

BIRMINGHAM CITY COUNCIL

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

8 SEPTEMBER 2021
ALL WARDS

PROSECUTIONS AND CAUTIONS – MAY AND JUNE 2021

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of May and June 2021.
2. Recommendation
 - 2.1 That the report be noted.

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3. Results

3.1 During the months of May and June 2021, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 121 Environmental Health cases were finalised resulting in fines of £88,846. Prosecution costs of £23,539 were awarded. No simple cautions were administered as set out in Appendix 1.
- One Licensing case was finalised resulting in a fine of £440. Prosecution costs of £500 were awarded. Two simple cautions were administered as set out in Appendix 2.
- Two Trading Standards cases were finalised resulting in a suspended prison sentence, a 6 months conditional discharge and a fine of £180. Prosecution costs of 6,434 were awarded. No simple cautions were administered as set out in Appendix 3.
- Ten Waste Enforcement cases were finalised resulting in fines of £4,795. Prosecution costs of £5,495 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district from April 2021 to June 2021.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2021 to June 2021.
- Appendix 7 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City from April 2021 to June 2021. Please note this does not include other parking tickets issued anywhere else in the City.

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.

- 5.3 For the months of May and June 2021 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£41,561 has been requested with £29,034 being awarded (70%)

Licensing

£868 has been requested with £500 being awarded (58%)

Trading Standards

£23,113 has been requested with £6,434 being awarded (28%)

- 5.4 No income has been received so far from the courts in 2021/22.

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

ENVIRONMENTAL HEALTH CASES

FOOD HYGIENE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	13/5/21	Al-Shazan (Bham) Ltd 667 Stratford Road Birmingham B11 4DX	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to one offence of failing to comply with a hygiene improvement notice at Al-Shazan, 667 Stratford Road, Birmingham, requiring floors, walls, shelving, touch points, fridges and freezers, food storage containers and equipment and utensils to be thoroughly cleaned.	£1,650 fine £1,047 costs (£1,047 requested)	Sparkhill	Sparkhill
2	14/5/21	Antep Lokantasi Ltd 368-370 Ladypool Road Birmingham B12 8JY	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to 24 offences relating to conditions found at Antep, 368-370 Ladypool Road on five separates dates. The premises was not kept clean, open food was stored in areas where cockroaches were active. There was an infestation of cockroaches throughout the premises. There were no permanent procedures based on HACCP.	£12,000 £1,000 costs (£3,568 requested)	Sparkbrook & Balsall Heath East	Sparkbrook & Balsall Heath East
3	27/5/21	Khalid Javed Birmingham	Food Safety & Hygiene (England) Regulations 2013 Pleaded guilty to two offences of failing to comply with two hygiene improvement notices at Spicy Corner, 241 Pretoria Rad, Birmingham, requiring a permanent procedure based on HACCP to be put in place, implemented and maintained and accurate information with regards to the 14 prescribed allergens for all foods and drinks served on the premises to be provided	£5,340 (£2,670 x 2) £1,016 costs (£1,016 requested)	Bordesley Green	Heartlands

4	10/6/21	ZHSP Ltd Unit 4 3B Business Village Alexandra Road Birmingham B21 0PD	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to six offences relating to conditions at China Court Bakery Unit 4, 3b Business Village, Alexandra Road, Birmingham. One offence of failing to comply with an Improvement Notice requiring a permanent procedure based on HACCP to be put in place and maintained. Five offences relating to the conditions found at the premises, there was debris and spillages around shelving and holes in the cladding on the wall. The conveyor belt was damaged and torn, food storage trays were cracked and broken and paintwork on a mixer was flaking. The conveyor belt had a build up of flour on it and storage containers were dirty. Food was stored open and unprotected from contamination in the fridge. There were no procedures based on HACCP.	£8,000 £2,002 costs (£2,002 requested)	Soho & Jewellery Quarter	Soho & Jewellery Quarter
5	28/6/21	Stocktons Bakery Ltd 615 Bordesley Green Birmingham B9 5XZ	Food Safety and Hygiene (England) Regulations 2013 Food Safety Act 1990 Pleaded guilty to 19 offences relating to conditions at Stocktons Bakery, 615 Bordesley Green, Birmingham on three separate dates. Six offences were identified during the first inspection; the standard of cleaning throughout the premises was poor and there was mould on the ceiling in the production area. Utensils and scoops were stored in foods and storage bins and food was stored uncovered in the freezer. Icing bags were mouldy, the conveyor belt and planetary mixer were dirty. Knowledge of food hygiene by food handlers was poor and there were no procedures based on HACCP. Nine offences resulting from the second visit, four of failing to comply with Improvement Notices requiring information to be provided regarding allergens within products, a permanent procedure based on HACCP principles to be put in place, food handlers to be trained and food items to	Total fine £38,000 £9,000 – offences 1-6 £20,000 – offences 7-15 £9,000 – offences 16-19 £2,559 costs (£2,559 requested)	Heartlands	Heartlands

