausar and Kennedy for lateness and Clinton and Lines for non-attendance.

DECLARATIONS OF INTEREST

594

There were no declarations of interest submitted by Members

MINUTES – 18 NOVEMBER 2015

- 595 The Minutes of the Meeting held on 18 November 2015, having been circulated were confirmed as a correct record and signed by the Chairman.

Matters Arising

- 596 Chris Neville stated that at the above-mentioned meeting, a report had been presented on criminal courts charges whereupon the government had announced that a charge was to be applied to defendants, which would be payable to the courts. Since then, the government had withdrawn the proposal and therefore the charge was no longer applicable in prosecution cases.
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MINUTES – 16 DECEMBER 2015

- 597 The Minutes of the Meeting held on 16 December 2015, having been previously circulated, were confirmed as a correct record.
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**LICENSING AND PUBLIC PROTECTION REVENUE BUDGET
MONITORING 2015/16 (MONTH 8)**

The following report of the Acting Service Director Regulation and Enforcement and Strategic Director Finance and Legal was submitted:-

(See document No.1)

David Jones, Finance Manager, made introductory comments relating to the report advising Members of the latest revenue budget position at the end of November 2015, the position with regard to the savings programme for 2015/16 and the position on reserves and balances, adding that there had been no further changes to the budget allocation since the previous report.

He highlighted that there was more detail relating to the grant funded programmes and the proceeds of crime funded programmes as requested from previous discussions.

He referred to the budget illustrated on page 3 – paragraph 5.1 of the report which showed no changes since November 2015 and subsequently explained in paragraph 5.3 the net overspend of £1.852m had increased by £1.3m since the previous report. He stated that paragraph 5.4 provided a subjective analysis of those variations and that the main 2 service areas affected were Pest Control where the pressure was £1.136m and also Registrars which was £330,000.

He stated that there were a number of pressures against certain elements of the budget that had been highlighted to members and also relevant managers throughout the financial year, which was briefly covered on page 4 of the report. He referred to paragraph 5.5 which detailed the pressures on

employee budgets which included the pension strain relating to employees taking early retirement and also the pay award where no additional budget allocation had been granted. Further pressure was highlighted regarding Trading Standards as alternative funding streams for employee costs e.g., Hajj/Umrah travel grant was now not available in 2015/16, the decision not to continue the project was taken after the financial year had actually started which had left Trading Standards with a large pressure.

It was noted that Pest Control had implemented some of their new service plans including the clearance of in and around council housing. With regard to paragraph 5.8 of the report, the additional resources from corporate finance would come in at the year end as a year end windfall variation, so unfortunately this meant that for the in-year reporting, this report and the month 10 report and also the monthly corporate finance reports, would still illustrate a large overspend. However the year end position had now been amended to a balanced position to reflect the new services being delivered by Pest Control and also the additional resources coming in for them. It was highlighted that members would have noticed that there was a longer term solution for Pest Control which was included in the budget consultation which ended on 8 January 2016.

It was noted that the other main pressure related to the Register Office whereupon changes had been made to the income collection processes and although generating new income, some of the new services would not be in place until the new financial year and so therefore the forecast overspend for the Registry Office was £400,000. It was highlighted that some of the new services set out in the report would be commencing in February as part of the fees and charges process.

It was reported that the good news was that Environmental Health were generating a clear surplus after already achieving their 172,000 savings target for this financial year, through increased volume and increased performance of a wide range of enforcement activities which generated income to solving the pressures on the other service areas. It was noted that the overall forecast for the year was £480,000 which had reduced slightly from the £580,000 reported in November 2015.

David Jones referred to Appendix 3 of the report regarding the Illegal Money Lending England (team) which spanned the whole of the Country. It was noted that the expenditure budget was part funded by the National Trading Standards Board and by the Financial Conduct Authority. The team had 46 officers and although they were financially behind with what was expected there was still a great deal of legal costs to be received and they were working with the managers, to get the grant income in that area maximised before the year end.

David Jones referred to the Scambusters team whereby they dealt with door to door fraudsters across the central region. There were a small team comprising of 3 staff and although the financial spend at the end of November 2015 appeared to be behind they presently had a major court case which was expensive, had only just started and was anticipated it would continue for 4

weeks. It was noted that it should bring their expenditure up to the maximum in line in the final quarter of the financial year.

