

**BIRMINGHAM CITY COUNCIL**

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

**13 JULY 2016**  
**ALL WARDS**

**REGULATION AND ENFORCEMENT**  
**ANNUAL REPORT 2015/2016**

1. Summary
  - 1.1 The report advises on the work undertaken during the year April 2015 to March 2016 by the Regulation and Enforcement Sections: Environmental Health, Trading Standards, the Register Office, Licensing, the Coroners and Mortuary service and the England Illegal Money Lending Team which report to your Committee.
2. Recommendation
  - 2.1 That the report be noted.

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### 3. Background

3.1 The sections of Regulation and Enforcement that report to your Committee are:

- i. Environmental Health.
- ii. Trading Standards.
- iii. Register Office.
- iv. Licensing.
- v. Coroners and Mortuary Service
- vi. Hosted projects The England Illegal Money Lending Service and the regional Scambusters team.

3.2 Regulation and Enforcement underwent a significant restructure in 2010/2011. During this restructure the delivery of all services was reviewed. The final operating model has continued throughout 2012/2013, 2013/2014 and 2014/2015 to deliver both statutory and other services that fulfil the corporate priorities of Birmingham City Council.

3.3 The Environmental Health section delivers services in the areas of: public health; food safety; health and safety at work; environmental protection; animal welfare; statutory nuisance; drainage; and pest control

3.4 The Trading Standards section delivers consumer protection and business support services in the areas of: consumer advice and assistance; commercial investigations; product safety; underage sales; consumer credit; internet crime; proceeds of crime; metrology; and fair trading.

3.5 The Register Office Service is responsible for the registration of births, marriages and deaths, the legal preliminaries to marriages (other than those in the Church of England), the arranging and conducting of civil marriage ceremonies, the issuing of certified copies of register entries and the legal preliminaries to and registration of civil partnerships.

3.6 The Licensing Service consists of the General Licensing, Hackney Carriage and Private Hire Licensing and Licensing Enforcement teams.

3.7 The Coroners Service and the Public Mortuary provide support staff to the Senior Coroner for Birmingham and Solihull.

3.8 Birmingham City Council Regulation and Enforcement continue to host the National Illegal Money Lending Team for England and also the regional Scambusters team.

3.9 Administrative support, management information and the co-ordination of legal proceedings with the Chief Legal Officer is undertaken by Regulation Support Services and the staff are (where appropriate) designated in accordance with the Corporate Professional Support Services.

- 3.10 The NHS Primary Care Teams was disbanded in April 2013 and the public health role was moved into the Local Authority. Officers continue to deliver significantly to public health outcomes in Birmingham.

#### 4. Devolved Services

- 4.1 Some specific Regulation and Enforcement powers are devolved to the district committees and deal with specific problems directed by Ward Members.

#### 4.2 Environmental Health:

- Enforcement matters for pest control.
- Enforcement of litter control.
- Enforcement relating to fly posting, placarding, graffiti and fly tipping.
- Pest Control Services.
- Power to authorise the picking up of stray dogs.
- Powers and duties under the Highways Act 1980, the Wildlife & Countryside Act 1981.
- Powers under Dogs (Fouling of Land) Act 1996.
- Scavenging in alleyways under Sec. 78 Public Health Act 1936.

#### 4.3 Trading Standards:

- Counterfeiting and intellectual property enforcement.
- Investigation of serious consumer fraud.
- Tackling doorstep crime, including cowboy builders and the creation of No Cold Calling Zones.
- Proceeds of Crime.
- Provision of a legal metrology service.
- Inspection of businesses.
- Provision of advice to businesses.
- Age restricted products enforcement.
- Business support including routine inspections and home authority liaison.
- Enterprise Act enforcement.
- Tobacco Control.
- Alcohol control – duties as a responsible authority under the Licensing Act 2003.
- Product safety.
- Tackling unlawful wheel clamping and private parking enforcement.
- Investigation of cases involving the sale or servicing of motor vehicles.
- Investigation of consumer civil (second tier) and criminal requests for assistance.
- Misleading pricing legislation.
- Mis-described goods and services.
- Weights and measures.

- Nuisance from second hand car dealers.
- Package Tour compliance including Hajj and Umrah.

## 5. Implications for Resources

5.1 The activities detailed in this report were undertaken within the reduced resources available to your Committee.

5.2 The Illegal Money Lending project for England and the regional Scambusters team are currently fully funded by Central Government by the Department of Business, Innovation and Skills (BIS) through a governance arrangement with the National Trading Standards Board. The budgets for these projects have been reduced and the consequences managed through staff reductions and reduced expenditure. These resources are ring fenced for this specific activity and claimed through an expenditure invoicing procedure.

5.3 There has been a reduction in resources available to deliver services within Environmental Health and Trading Standards over recent years in order to deliver the efficiencies required. The net budgets as detailed in the table below include the centralisation of Central Support Charges, Service Birmingham, Legal Services and Insurance.

Service	£ K 2010/2011	£ K 2011/2012	£ K 2012/2013	£ K 2013/2014	£ K 2014/2015	£ K 2015/2016
Licensing	204	376	490	215	(139)	(874)
Environmental Health	6,337	5,593	5,153	3,836	4,036	3,532
Trading Standards	3,414	3,133	2,857	2,004	1,931	1,593
Register Office	1,167	1,195	1,205	835	741	386
Coroners Mortuary		1,642	1,662	1,460	1,386	1,025
Pest Control	0	0	(67)	(73)	(355)	(1,720)

5.4 This has also resulted in a reduced number of budgeted FTEs within two service areas following the implementation of the Environmental Health and Trading Standards Future Operating Model, this is detailed below:

Service	FTE 2010/2011	FTE 2011/2012	FTE 2012/2013	FTE 2013/2014	FTE 2014/2015	FTE 2015/2016
Environmental Health	122.0	108.0	93.6	91.0	87.6	82.7
Trading Standards	57.7	41.1	35.1	38.8	36.4	33.4

5.5 In addition 2 Environmental Wardens were employed within the Environmental Health Service covering Aston/Nechells and Perry Barr. These posts were funded from the Wards. Due to funding constraints these posts were deleted in 2015/2016

## 6. Implications for Policy Priorities

- 6.1 The services delivered through your Committee contribute to the Birmingham City Council Business Plan 2016+.
- 6.2 Our aim is to create a sustainable, future-proof model of local public services – focused on supporting the needs of people, partnership working, empowered staff, and community engagement.
- 6.3 Our values are putting residents first; acting courageously; being true to our word, and achieving excellence.
- 6.4 The vision is based on the fundamental ideals of prosperity, fairness and democracy set out in previous years. Within this, there are six key strategic outcomes: a strong economy, safety and opportunity for all children, a great future for young people, thriving local communities, a healthy, happy population and a modern council.

## 7. Public Sector Equality Duty

- 7.1 The various actions identified in the report were undertaken in accordance with the Regulation and Enforcement's enforcement policies which ensure that equalities issues have been addressed.

## 8. Consultation

- 8.1 Consultation is undertaken with members of the public, traders and elected members wherever possible to ensure that our services are delivered and tailored to the needs of our customers and stakeholders.

## **ACTING DIRECTOR OF REGULATION AND ENFORCEMENT**

Background papers: Various files and computer records in the Licensing, Environmental Health, Trading Standards and Register Office Services.

## **ENVIRONMENTAL HEALTH**

### **Background**

Environmental Health provides a range of interventions at a local and city wide level with the principle aims of protecting public health and the environment as well as supporting businesses to succeed. The range of services includes food hygiene, health and safety, pest control, infectious disease control, noise nuisance, environmental protection, animal welfare, defective drains, dangerous trees, and environmental crime including fly tipping, littering, and fly posting. Most of our services are statutory i.e. the City Council has a legal obligation to deliver them and they are reported through the Licensing and Public Protection Committee.

All of Environmental Health's services contribute towards the public health agenda helping to protect the health of our residents, with the ultimate aim of reducing inequalities in health.

Officers deliver both reactive and pro-active services, e.g. delivering the food, health and safety and environmental protection inspection programmes as well as providing reactive services responding to requests for assistance from members of the public, elected Members and partner agencies. Our officers are highly skilled and ensure that work is prioritised according to public health risk, the impact on peoples' lives and our statutory responsibilities. There are a wide range of options available to officers to bring about improvements including the provision of education and advice or where necessary, taking proportionate enforcement action.

Officers are also responsible for initiating and managing projects aimed at improving identified problem areas. Proactive projects have been deployed on both a citywide basis focussing on specific topics, and at a local level tackling issues that have been raised through residents, community groups, forums and Ward Committee meetings. Officers are involved at all stages of project working from planning and consultation to co-ordination of partnership working and implementation. These projects have benefited greatly from partnership working with both internal departments and external partnership organisations including; the West Midlands Fire Service, Police and National Health Service. This joint working is in line with the city council's focus on integrated working and has proved efficient, effective and mutually beneficial to all of the participating organisations involved, to businesses, the residents of Birmingham and to the wider public.

Customer Satisfaction with the services has been excellent. More details are contained in the final appendix of the full report; Pest Control's overall satisfaction is 91% and 70% for Environmental Health which is good considering the regulatory nature of the work.

The work undertaken by the Environmental Health Service is précised in the table below and more descriptive detail is given in the following pages:

All Environmental Health and Pest Control Requests for Assistance		
Total Jobs		63,568
	Env Health RFAs total	26,648
	Pest Control RFAs total	15,274
	All Inspection Total	15,148
	Other Jobs not RFAs	6,498
Environmental Health Breakdown		
Waste related enquiries	RFAs	8,928
	Waste Incidents not subject to complaint	1,124
Statutory nuisance	Noise	4,451
	All others	1,351
Animal Welfare	Dog Wardens	4,151
	Animal Welfare (not dogs)	326
Food complaints		3,022
Infectious diseases		1,110
Licensing enquiries		388
Health and Safety	Enquiries	519
	Incidents (Accidents)	610
Unauthorised encampments	On council land	102
Other		1,690
Source of RFAs	Cllr, MP, CX & SD	1,447
	Public	25,201
Pest Control Breakdown		
Rats	Rat in Garden	7036
	Rat in House	4786
	Mice reported as Rat in House	455
Pests other		2,997
Source of RFAs	Cllr, MP, CX & SD	79
	Public	15,195

Environmental Health Inspections Breakdown		
Inspections	Food Inspections	3,087
	Food Standards Inspections	2,674
	Health and Safety	2,716
	No Smoking Compliance	2,749
	Duty of Care	3,711
	Animal Welfare	211

Number of Criminal Prosecutions undertaken by Environmental Health:

### **CASES FINALISED BY LEGISLATION 2015/16**

<b>LEGISLATION</b>	<b>CASES</b>	<b>OFFENCES</b>	<b>FINES</b>	<b>COSTS AWARDED</b>	<b>OTHER PENALTY</b>
Animal Welfare Act 2006	1	1	£120	£350	
Clean Neighbourhoods & Environment Act 1995	2	2	£515	£385	
Dogs on Leads Order 2014	10	12	£1,785	£2,352	
Dogs (Fouling of Land) Act 1996	2	2	£400	£437	
Environmental Protection Act 1990					
Section 33***	26	69	£35,827	£18,533	17mths imprisonment
section 34	2	3	£800	£1,256	12mth conditional discharge
Section 46	2	2	£1,320	£350	
Section 80	2	4	£1,400	£2,499	
Section 87	611	618	£109,599	£97,792	6mth Conditional discharge
Food Hygiene (England) Regulations 2006 ****	30	153	£106,696	£33,016	
Food Labelling Regulations 1996	1	3	£65	£100	
Health Act 2003	1	2	£3,600	£1,800	
Health and Safety at Work etc. Act 1974	2	1	£3,250	£16,179	
Town & Country Planning Act 1990	8	9	£2,185	£1,532	1mth conditional discharge
<b>TOTALS</b>	<b>700</b>	<b>881</b>	<b>£267,562</b>	<b>£176,581</b>	

\*\*\* includes 7 Sec 34 offences, 3 licensing act offences

\*\*\*\* includes 1 food labelling offence

### **Litter Reduction Initiatives**

Local authorities are legally required to survey and report levels of litter defacement and to report on the percentage of surveyed sites designated as defaced to unacceptable levels. During the year a programme to support continued reductions in litter levels was run across the city that involved anti-litter and free printed matter distribution scheme compliance patrols. Working with support from West Midlands Police, the patrols were up from 811 to 1,040 litter enforcement patrols with 5,855 Fixed Penalty Notices being issued for littering offences. During the year 602 criminal prosecutions were instigated against persons who committed litter offences and who declined to discharge their liability to prosecution by paying a fixed penalty amount. The average fines and court costs imposed by the court on conviction were £179 plus costs of an average £160.

Over the course of the year 247 consents were issued to permit the distribution of free printed matter in the City's designated control areas. These consent zones continue to be an effective tool in reducing defacement from discarded promotional material.