			be stored at the correct temperatures. Three offences relating to the standard of cleaning which was still poor, one relating to a Full Fat Soft Cheese which was found past its use by date and one relating to cheese which was found to be mouldy in the walk-in. Four further offences resulting from the third inspection; there were still no procedures in place based on HACCP principles, cream was found past its use by date, fresh cream scones were not kept at the correct temperature and the matrix used to provide customers with information regarding ingredients or processing aids was not accurate.			
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LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE

Date Cases Heard	Total Number of Cases	Total Fines imposed	Total Costs awarded	Total Costs requested
11/5/21	49	£10,092	£8,350	£8,575
25/5/21	43	£8,954	£3,655	£7,525
8/6/21	11	£2,130	£1,725	£1,925
22/6/21	13	£2,680	£2,185	£2,275

	Date Case Heard	Name	Fine/Penalty & Costs	Ward of defendant
6	11/5/21	Ahmed Almasri Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath East
7	11/5/21	Shaun Byrne Birmingham Proved in absence	£220 £175 costs (£175 requested)	Kings Norton South
8	11/5/21	Emma Bush Birmingham Proved in absence	£220 £175 (£175 requested)	Handsworth

9	11/5/21	Siobhain Catherine Birmingham Proved in absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
10	11/5/21	Dene Coley Birmingham Proved in absence	£220 £175 costs (£175 requested)	Castle Vale
11	11/5/21	Jack Darrell London Proved in absence	£220 £175 costs (£175 requested)	Out of area
12	11/5/21	Alan Davis Exeter Proved in absence	£220 £175 costs (£175 requested)	Out of area
13	11/5/21	Naeem Din Birmingham Proved in absence	£220 £175 costs (£175 requested)	Hall Green North
14	11/5/21	Megan Dodd Worcester Proved in absence	£220 £175 costs (£175 requested)	Out of area
15	11/5/21	David Dyas Birmingham Proved in absence	£220 £175 costs (£175 requested)	Handsworth
16	11/5/21	Damian Ebanks Birmingham Guilty	£40 £100 costs (£175 requested)	Bromford & Hodge Hill

17	11/5/21	Saber El Badaoui Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
18	11/5/21	Mohammed Javad Haidari Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area
19	11/5/21	Huhula He Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
20	11/5/21	Lukas Horvath Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area
21	11/5/21	Haval Hussain Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area
22	11/5/21	Fahima Hussein Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath East
23	11/5/21	Joseph Hyland Birmingham Proved in absence	£220 £175 costs (£175 requested)	Gravelly Hill
24	11/5/21	John Jones Birmingham Guilty	£40 £175 costs (£175 requested)	Soho & Jewellery Quarter

25	11/5/21	Christian Kelly Redditch Proved in absence	£220 £175 costs (£175 requested)	Out of area
26	11/5/21	Mudaasser Khan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bartley Green
27	11/5/21	Tyrese Lobean London Proved in absence	£220 £175 costs (£175 requested)	Out of area
28	11/5/21	Emanuel Luga Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sheldon
29	11/5/21	George Ormonde Machin Coventry Guilty	£40 £100 costs (£175 requested)	Out of area
30	11/5/21	Issac Maughan Stoke-on-Trent Proved in absence	£220 £175 costs (£175 requested)	Out of area
31	11/5/21	Simon Milburn Bedworth Proved in absence	£220 £175 costs (£175 requested)	Out of area
32	11/5/21	Samone Mindrut Birmingham Proved in absence	£220 £175 costs (£175 requested)	Hall Green North

33	11/5/21	Hassan Mohamed London Proved in absence	£220 £175 costs (£175 requested)	Out of area
34	11/5/21	Kifla Mohamed Northampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
35	11/5/21	Faran Mohammed Birmingham Proved in absence	£220 £175 costs (£175 requested)	Heartlands
36	11/5/21	Darryl Moreton Stoke-on-Trent Proved in absence	£220 £175 costs (£175 requested)	Out of area
37	11/5/21	Dorin Natasha Wolverhampton Proved in absence	£220 £175 costs (£175 requested)	Out of area
38	11/5/21	Abrar Nazir Birmingham Proved in absence	£220 £175 costs (£175 requested)	Yardley East
39	11/5/21	Marusco Neacsu Birmingham Proved in absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
40	11/5/21	Andrew Page Smethwick Proved in absence	£220 £175 costs (£175 requested)	Out of area