David Jones referred to the Proceeds of Crime Account and stated that the department operated 2 distinct accounts which were the Illegal Money Lending team and the other relating to the Trading Standards team. He referred to the £266,000 of income that had been received in the first 2 quarters of 2015/16 as a result of successful prosecutions leading to the recovery of assets, adding that they had already exceeded the £240,000 of income that had been received for the whole of 2014/15.

He concluded by stating that although they were still under a lot of pressure anticipated that a more positive year end position was expected.

In response to concerns and comments from members relating to the budgetary position the following points were made:

David Jones reiterated that the Registry Office was under a great deal of pressure and together with some historical budget pressures was trying to bring in some new services within this financial year which unfortunately had been delayed. He stated that a report would be submitted to the next committee meeting that would set out the new services and new set of fees and charges for this service area, which would help to plug significantly and further efficiencies would need to be sought in future for this area.

Following concern from members regarding the funding that had been cut for Hajj/Umrah, it was confirmed that the grant came from Central Government and that it had been a national decision to cut the funding. Chris Neville, Head of Licensing confirmed that the city had successfully run the project on behalf of the whole of England and therefore had been used as a resource by Trading Standards Departments across the Country. He assured members that the department could still continue to work on their own cases and investigations within Birmingham but additional support could not be offered to the rest of the Country.

A general discussion ensued relating to the funding cut and the detrimental impact this could have with the service being taken away.

With regard to the above, the Chairman questioned whether there was any point in making representation to the Government and although it was suggested by a member of the Committee that rather than make representation which had been made in the past, to explore the opportunity for income generation by sharing the city's expertise in liaising with other local authorities and selling the knowledge in being able to deal with these issues.

Chris Neville confirmed that they were not funded to deal with cases outside Birmingham and stated that if they wished to pay to use their officers that could be considered, however, the Trading Standards Budget was ever reducing which meant a smaller workforce, and therefore there may not be the capacity for officers to work for other local authorities, as well as the work they were paid to undertake here, adding that the preferable solution would be if the government could provide the city with some sustainable funding.

Following a further discussion whereby the Chairman agreed with members the importance of safeguarding and therefore requested that representation was made to the relevant minister to consider the reintroduction of the funding.

Chris Neville confirmed that he was happy to prepare a letter in this instance expressing the Committee's concern.

David Jones referred to Appendix 1 (£480,000 year-end) and confirmed that it was a realistic figure adding that the £1.2m from Corporate Resources was not in the actuals but was in the forecast which meant reporting a significant overspend until the year-end, adding that there was also the large overspend reported on Licensing. He stated that Licensing was a ring-fenced service area which would absorb the overspend within its balances and that work elsewhere in keeping costs under control would bring us into £480,000.

The Chairman referred to the proceeds of crime and the response from government which was circulated to all members.

Mark Croxford, Head of Environmental Health stated that the government were looking to fund through a levy the illegal money team in order that they would be able to operate across England to protect people from loan sharks and scams and added, that it was looking far more positive than it was.

Upon further consideration, it was:-

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RESOLVED:-

To note the latest Revenue budget position at the end of November 2015 as detailed in Appendix 1 of the report.

To note the position with regard to the Savings Programme for 2015/16 as detailed in Appendix 2 of the report.

To note the expenditure on grant funded and Proceeds of Crime funded programmes in Appendix 3 of the report.

To note the position on reserves and balances, as detailed in Appendix 4 of the report.

At this juncture, the Chairman stated that as the following report was important, additional time would be allocated for this item and subsequently requested that elected members kept their questions succinct in order that everyone had an opportunity to speak.

IMPLICATIONS OF THE CASEY REPORT FOR LICENSING

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

(See Document No. 2)

Chris Neville, Head of Licensing provided a detailed presentation of the report.

In response to members' comments and questions the following points were made:-

Chris Neville confirmed that training would be mandatory not an option for taxi drivers and that it would be through a condition of their licence. He stated that if they failed to attend the training their licence would be taken away as a consequence. With regard to addressing other aspects of the licensing trade, he confirmed that the department was working with some third sector organisations that had been given specific funding by government to deal with this, and they were in discussion with them on how information was provided to licensed premises in order to get the message across. In terms of reporting Child Sexual Exploitation (CSE) there was a national campaign 'See Me Hear Me' which was partly about being able to report CSE but obviously more could be done in trying to get this message out there, and confirmed that it was something to take back and consider what could be done.

Chris Neville referred to whether powers should be delegated from sub-committees to officers and confirmed that this item would be discussed in depth later this afternoon.