## **Street Litter Control**

Environmental Health has been promoting the voluntary agreement in relation to fast food take aways and street litter. The programme involves both statutory enforcement and roll out of a Voluntary Agreement for businesses to adopt in order to proactively undertake litter deterrent and clearance activities. Partnership working has been carried out with bodies such as business improvement districts and both small and large businesses. Businesses and local authorities play a vital role in educating the public not to drop litter and setting a good example through existing practice (an example would be where a business organizes their staff to litter pick in the vicinity of the premises on a regular basis). 700 sites were surveyed by Environmental Health which resulted in 42 notices being served and 460 businesses joining up to the Voluntary agreement. This is a well-received initiative and Environmental Health is continuing partnership working with businesses and using enforcement where required. The street litter control – voluntary agreement has been successful in 90 McDonald franchises joining the Voluntary Agreement and a further 40 Subways within Birmingham also joining the voluntary agreement in relation to helping keep the streets litter free.

## **Waste Enforcement Unit – (Commercial and Household Waste Enforcement)**

The waste enforcement unit continues to operate in a challenging area of activity in respect of demand and expectation. The WEU comprises 13 officers drawn from across the services and now partners with the waste prevention team to deliver engagement, education and enforcement.

The WEU continues to undertake enforcement interventions against all waste offences, including problems from fly-tipping, illegal commercial waste practices where businesses have no trade waste contracts and residents advancing household waste, significantly in advance of or after the weekly collection. As well as direct enforcement action the WEU has developed joint working processes with waste management, housing, parks, licensing, trading standards, environmental health and the street scene coordination. During 2015/2016 there were 8,928 requests for assistance to the Unit and wider Environmental Health teams in connection with waste and a further 1,124 related incidents discovered by the Unit where interventions and investigations were carried out. A number of significant cases were concluded during the period, including:

- Operation Priory with two offenders being sent to prison for fly-tipping 42 tonnes of rubbish in Aston, including sheep carcasses that posed a public health risk. Arrest warrants have been issued against a third defendant who fled the country).
- Prosecutions in connection with key issues being targeted by the Unit, including conviction relating to commercial fly-tipping against a multi-national developer and maintenance company (Fines and awarded costs totalling £21,554 imposed) and against a tan & beauty salon for putting out their waste for the Council to collect [at taxpayers' expense] instead of having private trade waste arrangements (Fines and cost totalling £3,459 imposed).

<b><i>Waste Enforcement Unit investigations and statutory interventions carried out. [Supported by officers from the Environmental Health team]</i></b>	<b><i>Number</i></b>
Informal warnings/advisory notes issued to residents over household waste presentation problems	23,386
Statutory notices issued to residents over household waste presentation offences	2,866
Investigations into trade waste disposal suspected offences & offences	436
Duty of care statutory demand notices issued - (requiring businesses to detail the arrangements for the proper disposal of their trade waste)	325
Duty of care fixed penalty notices issued - (£300 fixed penalty notices where businesses fail to explain how their trade waste is being disposed of)	59
Littering fixed penalty notices issued – (£80 fixed penalties issued for littering offences involving specifically litter caused from business waste or household waste)	140
Prevention of Damage by Pests Act notices issued - (Requiring removal of rubbish that is harbouring or likely to harbour rats)	107
Notifications issued to residents specifying how and when household waste should be presented for collection	326
Notices requiring removal of fly-tipped waste or noxious matter	8
Criminal investigation undertaken	497
Waste offence investigations concluded with enforcement action taken. (Fixed penalty notice issued or recommendation for legal proceedings)	107
Waste offence investigations concluded where no enforcement action was determined legally appropriate or possible	195

## **Fly Posting and Placarding**

With illegal advertising blighting the city, Environmental Health has continued to undertake a range of education and enforcement. 8 prosecutions have been brought in in relation to illegal advertising offences with total fines of £2,185 and costs of £1,532 being awarded and one case seeing a 6 month conditional discharge being imposed. Further criminal proceedings are currently being progressed against individuals and companies in relation to offences that have occurred during the course of the year. In addition to criminal proceedings your Officers have employed a range of civil remedies in order to try and bring about a reduction in illegal advertising. Such action includes charging beneficiaries of the advertisement costs incurred in the removal of their illegal advertisements. A debt of £4,144 is currently being pursued through the Small Claims Court for costs incurred in removing illegal advertising stickers from street furniture. Environmental Health continue to work with Amey under the terms of the City Council's PFI contract and with the Pest Control section. Both remove illegal advertisements and civil debt recovery will be progressed where possible.

We were successful in undertaking a joint review with West Midlands Police of the premises licence for Gatecrasher, Broad Street where the Premises licence was revoked. Specific conditions were imposed on the premises licence for PRYSM who took over the Gatecrasher site which were designed to control illegal advertising.

### **Safety of Void Commercial Properties**

In 2015/2016 Officers continued to work with colleagues from West Midlands Fire Service, West Midlands Police and Acivico on tackling problems associated with void and insecure commercial buildings. During the year, action was taken to investigate and deal with the highest risk buildings that posed an imminent injury to both fire crews and persons who might enter the building (in particular rough sleepers). The work of Building Watch runs in parallel to the City Council's Empty Property Strategy, which targets interventions at void residential buildings.

### **Domestic Noise Complaints**

This section deals with noise problems impacting on residents caused by loud amplified music, intruder alarms, barking dogs, and mechanical noise, from either a domestic, industrial or commercial source.

During 2015/2016 a total of 4,451 noise complaints were received. Many of these were resolved through informal action. Where informal action proves unsuccessful and the noise is continuing, evidence of the noise is gathered from installing noise monitoring equipment into the complainant's property and/or by officers visiting the resident's property to listen to the noise during the day or at night. Environmental Health provides an out of hours service which operates between the hours of 19:00 hours until 01.00 hours Sunday to Thursday and from 20:00 hours until 03:00 hours on Friday and Saturday. This provides an invaluable service to residents to enable evidence of the noise to be gathered at unsociable hours.

87 noise abatement notices were served for noise offences affecting residents and 11 seizures of sound equipment took place following breaches of notices. After 28 days those who pay for the full costs incurred by the city in undertaking the seizure of the noise equipment, have their property returned. In cases where further breaches of notices occurs after seizure i.e. where new or returned equipment is used to create a further problem, criminal proceedings are taken against the offender.

This service continues to be an effective way of preventing noise nuisance, and our actions have a dramatic impact on those members of the community whose lives are impacted by noisy neighbours.

### **Smoke Free Birmingham**

Environmental Health and Trading Standards work closely with other partners to control illicit and counterfeit tobacco products, underage sale and inappropriate use of tobacco in Birmingham, including Shisha and E-cigs. Tobacco control requires an integrated approach with partners because as well as being more cost effective there are other factors that require consideration:

1. Reducing smoking prevalence reduces the harm tobacco has on people's health, with a consequent reduction in health care and economic costs (worklessness) associated with early onset of morbidity and mortality from smoking related diseases. Reducing the availability of tobacco products to young people under the age of 18 contributes to reducing the uptake and subsequent addiction to tobacco.
2. Securing tobacco control has a direct economic benefit to Birmingham which is directly linked to reducing/preventing the impact from counterfeit and non-duty paid tobacco on society.
3. A regulatory focus on responsible smoking and tobacco-use directly supports compliance and tackles unfair competitive advantage within businesses [smoke free] premises, and underpins community safety initiatives relating to reducing crime and increasing safety at venues and on public transport.

The core tobacco control activities that Trading Standards and Environmental Health contribute to are:

- Protecting people from harm (from illicit tobacco; second hand smoke).
- Helping people to quit (smoke free environments and policies; working with stop smoking services).
- Preventing people from starting smoking (underage sales, point of sale displays; smoke free).
- Smoke free workplaces and public places (businesses; services and travel).

Environmental Health has responsibilities for enforcing the smoke free provisions contained in the Health Act 2006. This prohibits smoking in public places that are indoors or publicly shared vehicles or commercial vehicles. To facilitate this during 2015/2016 we continued and implemented a number of targeted interventions which included:

- Working with National Express West Midlands to prevent smoking on public transport buses.
- Proactive inspection of businesses and work vehicles to check compliance with smoke free legislation.
- Education and enforcement exercises involving the smoking of shisha, working extensively within a multi-agency setting.
- Raising awareness of shisha business compliance and public health associated issues with other agencies.
- Working with students from Birmingham City university to research effective harm reduction messages and platforms to inform shisha users
- Maintained partnership working with planning to ensure Environmental Health is a consultee with planning applications with any proposed smoking shelter.

These activities were also supported by Trading Standards around the under-age sales and Health Warnings, and by Her Majesty's Revenues & Customs in relation to

illegal importation of tobacco based products. Planning, Public Health, West Midlands Fire Service and Police Service have also provided support.

Inspections in relation to checking compliance with no-smoking legislation have continued. During 2015/2016 2749 premises were inspected. 13 complaints were received and investigated regarding smoke free non-compliance. In total 64 people received fixed penalty notices for contravening the Health Act 2006, which required payment of the statutory fee of £50 or £30 if paid early. There have been 1 prosecution, relating to businesses not complying with the Smoke free regulations under the Health Act 2006 legislation.

### **Shisha Premises**

Shisha is a sweetened form of tobacco and involves the use of a pipe or hookah which is used to inhale the smoke once it has been passed through water. The list of health effects associated with shisha is similar to those associated with cigarettes. The tobacco used in the pipes or hookahs contain tar and nicotine, and results in exposure to much higher levels of carbon monoxide. The practice of smoking shisha is not in itself illegal. However, businesses are still required to comply with the same smoke free legislation that relates to smoking in any premises where the public have access to.

Compliance and safety of Shisha premises in Birmingham has continued to be a priority. Working collectively with Environmental Health, West Midlands Fire, Police Service and Planning, these agencies form a cohesive working partnership, working with both businesses and residents to increase the safety and compliance of the businesses and increase residents confidence in their neighbourhood.

Last year, joint compliance inspections were undertaken of all known shisha premises within the city. The majority of these inspections have being undertaken with other agencies. Work in this area continues to develop during 2015/2016.

### **City Centre Project 2015/2016**

Following the outcome of the public consultation in 2015 regarding the introduction of a Public Space Protection Order (PSPO), to control amplified noise nuisance from busking and street speaking within Birmingham City Centre, a multi-agency steering group was tasked with reducing the issues associated with the activities from buskers, street speakers, peddlers, planned events, distribution of free literature and street traders within the City Centre. The group included West Midlands Police; Musicians Union; Keep Street Live; Equity; City Centre Management; Prevent team; Street Trading and Markets team and Housing – antisocial behaviour.

The PSPO consultation responses found respondents favoured voluntary agreements that focus on individuals behaviour, rather than area based blanket regulation (which the PSPO proposed), to control noise nuisance and other complaints about buskers and street speakers. Further, respondents wanted the council to demonstrate the need for any future regulation; evidence must be provided that any voluntary scheme to resolve such issues is ineffective.

Voluntary guides have been produced, for public consultation from May 2016, which inform of deemed reasonable behaviours expected for the specific street scene activity within the City. Should these behaviours not be adhered to then this forms the basis for action against individuals under the Community Protection Notice procedure (Anti-Social behaviour, Police and Crime Act 2014).

## **Pest Control**

During 2015/2016, the Pest Control Section continued to offer a range of services to both domestic and commercial customers in the city. In domestic premises we continued to include free treatment for rats. The section also continued to provide free advice on the control of all other pests, a free insect identification service and supplied free poison for the treatment of mice. The latter is available through all Birmingham City Council Neighbourhood Offices. In addition, between May and October the section offered a chargeable service for the treatment of wasps' nests to both domestic and commercial customers.

Commercially the section provided a wide range of competitively priced pest control services which are reported in the City Council's Fees and Charges Policy. The section has treated all pests (except rats at domestic properties) on a chargeable basis to all private non-food businesses and all City Council Departments. We have successfully obtained new contracts and continue to expand our portfolio of chargeable treatments. During 2015/2016 we continued to operate chargeable services for squirrels, ants, bird control and fleas. By far the greatest change has been with the continued expansion of the Land and Property Clearance Service. This has again helped to alleviate budgetary pressures. Officers continue to look for Pest Control opportunities by working closely with internal and external partners.

Furthermore, the section provided specialist support services to the Environmental Health Section and other City Council Departments. These included the clearing of 'filthy and verminous' premises and the disinfection and cleaning of areas which may have become contaminated with bodily fluids.

We continued to provide a sewer baiting service across the city to Seven Trent Water Authority to tackle rat populations in the sewerage systems by undertaking the opening and treatment of inspection chambers across the city in a scheduled program.

### ***Key achievements of the Pest Control section during 2015/2016 include:***

- The section has dealt with a total of 15,274 requests for assistance (RFA) from residents of Birmingham. Of these 11,822 were to resolve problems associated with rats either in gardens or within domestic properties.
- Pest Control has continued to liaise and promote our Property Clearance Service to internal and external partners. The role has grown in terms of capability, size of land and size of contracts. Work enquires for clearance work have increased from 363 enquires in 2014 to 721 enquires. Staff

working in this area has increased from 6.5 to 15 full time equivalent officers working 5 days per week.

- The take up of pest control treatments from internal council departments has fallen, however, the Service has received very positive feedback from those contracts which we hold. This has resulted in more opportunities being made available from existing income streams. We continue to advertise and seek opportunities offered outside Birmingham City Council.
- 321 domestic premises were proactively approached to undertake an inspection for the presence of rats. Those premises in hotspot areas which were identified as having rat infestations were treated to eradicate the problem and others were given proofing advice to prevent problems in the future.
- Pest Control secured the contract with Virgin Media to remove graffiti from their cable boxes.
- Working with Environmental Health to remove flyposting/placarding across the City of Birmingham 1500 have been taken down.