41	11/5/21	Antonio Pozzuto London Proved in absence	£220 £175 costs (£175 requested)	Out of area
42	11/5/21	Patrick Rafferty Dudley Proved in absence	£220 £175 costs (£175 requested)	Out of area
43	11/5/21	Terry Read Birmingham Proved in absence	£220 £175 costs (£175 requested)	Edgbaston
44	11/5/21	Ian Rixon Birmingham Proved in absence	£220 £175 costs (£175 requested)	Sparkbrook & Balsall Heath East
45	11/5/21	Sarah Rushton Telford Guilty	£146 £150 costs (£175 requested)	Out of area
46	11/5/21	Maria Santos Leicester Proved in absence	£220 £175 costs (£175 requested)	Out of area
47	11/5/21	John Sherdan Birmingham Proved in absence	£220 £175 costs (£175 requested)	Newtown
48	11/5/21	Martin Sigley Stoke-on-Trent Proved in absence	£220 £175 costs (£175 requested)	Out of area

49	11/5/21	Vlad Nicolas Stamescu Birmingham Proved in absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
50	11/5/21	Columbia Stocia London Proved in absence	£220 £175 costs (£175 requested)	Out of area
51	11/5/21	Kouadio Tiemele Coventry Proved in absence	£220 £175 costs (£175 requested)	Out of area
52	11/5/21	Florin Toma Birmingham Proved in absence	£220 £175 costs (£175 requested)	Lozells
53	11/5/21	Anthony Wood Telford Guilty	£146 £150 costs (£175 requested)	Out of area
54	11/5/21	Darren Wyatt Birmingham Proved in absence	£220 £175 costs (£175 requested)	Handsworth
55	25/5/21	James Abdou Solihull Proved in absence	£220 £85 costs (£175 requested)	Out of area
56	25/5/21	Hamed Amanelyasi Birmingham Proved in absence	£220 £85 costs (£175 requested)	Sheldon

57	25/5/21	Denis Blazejewski Smethwick Proved in absence	£220 £85 costs (£175 requested)	Out of area
58	25/5/21	James Paolo Brookes Tamworth Proved in absence	£220 £85 costs (£175 requested)	Out of area
59	25/5/21	Amy Brown Westcliffe-on-sea Proved in absence	£220 £85 costs (£175 requested)	Out of area
60	25/5/21	Lei Chu Warwick Proved in absence	£220 £85 costs (£175 requested)	Out of area
61	25/5/21	Alan Mark Corregar Smethwick Proved in absence	£220 £85 costs (£175 requested)	Out of area
62	25/5/21	Steven Curtis Croydon Guilty	£40 £85 costs (£175 requested)	Out of area
63	25/5/21	Alvaro Dorres Birmingham Proved in absence	£220 £85 costs (£175 requested)	Bordesley & Highgate
64	25/5/21	Matei Dumitru Birmingham Proved in absence	£220 £85 costs (£175 requested)	Tyseley & Hay Mills

65	25/5/21	David Edwards London Proved in absence	£220 £85 costs (£175 requested)	Out of area
66	25/5/21	Samir El-Kardali Birmingham Proved in absence	£220 £85 costs (£175 requested)	Moseley
67	25/5/21	Xie Fan Liverpool Proved in absence	£220 £85 costs (£175 requested)	Out of area
68	25/5/21	Steven Gannon Scotland Proved in absence	£220 £85 costs (£175 requested)	Out of area
69	25/5/21	Paige Griffin Willenhall Proved in absence	£220 £85 costs (£175 requested)	Out of area
70	25/5/21	Dominic Hardy Grimsby Guilty	£108 £85 costs (£175 requested)	Out of area
71	25/5/21	Alyia Ibrahim Birmingham Proved in absence	£220 £85 costs (£175 requested)	Small Heath
72	25/5/21	Kulcsar Imrene Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ladywood