With regard to Rotherham and the drivers and operators that seemed to be repeatedly offending, he confirmed that where there were large operators with a number of drivers to a certain extent this would always be the case. However, he stated that one of the areas they were trying to implement at the moment was a quality rating scheme for operators. This would be a scoring system which would comprise of partly a score, based on the outcome of an inspection that officers carry out at the operator's premises, but also to try and relate as well to customer feedback and the number of times drivers were caught plying for hire who worked for a particular operator. He stated that he was aware that there was a huge resistance from the operators to do this as they argued that they had no control over whether a driver switches their radio off and goes out plying for hire. He confirmed that was what they were trying to bring forward and that they were consulting on at the moment with the trade to begin with. He added that this would potentially address some of the concerns whereupon operators and drivers that continued getting into trouble would in turn reduce their score. He further added that it would be similar to the Environmental Health for hygiene score which would illustrate how well an operator was performing.

He agreed that it was important that the training should be delivered to drivers quickly and not wait until their licences were due for renewal. With regard to Rotherham where criminal convictions took place before any action was taken, Chris Neville confirmed that the city did not do that however, expressed concern about the time it was taking for cases to be heard at committee, and stated that he would look into this matter as there should not be any delays.

With regard to complaints, he confirmed that he could submit information to the committee regarding the number and nature of complaints and agreed to provide a report to this committee. He stated that any issues pertaining to

CSE that came to the department's attention would be shared with the committee, adding that he was not aware of any at the moment.

Chris Neville whilst agreeing that the city attracted a number of out of town drivers that worked in Birmingham, confirmed that the department could only manage the city licensed drivers. He stated that discussions would take place with neighbouring authorities to ensure that all were singing from the same hymn sheet and all would try to do as much as possible. However what could really be done restricts to the people that were licensed within the city and likewise extending the scope work, the department could only deal with licensed premises and not shops as suggested. He agreed that wherever possible, they would work with neighbouring authorities and would look at the courses that were going to be delivered and ensure that they were as relevant as possible to the people attending them.

In response to the above, it was suggested by a member that the department should explore using powers and investigatory powers in a more flexible way.

Several comments from members suggested that more work needed to be done with the action plan and that the findings of the scrutiny report chaired by Councillor Ward, should feed into the action plan. It was further suggested that the city council needed to look more broadly at other authorities in dealing with these issues in order that improvements could be made.

Concern was raised by members regarding Appendix 2 of the report, where it illustrated that there was a strong link in Rotherham between CSE and men from the Pakistani Heritage Community. It was highlighted by members, the importance of tackling this issue very carefully and ensuring that the finger was not pointed at any one particular community.

Chris Neville stated that it was a fact that there was a link in the report with the taxi trade and CSE and that they were from the Pakistani Heritage. He confirmed that there was a parallel in Birmingham whereby 65% of the taxi trade was from that community. He stated that with regard to the training, they would be engaging with all drivers and requesting their help in tackling this issue in order that the drivers would be able to recognise a situation that could be a potential problem and be aware of what to do and where to go, rather than turn a blind eye.

Upon further consideration, it was:-

RESOLVED:-

That the contents of the report be noted.

That the action plan for CSE be submitted to committee once it had been updated.

THE NATIONAL FOOD HYGIENE RATING SCHEME FOR FOOD PREMISES

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

(See Document No. 3)

Nick Lowe, Operations Manager Food Safety Team presented the report stating that the purpose of the report, was to advise the Committee of the National Food Hygiene Rating Scheme, and how this was used to drive up standards in food businesses in Birmingham as well as the UK as a whole.

In response to comments from members the following points were made:

Nick Lowe agreed with the sentiments of members stating that often food poisoning could quite often be dismissed and not taken seriously. He stated that many businesses were striving to improve standards, however, unfortunately there were the odd businesses that failed to do that and therefore, by improving the transparency around the ratings of businesses hopefully it would provide the impetus and driver to those businesses less compliant. He stated that when looking at areas like the Balti triangle, it was important that the standard of the premises were good otherwise it created a very poor impression of the whole area when there were a large number of businesses in that area that were doing tremendous work to obtain those high standards.

In terms of business support, it was highlighted that all the businesses had significantly improved their ratings. He stated that the Balti triangle was a positive step for the city, confirming that he had undertaken a lot of work with some of the instigators of the scheme which included carrying out audits for businesses to ensure they were compliant with the standard and had also worked on the standard with them in, which all helped to enhance the food scene in the city.