As detailed above the proactive pest control visits undertaken this year have been aimed at tackling known rat hotspots throughout the city. The programme continues to raise our profile with residents. Wards targeted include Erdington, South Yardley and Sheldon. Feedback received from many residents continues to be positive and officers have offered treatment where an active rat problem has been found.

Complaints relating to bedbugs have significantly increased. Each job is likely to take two to three times as long to complete as dealing with an average rat in garden job due to what is involved in delivering the treatment. In 2008 we received 249 requests for this service, in 2013/2014 this had increased to 595. Officers are now dealing with 816 requests for assistance in 2014/2015. As we are now charging for bedbugs from April the levels of enquires during 2015/2016 are 358.

## **Food Safety Inspections**

More than 3,080 food hygiene inspections and over 2,670 food standards inspections were carried out during 2015/2016. This represents 87% of the programmed inspections that were planned for the year. Items covered during inspections include hygiene of premises and practices, compositional standards, claims and advertising, traceability, food fraud, sampling and training.

## **Food Hygiene Rating Scheme**

Following the launch of the National Food Hygiene Rating Scheme in November 2012, the scheme has grown in popularity. The new ratings website where hygiene scores for businesses are displayed features over 6,400 Birmingham food businesses. As part of the scheme officers provide window stickers for all businesses in the scheme. The scheme, in addition to providing information to

consumers, is seen as a useful tool to encourage businesses to improve. This is demonstrated by the increasing number of businesses applying for a rescore after making improvements, over 150 made such an application in 2015/2016.

### **Food Enforcement Action**

During 2015/2016, 116 premises were found to present an imminent risk to health and were closed immediately until all necessary works were carried out. This is significantly higher than the average number of closures which are normally carried out in Birmingham. Although this could be considered a large number, compared to the total number of inspections carried out, 3,087, it only represents 3.75% of premises which seriously failed to meet basic hygiene requirements and put their customers at risk.

Throughout 2015/2016, 31 prosecutions were finalised for food hygiene and food labelling related offences, with total fines amounting to £106,761 and costs recovered of over £31,000. In addition 10 businesses received a simple caution.

### **Primary Authority Partnerships**

Officers from the Food Lead Team and Health and Safety Team have been taking steps to improve business compliance through the promotion of the Primary Authority Partnership Scheme, in conjunction with the Better Regulation Delivery Office. Regardless of its size, a business operating across council boundaries can form a Primary Authority Partnership with a single Local Authority in relation to regulatory compliance. By working closely with the business, a Primary Authority can advise on the principles of the food regulations and health and safety regulations to the businesses specific circumstances. This provides robust and assured advice and this advice must be respected by all regulators enabling the business to operate with assurance and confidence. Any activities undertaken by the Local Authority as part of the Primary Authority Partnership are recharged to the business on a cost recovery basis (the scheme does not allow for an element of profit). Partnerships have been signed with:

For food safety and standards matters partnerships have been signed with: Mondelez, Handmade Burger Company, Virgin Trains, Interstate Hotels and Resorts, Valerie Patisserie Holdings, Thai Leisure Group, Black and White and Wing Yip, with further partnerships being developed with Cross Country Trains, Chiltern Trains, and Walter Smith Butchers.

For health, safety and welfare matters partnerships have been signed with: Marks & Spencer, The John Lewis Partnership, Claire's Accessories, Valerie Patisserie Holdings, Philpotts and Gala Bingo.



## **Sampling**

Complimentary to the inspection activity already detailed as part of the City Council's statutory responsibilities we also undertake a range of proactive food related surveys. These include investigations into the microbiological safety of food products as well as composition and labelling to check that food sold in Birmingham is safe to eat and meets the statutory requirements.

As part of this programme, 8 food and water surveys were carried out comprising of 122 samples in total; this is a reduction from the 162 samples taken in the previous year. Of these 122 samples 16 were unsatisfactory. This is a slightly lower failure rate than in previous years which demonstrates the improved targeted and intelligence led programme. All of the issues identified were raised with the companies concerned and their home or primary authorities and follow up action was taken to ensure that problems were rectified and where necessary food products removed from sale.

## **Infectious Diseases and Food Poisoning**

All sporadic cases and outbreaks of gastro-enteritis are investigated. During 2014/2015, 1,109 sporadic cases and 1 outbreak were investigated. Investigations of outbreaks of gastro-intestinal disease includes the promotion of regular hand washing and disinfection of surfaces as well as other controls in order to reduce the spread of infection as quickly as possible. Officers work with the Health Protection Unit to ensure a joined up approach to controlling the spread of gastro-enteritis and food poisoning.

Officers have been dealing with a complex TB case, resulting in the application for an order to detain the individual due to the risk to the population at large.

## **Outdoor Events**

Officers have worked in partnership with the Council's Events Division. An officer was appointed to offer specialist advice concerning food safety at the major outdoor events which took place in the City including the Christmas German Market, the Vaisakhi celebrations and the Carnival. Over 60 inspections were carried out of food premises at the German Market initially to ensure the event was a success. In addition officers visited the markets weekly for the duration of the event, changing the days and hours of visiting, to monitor and ensure continued high standards. The demand in this area of work is hugely increased and for 2015 included the very high profile events in the city such as the Rugby World Cup.

## **Health and Safety Regulation**

The City Council has the responsibility for enforcing health and safety law in approximately 21,000 commercial premises. During 2015/2016 there were 3,845 health and safety related interventions made, these included inspections; dealing with requests for assistance; investigating accidents, incidents and cases of occupational disease; and targeted interventions (project work).

## Inspections

During the 2015/2016, 287 premises received proactive inspections. These were undertaken in accordance with the National Local Authority Enforcement Code ('the Code'). Inspections comprised of: high-risk rated businesses sectors; activities identified nationally as high-risk by the Health and Safety Executive; and high risk sectors and activities identified using local intelligence. They included:

- Inspecting 37 warehouses to ensure that risks from falls from height and workplace transport are controlled. This activity was a national priority as defined by the HSE.
- Carrying out interventions at 20 large car sales premises to assess the controls in place to prevent employees and members of the public being struck by moving vehicles. Again this activity was a national priority as defined by the HSE.
- Inspecting half (5) of the cooling towers, in Birmingham, for which the council has enforcement responsibility. The purpose of these inspections is to ensure that the risk from legionella is being controlled.
- Checks of gas appliances and catering equipment identified a number of unsafe catering appliances. Prohibition notices were served to prevent the use of unsafe equipment.
- Further work has been undertaken to carry out inspection of machinery at all food businesses. Prohibition Notices were served where unsafe food machinery was found (e.g. safety guards were missing or not used). As a result of ongoing concerns this work will continue in the forthcoming year.

## Requests for Health & Safety Assistance

During 2015/2016 officers responded to 279 requests for assistance concerning working conditions or practices. These included concerns regarding staff welfare and dangerous work practices.

## Incident Investigations

There were 610 notifications of accidents, dangerous occurrences and cases of occupational disease reported during 2015/2016. Whilst not all of these required investigation, 89 investigations into serious incidents were either begun or continued during the year. Some of these investigations take a considerable investment of time and have included working with expert witnesses and other regulators.

This year, incident investigations included:

- Investigation of an employee falling 3.5 metres through a sky light.
- Member of the public being seriously injured when a stage collapsed at a bingo hall.
- Electric shock incident where a young child came into contact with live conductors.

- An incident where an employee was seen loading a baler whilst it was in operation.

### Enforcement Action

As a result of enforcement activities, 105 Prohibition Notices were served requiring the cessation of dangerous activities. These related to areas such as defective fork lift trucks, dangerous gas appliances, unguarded catering equipment, scalding water in a care home, employees working at height without edge protection and dangerous electrical systems and 11 Improvement Notices were served, requiring improvements in safety standards.

Successful legal proceedings undertaken during 2015/2016 include:

- The owner of a children's nursery pleaded guilty after a child fell 3.8 metres from a first floor window. Luckily the child sustained no serious injuries, however the investigation found that the room had been part of a new extension and for 18 months the owner had failed to ensure that four openable windows had restrictors fitted to prevent falls. The owner closed the nursery following the incident and was sentenced at Crown Court, receiving a fine of £2,500 with costs of £14,000.
- The owner of a shop pleaded guilty after a customer fell 2 metres into the basement whilst works were being carried out to the shop floor. CCTV obtained during the investigation showed that over two days customers entered the shop whilst works were being carried out. The investigation found that the property owner had instructed contractors to carry out the repairs but had failed to ensure that there were suitable measures in place to prevent customers from falling into the basement whilst the shop, operated by his wife traded. The owner was sentenced at Crown Court and ordered to pay a total of £3,004.
- The company that operated a warehouse accepted a Simple Caution, after a large stone slab weighing 340kg fell against an employee during a lifting operation. The investigation found that storage arrangements for some for the stone slabs were not suitable.

### Role in National Health and Safety Agenda

Birmingham City Council continues to maintain a prominent role in the national health and safety agenda. On a regional and national level we have been prominent in representing local authorities on groups including:

- We continue to work closely with our Primary Authority Partners and have provided a positive impact through the generation of inspection plans and assured advice to reduce unnecessary inspections.
- Our officers contributed to the Primary Authority Supermarket Group which consists of local authority Primary Authority Partners who work with supermarkets. We have helped to direct consistent assured advice across the sector.

- Two business forums with local businesses to offer assistance and support in dealing with health and safety requirements.

## **Environmental Protection**

During 2015/2016 the Environmental Protection Unit (EPU) worked to safeguard public health and the environment from adverse emissions across all environmental media (land, air, and water), including emissions of noise / vibration and the control of waste. EPU comprises of four disciplines that contribute to this aim: Acoustics, Air Quality, Contaminated Land and Pollution Control.

### **Acoustics**

The development of policy and provision of services to address problems concerning both noise nuisance and environmental noise continued to play an important role in our work during 2015/2016. EPU Acoustics continue to provide expert advice and noise monitoring services to support noise/vibration complaint investigations, planning and licensing consultation issues. The primary work delivered by the service for Environmental Health covered:

Receiving 446 requests for noise monitoring to support noise nuisance complaint investigations (a slight reduction on the previous year) and installing equipment at 364 residential properties across the city. The waiting time for installation of noise monitoring equipment was been maintained at 1 week.

Continuing to provide support to the wider Environmental Health on technically complex noise nuisance cases and noise reports presented in support of planning applications, and also provide support to the Licensing Section with regards to outdoor events.

The provision of advisory support to premises licence holders when setting noise limiters imposed as conditions on premises licences.

In addition EPU Acoustics provided assistance to other Council departments, housing associations and local authorities on a fee paying basis.

During 2015/2016 this assistance brought in an in excess of £11,000, which can be broken down as follows.

EPU Acoustics received requests for noise monitoring from other Council departments (including Housing Anti-Social Behaviour officers and Social Services). In these cases EPU Acoustics install the equipment and provide analysis facilities. The investigating department then determined the appropriate level of enforcement action.

EPU Acoustics continue to offer a similar service to Housing Associations although raising £760 during the past financial year.

An EPU officer continues to provide acoustics support, on a fee-earning basis, to a nearby Local Authority. This support resulted in additional income of £1,345.

## **Air Quality**

The monitoring and improvement of air quality across the City has continued to be an important aspect of the role of the EPU with attention on local and national air quality being focussed by the European Commission commencing infringement proceedings against the UK Government for ongoing breaches of the EU Air Quality Directive. The work carried out during 2015/2016 focused on two pollutants, nitrogen dioxide (NO<sub>2</sub>) and particles [(coarse particles (PM<sub>10</sub>) and fine particles (PM<sub>2.5</sub>)]. In December 2016 the UK government announced that they intend to mandate that Birmingham implements a Clean Air Zone to address exceedances of the Air Quality objective for NO<sub>2</sub> in the City Centre. EPU staff are working with colleagues in the Transportation Department on feasibility studies for the implementation of the Zone.

In order to demonstrate the quality of the air in Birmingham the service maintained the following monitoring network:

- Air quality was continuously monitored at 6 locations across the City with a data capture rate maintained in excess of the Department of the Environment Food and Rural Affairs (Defra) target of 90%.
- Officers from the service undertook non-continuous monitoring of nitrogen dioxide using diffusion tubes at 60 sites around the city, covered by two separate tube surveys; a city wide survey, a bus interchange survey covering the city centre.
- Birmingham continues to contribute to the national polycyclic aromatic hydrocarbon and Black Carbon monitoring networks for which the Council receives payment.

The outputs from the monitoring are used to demonstrate compliance (or otherwise) with legislative limits.

Monitoring of PM<sub>10</sub> is undertaken at 2 sites and demonstrates that the City remains below the legally defined objective level. The monitoring of NO<sub>2</sub> levels showed that busy roadside locations and certain parts of the city centre continued to exceed the national annual mean objective level (of 40µg/m<sup>3</sup>). Although the levels exceed the national standard, they continue to show an encouraging downward trend at some locations.

## **Contaminated Land**

The work carried out by the Contaminated Land Function includes fulfilling the Council's obligations in respect of Part 2A of the Environmental Protection Act 1990. This involves implementation of the Contaminated Land Inspection Strategy, and ensuring that the legacy of historic land contamination is addressed during the regeneration of the City.