73	25/5/21	Adrean Irimescu Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ward End
74	25/5/21	Ali Ismain Birmingham Proved in absence	£220 £85 costs (£175 requested)	Birchfield
75	25/5/21	Callum Joseph Jones Lutterworth Guilty	£146 £85 costs (£175 requested)	Out of area
76	25/5/21	Viktoria Jonikaite London Proved in absence	£220 £85 costs (£175 requested)	Out of area
77	25/5/21	Feng Li Dudley Proved in absence	£220 £85 costs (£175 requested)	Out of area
78	25/5/21	Rosa Lukasz Thame Proved in absence	£220 £85 costs (£175 requested)	Out of area
79	25/5/21	Lisa Maaraidze West Bromwich Proved in absence	£220 £85 costs (£175 requested)	Out of area
80	25/5/21	Kevin Mabbley Cannock Proved in absence	£220 £85 costs (£175 requested)	Out of area

81	25/5/21	Nico Ionel Mihai Birmingham Proved in absence	£220 £85 costs (£175 requested)	Bordesley Green
82	25/5/21	Ghulam Nabi West Bromwich Proved in absence	£220 £85 costs (£175 requested)	Out of area
83	25/5/21	Eszter Ocsko Birmingham Guilty	£100 £85 costs (£175 requested)	Bournville & Cotteridge
84	25/5/21	Ana Pora Wolverhampton Proved in absence	£220 £85 costs (£175 requested)	Out of area
85	25/5/21	Gemma Preston Telford Proved in absence	£220 £85 costs (£175 requested)	Out of area
86	25/5/21	Piotr Michal Rymarz Evesham Proved in absence	£220 £85 costs (£175 requested)	Out of area
87	25/5/21	Kosary Saman Skelmersdale Proved in absence	£220 £85 costs (£175 requested)	Out of area
88	25/5/21	Mohammed Shakeel Birmingham Proved in absence	£220 £85 costs (£175 requested)	Sparkbrook & Balsall Heath East

89	25/5/21	Cindy Smith Chatteris Proved in absence	£220 £85 costs (£175 requested)	Out of area
90	25/5/21	Shannon Stevenson Croydon Proved in absence	£220 £85 costs (£175 requested)	Out of area
91	25/5/21	Lee Summers Mertyr Tydfil Proved in absence	£220 £85 costs (£175 requested)	Out of area
92	25/5/21	Safarne Kistot Szidonia Birmingham Proved in absence	£220 £85 costs (£175 requested)	Ladywood
93	25/5/21	Alexandra Tomescu Birmingham Proved in absence	£220 £85 costs (£175 requested)	Bordesley & Highgate
94	25/5/21	Vanessa Treverton Solihull Proved in absence	£220 £85 costs (£175 requested)	Out of area
95	25/5/21	Lee Ware Birmingham Proved in absence	£220 £85 costs (£175 requested)	Kings Norton South
96	25/5/21	Kevin Weldon Birmingham Proved in absence	£220 £85 costs (£175 requested)	Bordesley & Highgate

97	25/5/21	Rebecca Woodward Portland Proved in absence	£220 £85 costs (£175 requested)	Out of area
98	8/6/21	Mohammed Alom Birmingham Proved in absence	£220 £175 costs (175 requested)	
99	8/6/21	Benjamin Anderson Rugby Guilty plea	£40 £110 costs (£175 requested)	Out of area
100	8/6/21	Andronika Shivla Badri Birmingham Proved in absence	£220 £175 costs (£175 costs)	Holyhead
101	8/6/21	Mateo Bradford Birmingham Proved in absence	£220 £175 costs (£175 costs)	Sutton Roughley
102	8/6/21	Chanel Millinson Wolverhampton Proved in absence	£220 £175 costs (£175 costs)	Out of area
103	8/6/21	Robbie Newman Solihull Proved in absence	£220 £175 costs (£175 requested)	Out of area
104	8/6/21	Joseph Nicholas Birmingham Proved in absence	£220 £175 costs (£175 requested)	Moseley

105	8/6/21	Matthew Reynolds Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bournville & Cotteridge
106	8/6/21	Michael Reynolds Tamworth Proved in absence	£110 £40 costs (£175 requested)	Out of area
107	8/6/21	Viron Ruci Birmingham Proved in absence	£220 £175 costs (£175 requested)	Newtown
108	8/6/21	Vuong Trung Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bromford & Hodgey Hill
109	22/6/21	Hanza Ahmed Blackburn Proved in absence	£220 £175 costs (£175 requested)	Out of area
110	22/6/21	Hannah Brecknell Birmingham Proved in absence	£220 £175 costs (£175 requested)	Holyhead
111	22/6/21	Reece Cunningham West Bromwich Guilty plea	£40 £85 costs (£175 requested)	Out of area