Nick Lowe confirmed that good businesses that had good ratings often indicated this in their literature. With regard to businesses using takeaway menus with ratings could sometimes be incorrect as the literature could have been purchased some time ago and therefore may not always display the most up to date sticker. Some people find the sticker displayed on the web site does not always link into what is displayed on the door. He added that where this is found to be the case the department were taking appropriate action to ensure the correct score sticker was displayed. He stated that the department would like to link into some of the takeaway ordering web sites which was something they were looking at.

He confirmed that they undertook a lot of work with some businesses that promoted food businesses which included Voucher and Groupon and that they had an arrangement with these businesses that they contact the department with the latest information, adding that they would not promote businesses with less than a 3 rating. He referred to the sorts of partnerships

they were entering into which was again to encourage businesses that if they improved their ratings there were promotion benefits associated with this.

The Chairman put the motion contained in the report at agenda item No. 6 to the meeting and this was agreed unanimously

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RESOLVED:-

That the Chairman makes representations to the Minister requesting that legislation is amended or enacted to making it mandatory to display the food rating under the Food Hygiene Rating Scheme, in line with the Food Hygiene Rating (Wales) Act 2013.

BIRMINGHAM BEST BAR NONE 2015

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

(See Document No. 4)

Chris Neville, Head of Licensing reported on the results of the 2015 Best Bar None scheme held in Birmingham on 2 December 2015.

He reported that recognition for the scheme was becoming much harder to support as a result of increased pressures on all of the service areas. Since the report had been drafted, a meeting had been held with the police and fire service to consider the viability of the scheme for the future. The police indicated that they would not be able to offer their support next year due to competing priorities, and the fire service indicated that they could only support the scheme with the inclusion of the police and without the police partnership the partnership would cease to exist.

He confirmed that it was becoming harder to persuade premises to engage in the scheme and highlighted that although huge efforts had been made to acquire applications only 56 premises out of 2,000 had applied. He further confirmed that sponsorship was reducing and particularly from the Community Safety Partnership where funding was obtained previously was no longer available. This year there were reduced numbers of ticket sales for the awards evening which was part of the income that had contributed to the scheme, as a consequence, the 2015 scheme would be the last one.

The Chairman confirmed that it was sad to learn that it would be the last event as she had attended these awards with several members from committee and it had always been excellent to witness the uplift that it gave to businesses.

Several comments from members were submitted whereupon it was suggested that the department looked at attracting interest from organisers or perhaps the wider bit of the south side of the city and other areas where there was a night time economy.

Chris Neville confirmed that the south side bid was supported by Best Bar None and they do encourage their premises to apply. He stated that the main issue that needed to be addressed was the lack of man power and even if money was found that might contribute towards running an awards ceremony, however it did not provide the necessary man power and also the priorities that needed to be taken into account by the department.

The Chairman put the motion contained in the report at agenda item No. 7 to the meeting and this was agreed unanimously

601

RESOLVED

That the report be noted.

LOCATION CHANGES OF AIR POLLUTION MONITORING EQUIPMENT

The following report of the Acting Director of Regulation and Enforcement to the Licensing and Public Protection Committee was submitted:-

(See Document No. 5)

Mark Wolstencroft, Operations Manager Environmental Protection presented the report.

In response to members' comments, Mark Wolstencroft relating to the 2 sites, he agreed to circulate maps and provide a more detailed explanation outside of the meeting.

In response to the Chairman's enquiry relating to hackney carriages and what resources would be made available given the age of some of the vehicles, Mark Wolstencroft confirmed that he was proposing to bring a more detailed report on the cars at the next committee stating that at present there was still a great deal of unknowns. He stated that although government had mandated it they were going to produce guidance to cover what a clean air zone would be and how it could effectively work which was due to be available in the Spring/Summer time.

In terms of these specific vehicles government stated that the vehicles that were listed were the ones that were based on the government modelling and what was needed to be done in terms of the scoping studies, was actually drill down to see if the remodelling could be refined and if the areas could be refined that needed to be covered, which may be that hackney carriages fall out of the equation. He stated that he could not give any assurance until the scoping studies had been undertaken and discussions with government.

He stated that government was earmarking resources available as they have done in the past. He stated that there had been the securing of funding to convert 82 hackney carriages from diesel to LPG cleaner fuel. He stated that £5m had been made available to bid for in terms of grants that could be used to potentially electrify part of the network and then convert vehicles to run on electric or purchase new ones. He confirmed that officers would continue to

lobby for central government in order to provide funds to support the air quality pollution problem.