- A revised Contaminated Land Inspection Strategy is currently being produced and will be presented to LPPC in due course.
- During the year over 120 site assessments and/or remediation strategies were reviewed. The majority of these related to the redevelopment of brownfield sites.
- 96 formal requests for environmental information were responded to. Approximately 45% of these requests related to house sales. This work is income generating and resulted in revenue of over £8,000.

## **Pollution Control**

The work of the Pollution Control Officers covers the proactive regulation of emissions from industrial processes, the investigation of complaints relating to environmental emissions from industrial and construction sites and licensed entertainment premises in the city centre, and providing consultation responses to both Planning Management and Licensing on environmental matters. Significant achievements in 2015/2016 included:

The emissions produced by 241 industrial and commercial processes were regulated, ranging from petrol stations to the Jaguar car manufacturing plant. During 2015/2016 we conducted 161 inspections and achieved 100% completion of the planned inspection programme.

The prevention of future environmental problems is also an important element of work. During 2015/2016 Planning Management consulted us in relation to the environmental consequences of proposed developments relating to 2,424 requests for comment on specific planning applications. These included major developments which can have significant consequences within the city.

Officers are asked to comment on applications made under the Licensing Act 2003. They assessed 245 licence applications for new Premises Licences or variations of existing licences. Officers also assisted in assessing Temporary Event Notifications. This further assists in preventing future noise problems. Pollution Control Officers were also been involved in the investigation of nuisances arising from industrial premises and from licensed entertainment premises within the city centre and also assisted the Environmental Agency in investigations pertaining to permitted waste installations.

The response to notifications of illegal or unauthorised encampments, principally due to travelling families, is also a function led by this service. In 2015/2016 officers dealt with 62 such encampments on Council land and advised landowners regarding 12 encampments on private land, all in line with the Joint Protocol between the City Council and West Midlands Police.

## **Low Emissions Towns and Cities Programme**

The Low Emissions Towns & Cities Programme (LETCP) was established in 2011 and is governed by a Board comprising all West Midland Authorities<sup>1</sup> which meets bi-monthly. The LETCP is directed by a part-time Co-ordinator employed by Walsall with additional strategic and technical support contracted by Walsall and Birmingham. The objective of the LETCP is to produce and implement a West Midlands Low Emission Strategy (LES) to both encourage low emission vehicle uptake while discouraging the use of high emission vehicles.

The programme is grant funded through Defra and awards have been issued over three years, giving rise to three distinct phases to the project:

#### Phase 1 (Defra AQ Grant 2010/2011)

The development of a regional Low Emissions Strategy (LES) and Best Practice Guidance on the use of both Planning and Procurement to reduce road transport emissions.

The development of the LES will be underpinned through the findings of a Low Emission Zone (LEZ) Feasibility Study (Phase 2 of the LETCP – see below).

The Best Practice Guidances have both been published whilst the LES has undergone further revision to account for recent developments and is now in the stage of being finalised.

#### Phase 2 (Defra AQ Grant 2011/2012)

The undertaking of a Technical Feasibility Study into the deployment of Low Emission Zones (LEZs) across a range of scenarios. This has now been completed and three documents published ranging from the initial scoping study through to an health and economic assessment of two key scenarios, one being Birmingham city centre. The TFS has been instrumental in guiding the initial work into the mandated CAZ although the information within the TFS will be superseded as the work around the CAZ develops.

#### Phase 3 (Defra AQ Grant 2012/2013)

Provide additional support to Phase 1 and Phase 2.

Development of a regional Low Emission Strategy delivery programme, including an implementation plan, to accelerate the uptake of low emission vehicles and provide a road map for the provision of low emission infrastructure, required to facilitate transformation. The programme will be designed to update all West Midland Air Quality Action Plans and form part of the implementation of the 3rd Local Transport Plan.

To date the delivery programme has been held back due to the need to move phases 1 and 2 to completion. Phase 3 is expected to commence in earnest once

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<sup>1</sup> Birmingham City Council, Coventry City Council, Dudley Metropolitan Borough Council, Sandwell Borough Council, Solihull Metropolitan Borough Council, Walsall Metropolitan Borough Council, Wolverhampton City Council

the phase 1 strategy documents are published, the direction to be determined by the Project Board and to align with regional needs e.g. those of the Combined Authority.

## **Animal Welfare**

The Animal Welfare Team is responsible for a wide range of inspection and enforcement activities. These involved a variety of pet animal and livestock keepers, including licensed premises such as dog breeders, commercial kennels and catteries, pet shops, horse riding establishments, exotic and dangerous wild animal keepers, people who use and train performing animals, zoos and animal transporters. Significant achievements in 2015/2016 included:

- Fulfilling the service level agreement with the Children, Young People and Families Directorate to effect an assessment of a dog when kept by a prospective adoptive or foster parent, resulted in 77 assessments being carried out and reports being submitted. This resulted in additional income of £5,464.
- A total of 95 licences were issued to animal establishments following inspection and a further 5 performing animal certificates issued.
- Disease restrictions continued to affect the transport of farm animals and a total of 1,619 activities involving inspections and enquiries were recorded on the Defra databases. Some 15 animal transport vehicles were inspected, of which 3 were found to be defective.
- A total of 94 visits were made to the five abattoirs in the city to ensure compliance with animal movement controls and the safe disposal of animal by-product waste.
- The Dog Warden service received 4,151 requests for assistance and advice. A total of 1,067 stray dogs were seized, of which 934 were impounded at kennels and 133 returned directly to their owners. A total of 316 dogs were claimed by owners, which resulted in additional income in respect of claim charges of £6,900. A further £1,841 was recovered by the DWEO, from those dog owners whose dogs were returned to them direct.
- Concerns over the fouling of public areas by dogs resulted in 786 complaints. A total of 80 proactive dog fouling surveillance enforcement exercises were undertaken and 21 Fixed Penalty Notices being issued to owners who failed to clear up after their pets and some 50,000 poop-scoop bags were handed out to dog owners.
- Other initiatives to deal with dog fouling nuisances, involve the use of anti-dog fouling stencils on housing and park land, spraying dog faeces with high visibility paint with associated posters displayed on lamp posts and the use of CCTV cameras and signage. The DWEO also used posters produced by Tidy Britain Tidy, depicting eyes that glow in the dark. Additional computer coding now allows for the recording of dog fouling hot spots and surveillance work can be targeted accordingly.
- The DWEO worked in partnership with housing associations, residents groups, schools, West Midlands Police and other residents groups to promote and support dog fouling initiatives.

## **Dog Control Orders**



The 5 new Orders came into effect on 1 March 2014 and continue to be effective tools in tackling irresponsible dog owners who fail to control and clean up after their pets. The Orders have been implemented by the DWEO through educational and enforcement means. Some 15,000 signs have been affixed to lamp posts across the city and 612 warning letters sent to dog owners. The team have also issued a total of 36 (£80) Fixed Penalty Notices, 21 for dog fouling offences, 11 for dogs that have been seen straying off leads on public road and a further 4 for dogs that were found in childrens' play areas or school land, contrary to the dog exclusion order.

### **Promoting Responsible Dog Ownership**

Promoting responsible dog ownership is seen as essential in reducing the problems associated with the control and care of dogs and also in reducing the numbers of stray and unwanted dogs. In addition to the proactive dog fouling surveillance exercises the DWEO have also participated in a range of local community events. The 15 events undertaken involved action/enforcement days, all out days and free dog micro chipping events and were aimed at raising awareness to dog owners of their legal and social responsibilities. There was an emphasis on promoting dog micro chipping, as compulsory micro chipping for all dogs came into force on 6 April 2016. All events involve partner organisations, including West Midlands Police, Dogs Trust, People's Dispensary for Sick Animals, Park Rangers and Housing Officers. Activities involve educational and enforcement patrols, the issue of discounted dog neutering vouchers and free dog micro chipping.

### **Animal Related Complaints and Other Activities**

The DWEO assisted with 34 eviction and forced entry processes. This assisted the Council's Housing Department, Housing Associations, estate agents, and private landlords. This support resulted in additional income of £3,424.68

Officers continued to receive high numbers of complaints regarding animal cruelty. A total of 321 requests for assistance were received, which mainly concerned the keeping of dogs. Concerns related to living conditions, abandonment, lack of veterinary treatment or malnourishment. As a result of these enquires, one person was convicted of 2 offences of animal cruelty.

The DWEO continued to be part of the 'dogs at risk' scheme sponsored by the Dogs Trust. The scheme aims to reduce the numbers of unwanted puppies being produced by the distribution of discounted dog neutering vouchers. The team were able to obtain further vouchers and a total of 70 such vouchers were issued.

### **Importation of Animals**

The importation of dogs and puppies continues to be an issue of concern. Officers investigated 8 enquiries regarding dogs illegally imported into the UK. Three puppies were found to fail the import rules and were, therefore, seized and placed into quarantine kennels as required by legislation. All expenses incurred being paid by the dogs' owners. A further enquiry involved the sale of 3 puppies from premises in Birmingham. The puppies had been illegally imported from Romania and sold to residents in neighbouring authorities. After obtaining the relevant details, the

neighbouring authorities were contacted and the matters referred, all 3 puppies were subsequently seized and quarantined. The seller was issued with a caution, but was not found to be responsible for the illegal importation.

Officers also investigated 15 reports of commercially imported dogs, which had been referred by Defra. The necessary additional requirements for commercially imported dogs were found to be in place.

Other enquires dealt with by officers; include a venomous scorpion, thought to have been imported into the UK with a fruit and vegetable delivery and a Gecko which came in with a delivery of spectacle frames from Thailand. Both animals suitably located – scorpion required Dangerous Wild Animal Act licenced premises.

## **TRADING STANDARDS**

Trading Standards offer a wide variety of services to the public and to traders as detailed below.

### **Age Restricted Products**

The prevention of the supply of age restricted products to minors remains a key priority for both the Licencing and Public Protection Committee and the Trading Standards Service. This area of work was undertaken by the Specialist Services Team who conduct advice visits to retailers, undertake test purchase exercises with the assistance of young volunteers and where necessary, take enforcement action against those who fail to comply with their legal responsibilities. Four officers from the team have been dedicated as leads for the four Local Policing Units and liaise closely with partners such as the police and fire service to tackle complaints of anti-social behaviour where it is suspected that the supply of age restricted products is a factor.

Last year a total of 22 complaints were received for the whole range of age restricted products. This shows a reduction of 52% overall on last year's figure of 42. All premises where complaints have been made are visited by officers and advised on the law. A follow up test purchase is done as soon as reasonably practicable.

Last year 123 advisory visits were carried out at premises across the city; many of these were joint visits with the Police as part of a number of initiatives and operations. The visits included those premises that had applied for a Premises Licence to sell alcohol.

We are working hard with partners to raise the profile of this issue to ensure that we receive complaints. We suspect that there may be under-reporting in this area; or it could be that young people have stopped using traditional tobacco and moved to E-cigarettes which may not generate many complaints from the public.

We have not had any complaints in relation to proxy purchases of age restricted products.

### **Alcohol**

5 complaints were received relating to the alleged sale of alcohol to minors. All premises that were subject to a complaint received a visit from an Officer to give them a notice and information pack reminding them of their legal obligations.

5 test purchases of alcohol were attempted; these resulted in no sales to our volunteers.

Overall complaints were down on last year (16) and the number of sales to our volunteers was zero. This is an excellent result and demonstrates that the advice and interventions made by officers is having an impact. The team focus on those premises where complaints have been received to ensure that our work is intelligence led.

## **Tobacco**

Trading Standards received 15 Requests for Assistance relating to the alleged sale of tobacco to minors last year; this too is a reduction on last year's figure of 20. 10 test purchases of tobacco were attempted using an underage volunteer; no sales were made, which again is an excellent outcome.

### **Tobacco Display Ban**

Since 6 April 2015, under The Tobacco Advertising and Promotion (Display) (England) Regulations 2010 / The Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010 all tobacco must be removed from permanent display. It is now illegal for all retailers to openly display tobacco products and they must follow strict guidance on how their prices are displayed. This is to prevent access to tobacco products by those under eighteen.

The Service participated in a regional survey and visited 15 premises to check for compliance. 13 premises were fully compliant with display and pricing requirements met, only 2 required advice on how to be compliant.

## **Fireworks**

The number of specialist premises selling fireworks continues to decline as most fireworks are now generally sold through supermarkets. Trading Standards do not register premises; this is done by West Midlands Fire Service (WMFS). We liaise with them to ensure that all registered premises are sent an advisory pack; this year WMFS sent copies of the required Statutory Warning Notice with all licences. The advisory pack sent by Trading Standards includes information on how to prevent sales to under eighteens, how to store fireworks and information on safety standards. We also engage with the police to ensure that they have a point of contact should any issues arise.

Only 5 complaints /enquires were received during the 'Firework Season'. One was completely spurious, one was referred to WMFS and two resulted in inspections at premise after complaints about underage sales, however, it is thought that these were totally unjustified as the premises were well run and fully compliant. One complaint related to a minor labelling fault which was dealt with by a neighbouring local authority.

## **Knives**

This year there was 1 complaint received regarding an alleged knife sale to under 18's. This resulted in an advisory visit as there was no evidence that a sale had taken place. Officers have also engaged with Police colleagues in Birmingham North and carried out joint exercises together.