112	22/6/21	Florentina Duminica Birmingham Proved in absence	£220 £175 costs (£175 requested)	Aston
113	22/6/21	Khan Hussain Southall Proved in absence	£220 £175 costs (£175 requested)	Out of area
114	22/6/21	Liam Jones Halesowen Proved in absence	£220 £175 costs (£175 requested)	Out of area
115	22/6/21	Bartak Kwiatkowski West Bromwich Proved in absence	£220 £175 costs (£175 requested)	Out of area
116	22/6/21	Krystyna Manning Birmingham Proved in absence	£220 £175 costs (£175 requested)	Longbridge & West Heath
117	22/6/21	Ionica Petru Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
118	22/6/21	Eric Riu Birmingham Proved in absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
119	22/6/21	Aaron Ryan Studley Proved in absence	£220 £175 costs (£175 requested)	Out of area

120	22/6/21	Valentin Tomescu Telford Proved in absence	£220 £175 costs (£175 requested)	Out of area
121	22/6/21	Petrisor Tudor Telford Proved in absence	£220 £175 costs (£175 requested)	Out of area

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

No simple cautions were administered during May or June 2021.

APPENDIX 2

LICENSING CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
122	16/6/21	Waseem Ameen Birmingham	Town Police Clauses Act 1847 and Road Traffic Act 1988 Pleaded <u>not guilty</u> to three offences; one offence of plying for hire on Ladywell walk, Birmingham, one offence of consequently invalidating his insurance and one offence of using a vehicle in an unsafe condition due to the number of passengers he was carrying (there were five passengers). Case found proved following trial.	£440 (£200 – plying, £240 – no insurance). + 8 penalty points No separate penalty for third offence. £500 costs (£868 requested)	Alum Rock	Bordesley & Highgate

LICENSING SIMPLE CAUTIONS

Two simple cautions were administered during June 2021.

Local Government (Miscellaneous Provisions) Act 1976

Section 48(6) One caution was issued for failing to display a private hire vehicle licence plate

Licensing Act 2003

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

TRADING STANDARDS CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
123	10/6/21	Amjad Rehman Birmingham Rehman Foods Ltd T/A Food World 728-732 Stratford Road Sparkhill Birmingham B11 4BP	Consumer Protection from Unfair Trading Regulations 2008. Both the Director and Company each pleaded guilty to two offences; one relating to the sale of a pack of Aroma toilet tissues from Food World at 728-732 Stratford Road, Sparkhill, Birmingham which bore a price of £1 pre-printed on the packaging and a price of £1.49 displayed on the shelf and one offence relating to the sale of Elephant chappati flour (25kg) which bore a price of £12.49 on the packaging and £22 on another sticker. In both cases the consumers were charged the higher price.	Director 6 months conditional discharge – offence 1 £180 fine – offence 2 Company Total fine £300 £1,434 costs (£717.50 each) (£1,434 requested)	Balsall Heath West	Sparkhill
124	15/6/21 at Birmingham Crown Court	David Mark Bryan Birmingham	Consumer Protection from Unfair Trading Regulations 2008 Pleaded guilty to one offence of engaging in a commercial practice which was misleading in that representations were made that Forget Me Knot Forever, 10-12 Silver Street, Kings Heath, Birmingham was a charity, that people donating to the shop were donating to a charity and that customers who purchased goods from the shop were buying from a charity whereas Forget Me Knot Forever was a fundraising organisation and not a charity. Customers were therefore being misled.	4 months imprisonment suspended for 12 months £5,000 costs (£21,679 requested)	Out of area	Brandwood & Kings Heath

TRADING STANDARDS SIMPLE CAUTIONS

No simple cautions were administered during June 2021.

WASTE ENFORCEMENT CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
125	10/5/21	Mohanampal Sutharson Birmingham	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of depositing controlled waste, namely black bags containing waste relating to Subi Supermarket, opposite the public library on Stafford Road, Handsworth, Birmingham and one offence of failing to prevent a Section 33 contravention in that business waste from Subi Supermarket was found on the roadside opposite the public library on Stafford Road, Handsworth, Birmingham.	£350 fine £1,000 costs (£2,248 requested)	Handsworth	Handsworth
126	13/5/21	Zakariya Abubaker Haji Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a fridge, in Baker Street, Birmingham.	£500 fine £400 costs (£952 requested)	Birchfield	Sparkhill
127	17/5/21	Blake Turner Birmingham	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of depositing controlled waste, namely a builders tonne bag, from a Volkswagen Golf onto Longdales Road, Kings Norton, Birmingham. Found guilty after trial	Absolute discharge No costs awarded (£1,568 requested)	Perry Barr	Kings Norton South
128	27/5/21	Debra Williams Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to provide written information as to how the business at Obsessions, 1 Bell Lane, Shard End, Birmingham	£300 £335 costs (£335 requested)	Tile Cross	Glebe Farm & Tile Cross