He referred to the funding of the second site and stated that due to it belonging to the City Council, the city would have to clear the site which was anticipated would cost under £10,000 and would have to make use of whatever in-house resources were available. With regard to private hire vehicles there was a difference in terms of hackney carriages tend to be diesel whereby private hire could either be split between diesel and petrol.

He stated that the M6 ran straight through the city and the pollution blown to the north east of the city into the northern wards did actually disperse, so that levels dropped off and due to the M6 being raised, there was better dispersal than if it was at ground level. He added that when they had responded to the consultation on the clean air zone back in September 2015, they had been asked by Defra to put a list together of the kind of things that Birmingham would like considered. One issue was for government to look at the M6 again and the way the M6 toll was funded, and whether anything could be done to improve the traffic by re-routing by the M6 toll rather than via the M6.

Mark Wolstencroft confirmed that the clean air zone that would be declared for Birmingham did not cover private hire and that it was the hackney carriages where the scoping studies needed to be carried out and the areas refined which may not be the middle ring road, but more hot spots, and more focus on specific vehicles that use those hot spots, which will be part of the work the city council officers together with Defra undertakes over the coming months.

He reported that quite a bit of work had been undertaken with colleagues and Centro in order to get the bus codes on board to invest in cleaner buses in the city centre. It was noted that there were funds available to convert 100 older buses with the selective catalytic reduction technology which reduced the nitrogen dioxide produced making them the equivalent to Euro 5 standard.

In response to the Chairman's question relating to funding for hackney carriages, Chris Neville confirmed that the local authority had received £500,000 to convert 80 vehicles to liquid petroleum gas and agreed to provide detail of how many had been converted to date. He further confirmed that the cost of each conversion was £6,500 and that the drivers paid the vat element which was approximately £1,200.

The Chairman put the motion contained in the report at agenda item No. 8 to the meeting and this was agreed unanimously

RESOLVED

That Committee endorse the ongoing monitoring strategy employed by Environmental Health.

That a further report be brought to this Committee in February detailing the announcement by Government regarding the mandating of Clean Air Zones.

COST RECOVERY AT COURT

The following report of the Acting Director of Regulation and Enforcement to the Licensing and Public Protection Committee was submitted:-

(See Document No. 6)

Chris Neville, Head of Licensing presented the report

Following a discussion, members expressed concern as to the lack of information regarding the number of people that were fined and if they paid or not paid their fines and was there a deterrent effect. It was also highlighted the lack of information relating to the costs awarded to the City Council by the courts and how much of this was collected and from whom.

Chris Neville stated that he had noted the comments and agreed to take back to see whether there was any scope for improving the system.

Stuart Evans agreed to speak to Lisa Morgan who managed the criminal team within Legal Services and liaise with officers in Licensing and Environmental Health as well as submit a joint legal report to the committee.

The Chairman put the motion contained in the report at agenda item No. 9 to the meeting and this was agreed unanimously that it be discharged and replaced with a new Outstanding Minute.

603

RESOLVED

That Outstanding Minute No 387(11) be discharged and replaced.

FIXED PENALTY NOTICES ISSUED NOVEMBER 2015

The following report of the Acting Director of Regulation and Enforcement to the Licensing and Public Protection Committee was submitted:-

(See Document No. 7)

Mark Croxford, Head of Environmental Health presented the report.

It was highlighted that in Appendix 1 there was an error due to Bournville Ward not being included in the list of wards which was confirmed would be corrected for the next report.

The Chairman put the motion contained in the report at agenda item No. 10 to the meeting and this was agreed unanimously

604

RESOLVED

That the report be noted.

**OUTCOME OF APPEALS AGAINST SUB-COMMITTEE DECISIONS
NOVEMBER 2015**

The following report of the Acting Director of Regulation and Enforcement to the Licensing and Public Protection Committee was submitted:-

(See Document No. 8)

Chris Neville, Head of Licensing presented the report.

In response to members' comments relating to the two cases that had been 'allowed' and 'allowed in part' respectively, Chris Neville confirmed that he did not know if the first case had resulted in prosecution or not and agreed to make enquiries and provide an update. He agreed that the second case was a serious momentary misjudgement and not a defence that he had come across before and hoped that it would not set a precedent.

In response to whether the committee should appeal against the decision of the second case, Stuart Evans was going to liaise with Lisa Morgan on the merits of the case and the timeline.

The Chairman put the motion contained in the report at agenda item No. 11 to the meeting and this was agreed unanimously

RESOLVED

That the report be noted.