### **Other Age Restricted Products and Services**

On 1 October 2015 The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 came into force. This legislation was made under the

Children and Families Act 2014 and prohibited the sale of such products to under eighteens. It also makes it an offence for someone to purchase such products for someone under 18. There are exemptions for products classified and supplied as medicines as a cessation device. These products are popularly known as e-cigarettes although they can come in many different shapes.

Trading Standards received 3 complaints about under eighteens having access to Nicotine Inhaling Products; but this was prior to the law coming into force. These would have been followed up by advice where appropriate.

The Service participated in a regional survey and sent advisory letters to premises that were potential sellers of such products. Following on from that officers visited 12 premises with underage volunteers and test purchases were attempted. There was 1 sale made which resulted in an officer warning on this occasion.

### **Car Crime – Vehicle Misdescription**

Buying a vehicle remains one of the single most expensive purchases a consumer will make (apart from property). Unfortunately it is common for unscrupulous traders to mislead consumers when describing vehicles in advertisements. Consumers are entitled to know 'material information' regarding a vehicle's condition and history before making a decision to buy. They need to be assured that the vehicle is correctly described and most importantly safe. Trading Standards have a crucial role in identifying vehicles which may have been mis-described. The Trading Standards Service advises businesses on how they can ensure they meet their obligations when selling vehicles. Trading Standards will also investigate incidents where vehicles have been mis-described.

### **Successful outcomes:**

1. Neil Gaffney of Kings Norton pleaded guilty to advertising a vehicle for sale on EBay and Gumtree. He omitted to mention that he worked in the motor trade, creating the false impression that he was a consumer selling the vehicle.

The vehicle was subsequently examined and found to be in an unroadworthy condition. This resulted in a prosecution; he pleaded guilty in Birmingham Crown Court for offences under the Road Traffic Act 1988 and the Consumer Protection from Unfair Trading Regulations 2008 and was sentenced to five months imprisonment. The court also ordered Mr Gaffney to pay compensation of £2,810 to the customer who bought the vehicle.

2. Sajid Ramzan, who ran A45 Motor Centre, based on the Coventry Road in Yardley, was found guilty in his absence of five offences under the Consumer Protection from Unfair Trading Regulations 2008. He was fined £5,000 and ordered to pay court costs of £6,503 plus a £120 victim surcharge. The car was also subject of a forfeiture order.

The case was brought after officers carried out a forecourt inspection on 11 June 2014 and found that an Italian replica Ferrari F335 GTS on sale had travelled

183,000 miles; 100,000 more than was displayed. The vehicle was also an undisclosed Category C insurance write off.

Further checks also revealed the red car was originally yellow, only had a 2000cc engine capacity rather than the advertised 3.5l, and was dangerous and unroadworthy; it had been advertised as being in 'excellent condition'.

Officers returned to A45 Motor Centre on 13 June 2014 to seize the fake Ferrari. The defendant could have made simple checks to verify the true mileage and its write-off status. A full examination of the vehicle before sale would have also alerted him to the fact the car was dangerous and should never have been sold.

The decision was upheld despite an appeal by Mr Ramzan who was ordered to pay a further £1,000 costs.

Officers have also carried out other investigations and issued advice and warnings where appropriate. These interventions have resulted in consumers getting redress of £16,653 and £1,200 from traders in relation to cars supplied that were not as described.

### **Clocked Cars**

Vehicles are commonly mis-described in relation to their mileage readings. Traders will falsify mileages by altering the odometer reading; this is known as "clocking". This is done in order to make the vehicle more appealing to a prospective purchaser and hence add financial value on the sale. Thus the seller makes a financial gain by altering the history.

Altering the history or description of a vehicle is a criminal offence under the Consumer Protection from Unfair Trading Regulations 2008 and can also be an offence under the Fraud Act 2006. Car clocking is a wide-spread fraud which often involves numerous individuals conspiring together in a gang. They often use internet selling sites to reach buyers all over the country. The ease of setting up on-line accounts allows the rogue seller to hide their own identity and use false accounts to cover up their tracks.

Car clocking is a serious criminal activity that can affect anyone who purchases a used car. When purchasing used vehicles mileage is a major selling point. Where consumers unknowingly purchase a vehicle that has been clocked not only are they purchasing a vehicle that has been misrepresented they are also more often than not purchasing a vehicle that can have major mechanical problems that lead to expensive repair bills in the future.

In 2014 Birmingham Trading Standards had successfully prosecuted 4 offenders who had worked together to alter the mileages of over 50 vehicles. They were sentenced on 17 July 2015 for conspiracy to defraud members of the public by selling clocked cars. This was a lengthy and complicated investigation. The defendants were finally sentenced in Birmingham Crown Court for offences under the Fraud Act 2006:

- Abid Hussain - 61 months immediate custody.

- Nadeem Abid - 56 months immediate custody.
- Waseem Abid - 18 months immediate custody.
- Shahid Mahmood - 18 months immediate custody.
- Rashid Mahmood – 66 months immediate custody.

It is thought that over 255 cars had been clocked by the conspiracy between 2007 and 2011 with over 50 cars forming the main crux of the case. Most of the vehicles had been sourced at auction with high mileages and then subsequently clocked with some losing over 100,000 miles.

Our accredited financial investigators are continuing to pursue asset recovery for their criminality under the Proceeds of Crime Act 2002.

### **Consumer advice and assistance**

The Service no longer provides general consumer advice.

Members of the public requiring consumer advice are referred to the Citizens Advice Consumer Service (CACS).

CACS provide consumers with advice about their rights and what actions are open to them to resolve their civil disputes.

Referrals will be made to our Service by the CACS where it is considered that there is a criminal element to the complaint or where the consumer is considered vulnerable.

A total of 4,762 requests for assistance were received by the service last year.

### **Counterfeiting - Intellectual Property Theft**

Trading Standards work hard to combat the manufacture, sale and supply of counterfeit consumer goods. Counterfeiting is harmful to the economy and national research indicates that UK manufacturing loses £11 billion a year as a result of counterfeit products.

Tackling the sale of counterfeit goods provides a level playing field for Birmingham businesses which in turn supports local jobs and improves the local economy.

Throughout the year, 318 complaints have been investigated in relation to various household products, including: electrical goods, clothing, DVDs, alcohol, tobacco, and cosmetics. Priority has been given to goods which may have an impact on consumer safety, in particular electrical goods, tobacco and alcohol.

A number of proactive enforcement operations have been conducted using a tobacco sniffer dog to search for counterfeit tobacco. These visits have been combined with intelligence led visits to alleged sellers of counterfeit alcohol.

A total of 8,610 items have been seized suspected of being counterfeit with a street value of £70,144. Goods have been seized from street sellers, retailers and wholesalers.

Out of the complaints made 46 related solely to Intellectual Property crime on the internet.

One large scale investigation ran a three week trial in the crown court. The end result was a hung jury. Around £100K worth of motoring memorabilia was seized which had been sold on the internet and was deemed to breach the Trade Marks Act in that they were infringing copies. Despite the outcome of the trial the judge has awarded forfeiture of the goods saying that in her opinion they were indeed infringing goods and should be destroyed.

The service has seen a large increase in online sellers utilising Facebook to sell illicit products. We took part in two nationwide projects coordinated by the National E-Crime Unit; aimed at reducing on line sales of counterfeit goods, these were known as Operation Jasper 1 & 2. We contacted over 20 Facebook sellers issuing cease and desist letters. These are warning letters advising on the law and asking them to stop the activity to bring them into compliance. One investigation is ongoing.

In another case, following a complaint officers visited the premises of Phonetec Ltd trading as Akees in Kingstanding. Around 1800 items were suspected to be counterfeit which equated to around 90% of the stock; it was seized and subsequently examined and proved to be counterfeit. The owner, Mohammed Akhtar Musejee, pleaded guilty to 19 offences under the Trade Marks Act 1994 and received an eight-week suspended prison sentence for his involvement in the crime.

In addition to this, confiscation proceedings under The Proceeds of Crime Act 2002 have now been concluded and he was ordered to pay £100,000.

There are a number of cases under investigation and other matters going through the court process awaiting final sentencing.

## **Product Safety**

Trading Standards enforce the provisions of the Consumer Protection Act and the General Product Safety Regulations aimed at ensuring all consumer products are safe to use.

The Trading Standards Service received 313 safety related enquiries over the year; these included toys, cosmetics and other household goods. The highest number of complaints related to electrical goods.

## **Furniture**

Upholstered furniture in the UK must comply with the provisions of the Furniture and Furnishings (Fire) (Safety) Regulations 1988. These require that the fabric and fillings conform to specified British Standards covering flammability.

In the previous year products were purchased and tested for compliance. As a consequence some items were suspended or seized with follow up exercises



undertaken this year to 3 retailers. Cautions were subsequently issued for labelling issues.

### **Sun Bed Safety**

The Service continued to test sunbeds at premises in Birmingham for UV irradiance. The European standard **BS EN 60335-2-27:2013** specifies particular requirements for appliances for skin exposure to ultraviolet and infrared radiation. The standard makes reference to safe limits for UV irradiance as a limit of 0.3 W/m<sup>2</sup>.

Offering sunbed services is deemed to be a supply of a product under the General Product Safety Regulations 2005 (GPSR), and as such the product should be safe. It is an offence under the Regulations to supply a dangerous product, namely one that is one that is not a safe product.

42 inspections were carried out between 2014 and 2016 across Birmingham. 19 premises were found to have equipment that wasn't compliant. Between 2014 and 2016 a total of 132 sunbeds were tested. Combinations of vertical and horizontal sunbeds were included in the tests. The premises that failed were instructed to bring them into compliance. These premises were then revisited and sunbeds retested to ensure that they were within safe UV levels.

### **Cosmetics**

In recent years Birmingham Trading Standards has discovered non-compliant cosmetics in particular for the Asian and Afro Caribbean market. The following is an example of a case concluded in court following investigations carried out in the previous year.

Rehan Birmingham UK Limited based at Green Lane was visited and found to have a product known as Surma on the counter for sale. In addition to this the premises also had for sale a number of Apple Style chargers; these were suspected not to comply with the Electrical Equipment (Safety) Regulations 1994. Several cosmetic products including Asli Mehak Dulhana Henna, MR (Black Eye Powder), Olivia Crème Bleach and a number of others were identified that did not comply with the labelling requirements of the Cosmetic Products (Safety) Regulations 2008.

Upon testing products were found to contain mercury which is prohibited for use in cosmetic products. KalaKola 45 Oriental Black hair colour contained Di Amino Toluene Sulphate which is also a compound that is prohibited in cosmetic products.

On 6th August 2015 Rehan Birmingham UK Ltd & Fozia Ali pleaded guilty and were fined a total of £9,200.

In another case, Maaz Supermarket Ltd, pleaded guilty to 9 offences concerning non-compliant cosmetics such as Kala Kola Hair tonic which contained lead and Stillman's Freckle Cream which contained mercury. Officers had seized more than 300 items, including cosmetic products which were not labelled properly or contained banned ingredients. Samples of several seized products were tested at the council's laboratories and results showed Stillman's Skin Bleach Cream contained mercury

(2.5 per cent) while KalaKola Hair Tonic contained levels of lead (one per cent). Both mercury and lead are prohibited for use in cosmetics as they are very toxic.

Fines of £250 were imposed on 7 matters and £350 on each of the aggravated matters (products found to contain lead and mercury). Full costs in the sum of £3,686.55 were also awarded and forfeiture and destruction was granted for all seized items.

A number of other cases where non-compliant cosmetics were discovered are still subject to further investigation.

## **Electrical Goods**

Concern remains about the importation of cheap electrical products such as phone chargers, adaptors and other mobile phone accessories. These are prevalent on the internet however consumers are unaware that they are often counterfeit and unsafe.

An issue for Trading Standards nationally has been the use of fulfilment houses where goods are purchased online with payment being made to far eastern countries but the goods are then distributed via a local storage and distribution firm.

A Birmingham Fulfilment House was ordered to pay £9,821 after pleading guilty to three offences under the General Product Safety Regulations 2005 (GPSR's) at Birmingham Magistrates Court on 17 March 2016. This case was brought against the company and possibly being the first case of its kind by using the provisions set out in the GPSR's as opposed to the Electrical Equipment (Safety) regulations 1994, thus removing the requirement to prove "SUPPLY".

Yi Li, principal director of Newemoo Ltd, which trades from 2-4 Benacre Drive, in Digbeth, also pleaded guilty to three offences relating to the safety of electrical goods distributed by the company for online electrical retailers based in the Far East. Both Li and Newemoo Ltd were fined £2,250 each and ordered to pay £5,171 in costs, plus a £75 victim surcharge each.

The case was brought following a referral from Hampshire County Council, after a test purchase of an X6 Cubot smart phone kit on 21 August 2014. Independent safety tests revealed the phone charger posed a serious risk of fire and electrical shock.

Officers subsequently visited the firm's warehouse, where they found a quantity of similar Cubot phone kits from the same manufacturer in China and other similar items. Three phone kits were taken for examination and testing; one of which failed the safety test on marking and instructions, and notably posed a serious risk of fire and electric shock.