			disposes of its waste.			
129	10/6/21	Salim Ali Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of causing controlled waste, namely sofa cushions and two three seater sofas, to be deposited from a Citroen Dispatch motor vehicle, on All Saints Road, Hockley, Birmingham.	£75 £741 costs (£741 requested)	Aston	Soho & Jewellery Quarter
130	24/6/21	Sunah Ali Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely building type waste, including plasterboard, panels and cardboard, from a Vauxhall Combo on Reddicap Trading Estate, Birmingham.	£200 £250 costs (£1,841 requested)	Stockland Green	Sutton Reddicap
131	24/6/21	Sukhwinder Sahota Birmingham	Environmental Protection Act 1990 Pleaded guilty to two offences of failing to respond to demands for information relating to a fly-tipping incident on Penshurst Avenue, Handsworth, Birmingham.	£107 £300 costs (£915 requested)	Birchfield	Aston
132	24/6/21	Junction 6 Autocentre Ltd Alexander House 60-61 Tenby Street North Birmingham B1 3EG	Environmental Protection Act 1990 Found guilty of three offences; one offence of depositing controlled waste, namely 12 plastic barrels of oils and cleaning liquids and foam bedding, outside CALFLO Community Centre Cameronian Croft, Bromford, one offence of depositing controlled waste, namely a large container and worktop on land at Sundew Croft, Birmingham and one offence of failing to comply with a demand requiring written information to be provided as to how the business disposes of its waste.	£2,800 £796 costs (£796 requested)	Soho & Jewellery Quarter	Bromford & Hodge Hill

133	24/6/21	Mohammed Zabir Birmingham	<p>Environmental Protection Act 1990</p> <p>Pleaded guilty to two offences; one of depositing controlled waste, namely five black bags and one white bag containing waste, from a Kia Sportage on Burbidge Road, Birmingham and one of depositing controlled waste, namely two wooden boards and three black bags containing waste, from the same vehicle on a different date on Burbidge Road, Birmingham</p>	<p>£163 – offence 1 No separate penalty for offence 2</p> <p>£671 costs (£671 requested)</p>	Alum Rock	Highgate
134	28/6/21	DM2Y Limited 301 Fox Hollies Road Birmingham B27 7PS	<p>Environmental Protection Act 1990</p> <p>Pleaded <u>not guilty</u> to one offence of failing to comply with a demand requiring written information to be provided as to how the business at Dixy Chicken, 301 Fox Hollies Road, Birmingham disposes of its waste.</p> <p>Found guilty following trial.</p>	<p>£300</p> <p>£1,002 costs (£1,002 requested)</p>	Tyseley & Hay Mills	Tyseley & Hay Mills

WASTE ENFORCEMENT SIMPLE CAUTIONS

No simple cautions were administered during May or June 2021.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-JUNE 2021

	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	0	0	0	0	0	1
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	172	0	0	0	0	0	0	172
Environmental Health (including WEU)	1	1	4	4	5	2	2	2	3	3	0	27
Trading Standards	0	0	2	0	0	0	0	0	0	1	0	3

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) APRIL-JUNE 2021

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	1	0	0	0	0	0	0	0	1
Environmental Health (FPNs) Not paid and prosecuted	2	5	10	13	19	6	12	4	1	6	94	172
Environmental Health (including WEU)	0	4	2	3	6	1	4	1	2	2	2	27
Trading Standards	0	0	1	0	1	0	0	0	0	0	1	3

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2021 – MARCH 2022

Waste Investigation Outcomes													
	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	19	55	23										
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	19	33	17										69
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	1	0	3										4
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences (£80)	0	0	0										0
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	4	5	6										15
Prosecutions													
Number of prosecution files submitted to legal services, (number produced quarterly.	2	10	6										18

Monthly Parking Pcns Issue for Current
Financial Year (excludes voids) Processing

April 2021	103
May 2021	154
June 2021	142
July 2021	
August 2021	
September 2021	
October 2021	
November 2021	
December 2021	
January 2022	
February 2022	
March 2022	
TOTAL	399