PROSECUTIONS AND CAUTIONS

The following report of the Acting Director of Regulation and Enforcement to the Licensing and Public Protection Committee was submitted:-

(See Document No. 9)

Alison Harwood, Acting Service Director Regulation and Enforcement presented the report.

Mark Croxford confirmed that the fixed penalty notices did go forward for prosecution, unless, there were exceptional circumstances where they would be appealed to officers, and if there was not sufficient evidence there, then they would not go forward. He added that by enlarge a ticket would only be issued when an offence had been committed and if not paid would progress to the magistrates.

The Chairman put the motion contained in the report at agenda item No. 12 to the meeting and this was agreed unanimously

RESOLVED

That the report be noted.

SCHEDULE OF OUTSTANDING MINUTES

The following Schedule of Outstanding Minutes was submitted:-

(See Document No. 10)

The following Outstanding Minute No 387(11) was discharged and replaced with Outstanding Minute No. 603.

RESOLVED:-

That the schedule of Outstanding Minutes be noted and continued.

ANY OTHER BUSINESS

FIXED PENALTY NOTICES – POSSIBLE INCREASE

Mark Croxford, Head of Environmental Health reported, that there had been some communication in the newspaper earlier in the new year, where government may be looking at increasing the fixed penalty notices for littering from £80 to £150.00.

He had since been looking for additional information regarding this and had yet not seen anything else. He stated that consideration should be given to this as it was important in striking the correct balance with regard to whether it would dissuade offending, or conversely, if payments were not received this would impact on the cost to the city in taking more court cases. He stated that if there was a consultation that comes out particularly later on in the year would committee look to support an increase or remain the same.

In response to the above, members made the following comments:-

Due to the increase there could be a great deal more people disputing and taking the city council to court which could prove very expensive and therefore it was important to set the correct balance and to have a system deterrent in preventing people from re-offending. It was suggested that there should be an increase in signage to indicate how much the fines were. Several members were of the opinion that the public should know not to throw litter and part of the problem was that people believed that they could get away with it.

Mark Croxford stated that the money from the fixed penalty notices fines was kept by the court and the costs would come back to the city.

In response to whether there was any relief for an early payment Mark Croxford confirmed that there was no relief. The reason being that everyone was paying the lower payment, and the differential was not enough for the city to chase so many people paying the lower amount, and as the amount was so small, it did not warrant taking any formal action.

It was suggested that there should be more of a detailed breakdown in terms of what the city generates and what was currently charged to see if it was worthwhile moving to the increase.

The Chairman explained the timescales regarding the consultation and the fact that it may not be within the committee meeting cycle, and therefore it was suggested that the committee prepared a response in case it did not fall within the cycle, highlighting that within the consultation period there was only a six week timeframe for members to comment.

The Chairman stated that the general consensus was that a response be prepared for Mark Croxford to submit on behalf of the Committee supporting the increase with the caveats.

The Chairman put it to the vote and it was recorded that there were 10 for and 2 abstentions.

608

RESOLVED:-

That a response be prepared on behalf of the Committee for Mark Croxford to submit to the consultation supporting the increase in fixed penalty notice fines.

CT SCANNER – DIGITAL AUTOPSY – SANDWELL HOSPITAL

In response to a member's enquiry relating to the above service, Alison Harwood confirmed that the service was available in the city since the middle of last year but could only be used in certain circumstances.

iGene which is a facility now operating at Sandwell Hospital had been invited to explore whether the equipment would be suitable for the Birmingham mortuary, however they chose Sandwell as it was more suitable. The equipment is privately owned and is available for use for the residents of the city if the family requests, and the coroner decides it is suitable. The cost of the service is approximately in the region of £700. The service is advertised on the web site and communication has been made to communities, funeral directors, hospitals and faith groups that it is available.

Following a comment from a member that more communication to communities needed to be undertaken highlighting that the service was available and the reasons why it had not been installed in Birmingham, Alison Harwood reiterated that they had been trying to make sure the communities were aware of it and subsequently detailed the various areas that they had communicated with. She stated that in certain circumstances, the process could be delayed whereupon families were not keen to do and therefore added that perhaps was why there was not such a great uptake for the service in Birmingham and the neighbouring authorities.

The Chairman referred to the information that she had circulated from the coroner to members some time ago and agreed to re-circulate.

Upon further consideration:-

609

RESOLVED:-

That the information be noted.

AUTHORITY TO CHAIRMAN AND OFFICERS

610

RESOLVED:-

In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

The meeting ended at 1253 hours.

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CHAIRMAN