## **Second Hand Electrical Goods**

As part of a regional trading standards project, 10 shops supplying second hand electrical goods were visited. These were typically charity shops. Also present was an electrician who carried out basic safety screen testing of some of the products found for sale. A few issues such as faulty plugs were found and advice given. All those visited welcomed the advice from officers and readily cooperated in removing

any unsafe items and were given further advice on ensuring goods supplied are safe.

### **Hover boards/balance boards Safety**

In late 2015 Hover boards were being imported into the country in vast quantities by numerous importers. However, Port Authorities such as Suffolk Trading Standards became increasingly concerned about their safety following several reported incidences where they had over-heated or had been alleged to cause fires.

Sampling identified that some had poor quality plugs and chargers. A further, and perhaps more serious issue identified later with some of the boards was that the battery and cut off switch within the board itself continued charging even when the battery was fully charged, causing overheating, which had in some instances resulted in fire.

The Port Authorities were being overwhelmed with the quantity of hover boards being imported. Consequently consignments were being released with the relevant Trading Standards Service notified and left to take appropriate action.

Over the December to January period Birmingham Trading Standards received a number of such notifications. As a result the importers were visited and where required safety documentation could not be produced, suspension notices were issued. In all 9 suspension notices were issued covering 1,766 hover boards.

Officers have been working with businesses to ensure steps are carried out to bring the boards into compliance; where this has not yet been achieved the suspension prohibiting their supply remains in place.

### **New Psychoactive Substances**

These are also known as 'legal highs'. Officers in Birmingham have been proactive over a number of years in tackling this issue. We have engaged with medical professionals, public health and police in ensuring that these products are not sold. The use of such products has caused serious health issues and the work we do will help prevent harm.

New legislation was due to come into force in April 2016 (now in force as of 26 May 2016). In the run up to this officers took part in a police led day of action across the region in January 2016.

70 shops were visited in all towns and cities in the West Midlands. In Birmingham letters were given to 14 retailers selling new psychoactive substances (NPS), warning them of their potentially lethal consequences. All of those we visited said that they would stop selling products once the legislation was in force.

This exercise generated a lot of publicity and an interview was given to Big Centre TV. In addition officers were asked to present at a Night Time Economy conference on the issues around alcohol and psychoactive substances.

Further joint work is planned with the police once the legislation is in force to ensure compliance.

### **National Consumer Week**

This year's theme focused on and promoted the campaign '**Know your New Rights**' to raise consumer awareness on the new Consumer Rights Act: an extensive piece of legislation that came into force on 1 October 2015. The aim was to make it clear to businesses and consumers what protection customers have when they buy goods in stores or online which are later found to be faulty or misdescribed.

Birmingham Trading Standards held 11 events over the week in Birmingham. We set up stands in Libraries, Community Centre's, Bingo Halls and Leisure Centre's. Information packs were given out containing information from the Chartered Trading Standards Institute, Citizens Advice Bureau about the Consumer Rights Act 2005 and general consumer advice.

The events were well received and gave officers the opportunity to interact with consumers. The outcome of these events is that consumers are more aware of their enhanced rights under the new Act which will lead to greater confidence when buying goods and service. Across all events, 36 Questionnaires were filled out.

When buying goods or services in Birmingham 83.9% of those asked were confident that they would receive the goods/services that they asked for at the price advertised and in the correct quantity.

### **Rogue Traders - Doorstep Selling/rogue builders**

Although it is not illegal to sell goods at the doorstep there are rules that traders must follow when trading in this way; such as informing consumers that they will have a right to cancel within a set time period.

Unfortunately the service continues to receive complaints about potential rogue traders cold calling residents. Typical complaints concern individuals who visit consumers' homes uninvited and attempt to encourage the householder to purchase their goods or services. Quite often, the visits involve high-pressure sales techniques and result in the consumer signing up to a contract for over-priced goods or the provision of poor quality workmanship.

Victims of such practices are mostly elderly or vulnerable people and intelligence work around the offenders has demonstrated that they are often linked to other similar types of crime such as distraction burglary.

The investigation of these matters is, in the main, seriously hampered because there is very little information that victims are able to offer officers to investigate the crime. These cases take time to investigate thoroughly and there are many ongoing investigations which require closer working with other law enforcement agencies. Many rogue traders are linked to organised crime groups and we are ensuring that all intelligence is shared to help build a clear picture of wider criminality.

We have collaborated more with the police this year who have been looking at organised crime groups. We attend regular meetings and share intelligence.

In one case the police had a successful case against known rogue builders. Ronald Reeves and Robert Bennett were given prison sentences of 5 years and 8 1/2 years respectively. This case involved 5 victims and we were able to provide information to the police to help their case succeed.

### **Cowboy Builder Conviction**

This case involved a builder who was not a typical rogue builder procuring business on the doorstep. Christopher Abbotts, from Great Barr, pleaded guilty to six offences under the Fraud Act 2006, for poor quality and unfinished construction work and was sentenced to 32 weeks imprisonment suspended for 2 years plus a requirement of 180 hours unpaid work. Abbotts was ordered to pay a contribution towards the prosecution costs in the sum of £1,500 which were to be paid within 12 months. He was also ordered to pay further compensation of £500 to one of the victims.

The case was brought after Officers received a number of complaints from customers who were left out of pocket; many of whom had to pay a new contractor to rectify Abbotts' sub-standard work and complete his unfinished jobs.

Abbotts pleaded guilty to making dishonest representations and not completing building work as agreed at properties in Great Barr; Erdington and Bargain Computers, in Bordesley Green.

Customers were asked to pay cash in advance for works and Abbotts told them the relevant materials had been ordered and were due for delivery. In each of these cases, the materials were not delivered and building works were sub-standard or unfinished.

Abbotts also lied to the victims saying that he was due to start a six-month Ministry of Defence contract at Lichfield Barracks, implying he was capable of carrying out the work; but this was not the case.

Other cases are currently awaiting legal proceedings.

### **No Rogue Trader Day 2015**

This is a national event run under the umbrella of Operation Liberal to target rogue traders and distraction burglary. This year we worked alongside West Midlands Police and the Land Registry.

Data was reviewed to identify where most complaints about rogue traders had been received in each LPU; these were called our 'hotspot' areas. In those areas officers visited 29 banks and 17 doctors' surgeries. Areas visited included Sutton Vesey, Sutton Four Oak, Weoley Castle, Selly Oak, Hodgehill, Lozells and Perry Barr.

Officers advised banks that it had been identified as a hot spot area and asked employees to be more vigilant when handing over large sums of money to older

customers and to keep an eye out for unusual transactions. The banks already had some systems in place to identify these issues and act accordingly but they welcomed the advice from officers which would also enable them to have a point of contact in trading standards to report matters of concern.

During one of the visits to a bank we received a request for rapid response, where an elderly lady had tried to withdraw £2000 from the bank to pay some builders for doing some ridge tiles. This was referred from one of the banks we visited which demonstrates that our visit was worthwhile in raising awareness.

Officers asked doctors to display leaflets and posters in waiting rooms for patients to read. Doctors were also advised that there is often a correlation between someone being a victim of such crime and deterioration in their health. By engaging with doctors it is hoped that victims can have a better support mechanism to avoid ill health.

It was also decided to offer further reassurance to previous victims by revisiting them; in total we revisited 7 victims who had been subject to a Doorstep Crime incident. We were accompanied by colleagues from the Land Registry who wanted to raise the issue of Property Fraud; houses where mortgages are paid for are most vulnerable to be subject to that type of fraud. We were also able to reiterate advice to ensure they say 'no' to people knocking the door offering building services.

Victims were visited in Sutton Coldfield, Sutton Vesey and Sutton Four Oaks; Edgbaston, Harborne and Bartley Green and Yardley, Acocks Green.

Officers also worked alongside the police who targeted vehicles on the road that looked like they were engaged in building works; they stopped vehicles and checked insurance and driver details. As a consequence 5 vans and cars were seized. At the same time traders were given business advice to ensure future compliance.

A press release went out, and the Sutton Coldfield Local paper released an article on the work we carried out.

We also continue to refer citizens to [Noroguetradershere.com](http://Noroguetradershere.com) for help when seeking good tradespeople

### **Rogue Traders - Rapid Response**

Trading Standards have continued to provide a rapid response service for consumers who are being targeted by rogue traders. This was initially provided for residents within the nominated No Cold Calling Zones; however we will respond to all citizens who are in need of a quick response.

A dedicated telephone number has been made available and Officers will respond immediately to assist consumers in dealing with the problem trader; 9 such responses have been conducted by the service this year, this is a reduction compared to last year's figures.

This decrease could be seen as a positive indicator that by raising awareness to vulnerable and elderly consumers that they are less likely to engage with traders on the doorstep. The Police are also more aware that building complaints are not just a civil matter and are starting to deal with these matters as fraud themselves.

During these responses officers also use the opportunity to assess a householder's vulnerability to further bogus caller visits. Officers will provide practical advice on how to prevent such problems arising again and will supply the consumer with warning stickers and notices to deter any rogue traders from calling at their premises in the future. Officers will also gain information from any business cards that may be left or flyers and this is shared with the trading standards community. This helps build an intelligence picture to enable appropriate targeting of resources. It is known traders work together and they are becoming serious organised crime groups. Intelligence logs are now a priority and the numbers of logs have increased throughout the year.

Twice a year a number of victims are now re-visited in order to ensure no further incidents have occurred and to reiterate advice previously given with the aim to increase their confidence at saying no at the door.

Victims that have come to our attention may have also been referred to the Adults Safeguarding team, as some victims are at risk of being financially abused by rogue traders and therefore need extra care and attention to help overcome these issues.

One Rapid Response was generated by a call from a bank that had been visited by officers to raise awareness. One intervention resulted in traders leaving a residents property and the prevention of a withdrawal of large sums of money.

Many of the rapid responses relate to the travelling community and unfortunately details from residents are sketchy and we are, therefore, unable to take further action other than log the limited information for intelligence.

## **No Cold Calling Zones**

There are currently three established No Cold Calling Zones in Sparkhill, Yardley and Garretts Green/Sheldon. The perception survey results have been received, and despite a slight reduction in surveys returned over 96% still support the continued use of the zones. An average of 99% over all three zones do not want traders calling at their door. This year's survey showed that an average of 87.3% feel threatened by people knocking on the door and an average of 83.3% feel the no cold calling zone helps them feel safer at home. 96.3% of those living in the zones did not want them removed.

No Cold Calling Zones have been requested in several areas around Birmingham, all have been reviewed but the overall crime data does not support implementation of a new zone. Data is dispersed around Birmingham showing no potential hot spots for major problems of cold calling. This remains the same as last year. The No Cold Calling Zones show they have a purpose as no offences have occurred within these areas.

Since introducing the zones, resources have reduced significantly and less work proactive work has been carried out within the zones. We still provide a reactive service to residents within a no cold calling zone. As protecting vulnerable residents is a priority we will attempt in this coming year to raise the profile of the zones.

There have been various requests to have extra signage in zone areas; these requests have been met and funded by proceeds of crime money.

## **Frauds and Scams**

The service works closely with Central England Trading Standards Authorities (CEnTSA) and is a member of its Regional Intelligence Group. The group is used to identify emerging criminal threats and prolific offenders who operate across the CEnTSA region and allows authorities within the region to pool resources in order to tackle serious and organised crime.

The service continues to receive referrals from CACS relating to potential scams, many of which relate to on-line transactions. Many of them emanate from outside the EU and are virtually impossible to trace. Intelligence is logged and referrals are made to Action Fraud and the National e-crime unit.

## **National Scams Hub Referrals**

The National Scams Hub (NSH) is a project that is being run on behalf of National Trading Standards by East Sussex Trading Standards. Though it started off as a small project aimed at raising awareness of scams and creating links between different agencies to try and spot victims of scams it has increased its media profile through campaigns such as 'Think Jessica' which deals with postal scams, as well as referring increasing numbers of individuals to its partners for intervention work, and acting as a 'Knowledge' hub.

Just over 110 referrals were received last year, most of these dealt with a Prize Draw postal scam called PED/GWOP, however, other types of postal scams were included, such as Prizemasters and One World Lottery.

Just under 40 of these individuals were visited personally by an officer and given guidance, support and advice about avoiding scams in general and in particular postal scams. All those who had sent money, cheques or postal orders were visited and a total of £80 was returned mostly in amounts of £5.

Also where appropriate all persons over 75 years old were visited personally as these were seen to be most vulnerable.

It must be remembered that most scams and in particular postal scams are highly addictive, the most common phrase mentioned to the officer was 'I feel so ashamed' and it is this emotion that the scammers play on.

The following are just some examples the officers came across:



- A lady who was just about to send £600 to a scam postal lottery when the officer arrived.
- A gentleman who had amassed thousands of scam letters in his house and after the officer had talked to him at great length agreed not to respond further and destroy his remaining 'stash' of letters
- A lady who had suffered a head injury and was living in semi-sheltered accommodation and was not only divulging her personal details and circumstances but that of her carers.

None of these residents had been visited by or had had any interaction with Trading Standards in the past and many may be considered socially isolated. It can only be envisaged that this area of work will increase.

Five Scam Awareness talks were given to various groups throughout the city.

We also took part in Scam Awareness Month to help highlight and discuss the many types of scams that are around. We used twitter, our website and local media to get our messages across which included visiting five venues across the city giving out information and advice on various types of scams.

One of the Operations Managers is a member of the Birmingham Adults Safeguarding Partnership and engages with partners to raise the issues of vulnerable adults being potential victims of scams. This is also an opportunity to help partners understand the links between socially isolated adults and the risk they are at from financial abuse from rogue traders; this contributes toward the Council's responsibilities under the Care Act.

## **Hajj**

For the Muslim community the Hajj pilgrimage to Mecca in Saudi Arabia is one of the most important and spiritual experiences in their lifetime.

The Saudi authorities control the amount of pilgrims that can attend from each country through a quota and visa system, in the UK this being 25,000 annually. Anyone wishing to undertake a pilgrimage, however, has to book a package through specialist Hajj and Umrah travel operators who can typically charge individuals between £3,000 and £5,000.

Unfortunately there has been a prevalence of unscrupulous traders taking advantage of would be pilgrims giving misleading indications as to the quality of the travel and accommodation; in some cases letting them down totally having taken the money.

Over the past 4 years Birmingham Trading Standards has proactively sought to raise awareness of the issues amongst the Muslim community and to improve compliance amongst the Hajj and Umrah travel operators. In previous years the work undertaken has attracted considerable publicity including amongst Asian satellite channels. Trading Standards has also continued liaison with the locally based Association of British Hujjaj.

An example of a case from previous years' investigations is awaiting trial at the Crown Court this summer.

In another case Purobi Travels Ltd and Moshina Khanna were each fined £2,000 and also ordered to pay costs of £913.50 for failing to have ATOL protection.

Following a trial at Crown Court Al Hashmi Hajj and Umrah Tours Ltd and its directors were also found guilty of Fraud Act and consumer protection offences in relation to false claims to have ATOL. The Jury deliberated for only forty minutes and returned with unanimous verdicts of Guilty for all counts against all three defendants.

Sentencing is awaited as financial investigation under the Proceeds of Crime Act 2002 is also taking place.

### **Hallmarking and the Jewellery Trade**

The jewellery trade is of great importance to the Birmingham economy, with the presence of the Birmingham Assay Office, the Jewellery Quarter, and jewellers across the city including a large number of Asian jewellers.

A number of cases have come to court following previous years' investigations where un-hallmarked jewellery was discovered at some trade premises. Of particular note was:

A Birmingham jeweller was ordered to pay a total of £7,321 after pleading guilty to 20 offences, under the Hallmarking Act 1973. Ayan Jewellers Ltd, based at 362 Ladypool Road, Balsall Heath, was fined £5,000 and ordered to pay £2,321 in costs.

The case was brought after Officers seized 72 pieces of jewellery, including bangles and rings, labelled as 22 carat gold, during an inspection on 11 March 2015. 20 items were subsequently sent to Birmingham Assay Office for examination. None of the items seized from Ayan Jewellers were hallmarked. Under the Hallmarking Act 1973, all jewellery that is described as being gold, silver, platinum or palladium must carry a recognised, legal hallmark.

In another case Shiza Gold Jewellers offered items for supply with no hallmarks. There were 23 items that did not bear a recognized hallmark and more seriously 2 items which did not contain sufficient gold as described. Most people who buy gold jewellery do so on the basis of the gold content. The company were ordered to pay £2,000 in fines and also £3,340 costs

### **Illegal Alcohol**

In addition to general counterfeiting Trading Standards work to combat the supply of illegal alcohol; this can either be counterfeit or non-duty paid. In virtually all cases this is about spirits rather than any other form of alcohol due to the potential profit to be made.

By far the most complaints and products seized are spirits that are either counterfeit or non-duty product.

Our inspections are intelligence led following receipt of complaints or information from other law enforcement agencies. Where there have been a number of complaints in an area we have inspected additional premises in the area as often it is not just one shop in an area selling illegally. We liaise regularly with police and licensing colleagues.

There appears to be a particular problem amongst smaller independent licenced premises with illicit alcohol. By far the largest problems are spirits with vodka being the most common. The biggest issues found relate to genuine products intended for export that have been relabelled with counterfeit back labels; no duty is being paid and retailers have no idea of the provenance of the good and are failing in their duties to ensure traceability of food products. The profit mark up on these products can be as much as £8 to £10 per bottle which makes the practice very lucrative. This is now big business for organised crime.

Our inspections have resulted in 395 bottles of vodka and 220 bottles of illicit whisky being seized, worth over £7,500 from 15 licenced premises across the city. The vast majority was counterfeit back label product but there were 105 bottles of totally non-duty paid and 13 bottles of totally counterfeit Glen's vodka.

There are prosecutions pending for some of the most serious matters as well as 4 licence reviews undertaken for substantial seizures where the licences were revoked and one pending.

During November 2015 the service was involved in Operation Opson which was a nationally organised initiative visiting licenced premises with our environmental health colleagues, particularly looking for illicit vodka. Many premises were targeted where seizures had been made in the last 2 years and in most cases it was found that they no-longer stocked illicit items.

## **Illegal Tobacco**

This year Birmingham Trading Standards has continued to carry out an active role in enforcing the law in relation to sales of illicit tobacco from retail premises.

In total, during the last year, Trading Standards Officers have carried out 82 inspections at retail level for illicit tobacco. A total of 115,540 cigarettes (approximate current street value £22,456) has been seized; in addition small amounts of illegal hand-rolling tobacco have also been seized. In some premises both illegal tobacco and illegal alcohol was found. There have been a number of enforcement outcomes including Simple cautions, warnings and licence reviews. We have had two successful prosecutions completed in this period;

### **Case 1**

Pritpal Singh Khurana trading as M&S News in Washwood Heath pleaded guilty to offences under the Trade Marks Act 1994 (counterfeit tobacco) and The Tobacco Products (Manufacture Presentation and Sale (Safety) Regulations 2002.

The case was brought following an inspection in October 2014 with tobacco detection dogs. Working with local police teams officers seized 6,328 packs of illegal cigarettes worth nearly £50,000. The dogs found the tobacco hidden behind a false wall and ceiling and underneath a false floor in a toilet. Illegal hand rolling tobacco and a small number of illegal bottles of alcohol were also found. Khurana was sentenced in October 2015 and given an 8 month prison sentence suspended for 2 years, with 250 hours community service. This also resulted in a licence review and confiscation is being pursued under the Proceeds of Crime Act 2002.

## **Case 2**

Salim Salah trading as Supersam in Handsworth pleaded guilty to offences under the Trade Marks Act 1994 (counterfeit tobacco) and The Tobacco Products (Manufacture Presentation and Sale (Safety) Regulations 2002.

The case was brought following an inspection in November 2014 with tobacco detection dogs. Working with local police teams officers seized 1,037 packs of illegal cigarettes and 212 packs of illegal hand rolling tobacco. The dogs found the tobacco hidden behind a false ceiling in the cellar and under an ice cream freezer. Salah was sentenced in December 2015 and given a 10 month prison sentence suspended for 2 years, with 100 hours community service. This also resulted in a licence review and confiscation is being pursued under the Proceeds of Crime Act 2002.

This year we have continued to find sophisticated concealment methods, used by some retailers, to hide illicit tobacco products. There are a number of cases in progress. The use of the dogs has been highly successful and will hopefully be used more frequently in the future.

## **Role of Responsible Authority under the Licensing Act 2003**

Trading Standards is designated as a responsible authority for the purposes of the Licensing Act 2003.

Businesses who make applications for a new licence or to vary existing ones must serve a copy of their application to Trading Standards, amongst other agencies to enable officers to raise objections or suggest measures for improvements. In 2015/2016 over 300 applications were received and reviewed. Several were objected to due to previous enforcement activities which resulted in re-applications or modifications and in some cases other agencies were asked to contribute to help with recommendations.

Trading Standards pay particular attention as to how the premises propose to fulfil their licensing objectives in relation to the protection of children from harm and will provide advice and guidance to new businesses on how to reduce the likelihood of alcohol being supplied to minors.

This year Trading Standards submitted a total of 10 licence reviews for premises found to be selling or stocking illicit alcohol and/ or tobacco.

We will continue to submit reviews for the stocking of illicit tobacco. Guidance issued under section 182 of the Licensing Act 2003 specifically states that reviews can be undertaken “for the sale or storage of smuggled tobacco and alcohol”

To date a total of 9 licence reviews have been heard by the licensing sub-committee which have resulted in revocations in all cases. There are some reviews still pending.

Officers have also attended magistrates’ court on a number of occasions and successfully defended previous appeals against revoked licences.

Trading Standards has a contact officer for each of the current four police LPU’s for all licensing matters and they liaise with other agencies to ensure that local knowledge and intelligence is shared by those who can best use it

## **Weights and Measures**

Metrology or Weights and Measures is one of the traditional functions carried out by the Trading Standards service.

Trading Standards Officers continue to visit large packers of food or other consumer goods based in the city to ensure compliance with average weight legislation. These companies include several large confectionary companies and packers of varied food items where many have asked for advice and assistance on how to comply with legislation as well as improving their systems to develop their businesses and make them more effective.

40 enquiries have been received with 26 of those concerning short weight or measure. Visits are made by officers where it appears that trade premises need advice or enforcement activity.

3 pubs were visited following short measure beer complaints and test purchases were made to check quantities. In one case a formal warning was issued to the pub to improve.

As usual officers inspected the Frankfurt German market to ensure their compliance with UK legislation and tested a wide range of things including weighing machines and spirit measures.

An officer from Birmingham attends the regional metrology group which meets every quarter where trends across the region are discussed and expertise is shared. This year an officer from Birmingham has taken the lead in a draught beer exercise to check for short measure.

Trading Standards also check every notice of self verification for petrol pumps and weighbridges received for premises in the city. This year we received over 40 such notifications.

## **Proceeds of Crime**

Trading Standard has two dedicated Financial Investigators who seek to confiscate money and assets from offenders under the Proceeds of Crime Act 2002, to prevent them from benefiting from their crimes. This has increased our capacity to support other investigations and ensure that criminals are targeted and their ill-gotten gains confiscated.

Throughout the last year, 30 cases were referred to the Financial Investigators by Officers from Trading Standards, resulting in over 35 applications being made for Productions Orders to enable financial data to be obtained from banks and building societies. 3 Restraint Order were obtained to protect assets from dissipation.

5 Proceeds of Crime Act confiscation hearings were held at the Crown Court, all of which were found in favour of Birmingham City Council. In total, £146,442.16 was confiscated from offenders last year

The investigators have also been instrumental in helping to prove offences by reviewing the financial evidence e.g. the Williams and Young letting agent case. They also assist other council teams such as the Corporate Fraud Team, Planning and the Waste Enforcement Unit.

All funds that are confiscated during these investigations are reinvested into the criminal justice system, with Trading Standards receiving 37.5% under the Asset Recovery Incentivisation Scheme.

## **Faith Healers**

Trading Standards have continued to monitor activities surrounding faith healers or spiritualists. Some members of the community are lured into approaching these faith healers because they are promised that all their problems will be resolved.

Consumers with very personal or family problems believe the faith healer can help. Initially little is said about fees, however, once the faith healer has the trust of the consumer, they gradually ask for more and more money, this can start from small amounts increasing to hundreds, then thousands and in some cases tens of thousands of pounds.

Unfortunately because of the very sensitive and personal nature of the problems, few victims are willing to come forward to the authorities. However, a few that have come forward has resulted in current fraud investigations.

Trading Standards instigated a fraud investigation as a result of complaints made to officers between December 2014 and March 2015 from several women who had responded to these advertisements seeking to solve severe family and financial problems.

The faith healer met his clients and would initially charge £20 for the first session, but then asked for extra monies for prayers, special medicines and sacrificial animals including cows and crocodiles. The amounts paid by the victims however soon escalated to thousands of pounds and in one case over £100,000. The victims have been left distraught; the case was sentenced at Birmingham Crown Court on 16<sup>th</sup> June 2016 and the defendant was imprisoned for 7 ½ years.

## **Trade Association Membership and Use of Logos**

Traders are often affiliated to recognized trade bodies, and in some cases accreditation is mandatory. Membership of such organizations provides a degree of assurance to consumers that the trader is professional and reputable. However in some case traders falsely claim to be members of such trade bodies and mislead consumers by displaying their logos without permission.

Trading Standards receive complaints from members of the public and the trade bodies themselves when such matters come to light. Trading Standards investigate such enquiries and in some cases this can lead to formal action. Examples of such cases include

A solar panel installer claimed MCS and REAL accreditation on his website but the accreditations had expired. A consumer who was expecting returns of £600 per year from the electricity produced was never actually put on the Government scheme so never received the savings. The Magistrates imposed a fine of £1,000 against the company Midland Solar Solutions. The Director Kevin Mountjoy was also fined £450. A total of £1,150 was awarded towards costs. Mr Mountjoy was also ordered to pay back the consumer his money.

### **Noroguetradershere.com**

Trading Standards has continued its liaisons with Noroguetradershere.com, an internet based scheme that seeks to promote reputable traders. Any traders joining the scheme first have to be agreed to be vetted by Trading Standards. Checks are made to ensure the trader is complying with Consumer Protection legislation and that there are no unresolved justified complaints against the trader.

We promote this scheme at all events where we are helping to prevent citizens becoming victims of rogue builders. We also provide information of the scheme to victims of rogue builders.

### **Trading Standards Website**

The Trading Standards website consists of 26 pages within the BCC website. The pages cover a variety of subjects and include useful information and links for consumers. The pages and content are regularly updated by the Trading Standards editors. Currently the content management system is Fatwire. A new system is to be implemented later on this year. Therefore, the website editors have been busy providing information to the web team for migration.

On our landing page we have a live Twitter feed which was created so the newest tweet appears on the page. To date we have 1,585 Twitter followers.

The total number of views of the Trading Standards website was 49,550 in the last year.

## **Markets**

Trading Standards carries out inspections at the retail markets in the city centre and also the stalls at the pre-Christmas Frankfurt and craft markets. Stalls are checked for compliance for a range of Consumer Protection legislation, including weights and measures, pricing and product safety. Generally the level of compliance is high with only a few minor issues that were resolved.

Officers have provided training to newly appointed markets officers following their restructure.

## **Working with partners – events**

Officers attend a number of Safety Advisory Group meetings for key events that are facilitated by the Council. This is a collaboration of interested parties that include licensing, police, fire service, transport services, central safety services, St Johns Ambulance, events team and the event organisers. We ensure that consideration is given to the safety of products being sold at events and information packs are provided to any potential stall holders.

We also inspect at events especially ensuring that goods being offered for sale are safe and where alcohol is being sold to ensure systems are in place to prevent young people having access.

We have attended the Fusion Festival, Vaisakhi, Frankfurt Christmas and Craft Market, St Patricks Day Parade and Pride.

These events bring thousands of visitors into the city so it is important that they are well run and that goods being provided are compliant. By engaging with our partners both from within the authority and other organisations we are ensuring the safety of the community and providing a point of contact for any issues that may arise.

## **Rugby World Cup – September 2015**

We took a lead in producing an action plan for ensuring that the event was successful. The Council had agreed to ensure that no counterfeit goods were being sold and officers were tasked to work with partners to inspect sellers of goods.

Around 30 street traders were inspected and no contraventions of the Rugby World Cup trade marks were found.

## **Trading Standards BSI Accreditation**

Birmingham Trading Standards are externally accredited with British Standards to ISO 9001: 2015 for Quality Critical Services with exclusion to design and development, as these elements are not an integral factor to Regulation and Enforcement. We are externally audited by BSI twice a year (June and December) to ensure that we comply with the Standards and maintain our accreditation.



The Golden Thread running through the European Foundation for Quality Management (EFQM) knits together both the new standards and the Council's values (amongst others) to put citizens first and achieve excellence. This demonstrates our commitment to customer focus which is at the forefront of everything we do and is evidenced by our customer satisfaction results which are displayed on the council's website.

Our Quality system is fully supported by senior management who strongly believe the system must be fully embedded within the culture of the organisation. Internal audits are conducted twice yearly (March and September) to ensure the system is operating efficiently and to identify any areas of non-conforming services. We have a service plan encompassing the Council's strategic outcomes with the leader's objectives, and it includes customers' and partners' views in determining our Key Performance Indicators for the future. Review of our procedures are identified through the forward planning process and discussed prior to conclusion at bi-monthly senior management meetings.

### **Trading Standards Outputs 2015/2016**

The work of Trading Standards positively impacts the entire 1,073,045 Birmingham residents, 30,380 businesses and 33,000,000 visitors to the city each year.

A total of 4,762 requests for assistance were received by the service last year. 152 of these were requests for advice from businesses. The service supported or intervened for consumers to enable the return of £86,466.35 as redress for poorly delivered goods or services.

In supporting businesses a total of 8,610 items have been seized suspected of being counterfeit with a street value of £70,144. Goods have been seized from street sellers, retailers, wholesalers, manufacturers and importers. By removing illegal and non-compliant goods from sale we are supporting legitimate businesses and ensuring a level playing field for them. Additionally this work ensures that citizens are protected from potentially unsafe products.

22 successful prosecutions and 5 cautions were concluded. Total fines amounted to £37,401, while custodial sentences totalling 21 years were imposed. In addition suspended sentences amounting to 23 months and community orders for 850 hours of unpaid work were made. We were also successful in being awarded 75% of our costs totalling £54,428. Some costs will be awarded once POCA proceedings have been concluded.

### **Trading Standards Cases Heard 2015/2016:**

<b>Legislation</b>	<b>Cases</b>	<b>Offences</b>	<b>Fines</b>	<b>Costs</b>	<b>Other Penalty</b>
Common Law (Conspiracy)	2	5		Subject to POCA	219 months imprisonment
Consumer Protection Act	1	6		Subject to POCA	10mths imprisonment

1987*					& 100 hrs unpaid work
Consumer Protection from Unfair Trading Regs 2008***	8	38	£16,450	£37,055	5mths imprisonment 8mths imprisonment suspended for 2 yrs & 250hrs unpaid work
Cosmetic Product (Safety) Regs 2008	3	33	£8,950	£7,046	
General Product Safety Regulations 2005	1	6	£4,500	£5,717	
Hallmarking Act 1873	2	33	£7,500	£4,610	
Trade Marks Act 1994**	5	98	£1		23mths imprisonment suspended for 2yrs, 850hrs unpaid work, 8wks suspended sentence, 28mths custody
<b>Totals</b>	<b>22</b>	<b>219</b>	<b>£37,401</b>	<b>£54,428</b>	<b>See above</b>

\*Includes 1 CPUTR & 4 Tobacco Regs offences

\*\* includes POCA offence

\*\*\* includes 2 TMA offences

## **REGISTER OFFICE**

The Registration Service is a statutory function which Birmingham City Council is required by law to provide in terms of accommodation and adequate staffing to register all civil events within a specified national time frame. These events include the registration of births, deaths, stillbirths, marriages and civil partnerships, conversions of civil partnership to marriage, attesting the legal preliminaries to marriages, civil partnerships and conversions, the provision of a certificate service and the provision of citizenship ceremonies. All events to be registered are those which occurred within the boundary of the City. The Service is directed by the Registrar General, whose General Register Office is part of HM Passport Office. It is administered locally by Birmingham City Council and the Proper Officer for Registration Matters is Jacqui Kennedy, Acting Strategic Director of Place Directorate.

The Registration Service is a front-line service which is provided by the local authority. Registration staff officiates at ceremonies and register marriages, civil partnerships and conversions taking place at the Register Office as well as approximately 60 Approved Premises. They also attend and register marriages taking place at religious buildings such as churches, chapels, mosques, and temples. The service also provides the statutory citizenship ceremonies, a Nationality Checking Service, other non-statutory civil ceremonies and the statutory issue of certificates from the registration records of Birmingham which date back to 1st July 1837.

### **Service Successes**

During the year 2015/2016 registration staff registered the following:

- 22,278 births.
- 9,894 deaths.
- 151 stillbirths.
- 585 Birth Re-registrations.

In total 1,742 marriages were celebrated and registered in the city, comprising of 1,297 marriages at the Register Office and the Ceremony Suite. Staff attended 12 marriages at religious buildings and 433 at the City's approved venues.

Registration staff made 77 S24 reports of possible offences relating to sham marriages during the year.

Following the implementation of provisions regarding the conversion of civil partnerships into marriage as part of the Marriage (Same Sex Couples) Act 2013, 109 conversions were completed by the end of March 2016.

Changes as a result of the Immigration Act 2014 were implemented in March 2015 which introduced a longer notice period for legal preliminaries to marriages and civil partnerships, a new process called the referral and investigation scheme which affects non-EEA nationals wishing to be married and also new provisions affecting some couples wishing to be married in the Church of England. All of these

provisions have increased the complexity of the workload for staff and were successfully implemented with no detrimental impact on our customers during 2015/2016.

There have been 9 marriages under the Registrar General's Licence Act which allows a person who is terminally ill, and cannot be moved to a place where marriages take place, to get married wherever they are.

The Register Office has provided either a group or private ceremony for a total of 2,584 new British citizens, an increase of 451 against the previous years figures. This slight increase is due to the Home Office clearing a backlog of cases.

8 civil partnership ceremonies took place in the City over the year, a 60% reduction on last year due to customers choosing to marry rather than form a civil partnership.

7,578 notices of marriage and 21 notices of civil partnership were given during the year, 7,330 opposite-sex couples and 248 same-sex couples

109 civil partnerships have been converted to marriages: 59 male couples and 50 female couples.

80,868 certificates of birth, marriage, death and civil partnership were issued to the public at first time registrations.

23,738 certificates issued from the registers which date back to 1837.

7,576 notices of marriage or civil partnership and certificates of no impediment allowing people to marry abroad.

104,606 legal documents were issued to the public over the year. These documents will include birth, death, marriage, civil partnership and conversion certificates issued from the registers which date back to 1837, citizenship certificates, Superintendent Registrar's certificates for marriages, certificates of no impediment allowing people to marry abroad and Registrar's certificates for burial or cremation, certificates for worship and registration of religious buildings for marriages and approval of premises

There have been 20 applications received from trustees of buildings to register the buildings as places of worship, 1 application for the solemnization of marriages and 1 for the solemnization of same-sex marriages. These applications were processed by the staff at the Register Office in conjunction with General Register Office

The Nationality Checking Service has ably assisted over 925 customers with their applications to become a British Citizen. This is slightly down on last year due to a change in Home Office procedures.

We have seen over 65,500 primary customers over the year.

Over the financial year ending 31<sup>st</sup> March 2016, staff have generated £1,575,789 in income.

The intensive workload, of the Register Office, has continued to provide the driver to make further improvements to processes and procedures. The main improvements include the further employment of the Stopford electronic diary system and in support of the City Council's channel shift initiative in March 2015 an on line appointment for Birth registrations facility was introduced.

In working towards the service area becoming self sufficient various initiatives have been introduced which include upfront payments for notices of marriage and new income generation schemes.

Service managers have strengthened partnership working with family support organisations and faith advocacy groups in order to assist service users.

The provision of death registration appointments has been revised to increase the availability of urgent appointments and a new bespoke electronic index system has been introduced.

There are now three different E contact forms placed on the Register Office web pages and dedicated mailboxes for each individual service area. This meets with the channel shift priority of the City Council.

During the year the Registration Service has provided a 365-day Emergency Bereavement Service for the Jewish and Muslim communities of Birmingham. This enables members of these communities to bury their deceased relatives within a very short period of time when required by religion or culture. The Service has also introduced a service which enables a death to be registered during a Bank Holiday and a weekend for the purpose of repatriating the body to a country outside of England and Wales.

Furthermore, the Service has also provided a 365 day service for marriages and civil partnerships, where one party is terminally ill and needs to marry at home, hospital or hospice, in accordance with the Registrar General's Licence Act.

The Registration Service is keen to help students make their first step into the working environment and has accommodated school visits to the Register Office and supported work experience students from Birmingham based schools and colleges as well as supported Government apprentices with work placements.

In addition officers have:

- Attended Faith Advocacy and NHS Bereavement Group meetings.
- Assisted the General Register Office in changing national Registration policy.
- Attended various homes, hospitals, and secure units to obtain a birth or death registration in emergency circumstances.
- Participated in valuable partnership working with central government bodies such as UKBA, DWP and the General Register Office.
- Participated in more local partnership working with organisations such as Gateway Family Services, BCC Children Centres, Approved Premises and

religious bodies as well as supported Macmillan Nurses as the staff member's nominated charity.

Continued to report suspected Sham marriages and Civil Partnerships and fraudulent applications for certificates

### **Challenges to Service Provision**

The continuing heavy workload of the Registration Service and very limited service resource remain a significant challenge. In order to respond to the high volumes of birth registrations staff are doubling up on their workload, however, the Registrar General has already estimated that the number of births taking place in Birmingham will top 27,000 within the next few years. Measures have been taken by the City Council to ensure that there are sufficient registration rooms and other initiatives are being explored to try to address the heavy work load.

Due to the closure of maternity services in a number of neighbouring districts, 30% of birth registrations are in respect of non-Birmingham residents. If a birth or death occurs in Birmingham it has to be registered here regardless of where the relatives reside. The requirement to undertake non-Birmingham registrations continues to put pressure on resources exacerbated by an increase in the birth rate amongst Birmingham residents. This has resulted in a reduction in service standards in terms of ability to offer appointments promptly and within the statutory period of 42 days. The rise in birth registration has already been recognised by the City Council with the need to provide more classrooms.

The Register Office in Birmingham is a Designated Register Office (DRO) which means that it is one of a few nationally which deals with citizens who are subject to immigration control. These particular customers are required to attend a Designated Register Office regardless of where they reside. There are only two DROs in the entire West Midlands area. Birmingham is the largest and most central DRO in the country - the ceremony service area continually deals with customers and telephone calls from all over England and Wales, and from British and non-British subjects all over the world who wish to marry in England and Wales.

### **Income Generation**

As the fees are mainly of a statutory nature it is difficult to achieve the required level of additional income. The provision of a birth or death registration has to be given free at the point of service. A birth or death certificate, which is optional, costs on £4.00. Whereas many in the service believe that the fee for a registration and certificate should be much higher, the final decision for what is charged belongs to the Treasury. There is currently a government-led review of the funding of the local registration service as a whole the outcome of which is at present uncertain.

There are fees which can be levied by Birmingham City Council and following a bench marking exercise with neighbouring districts fees were increased or introduced in line with our neighbours in an attempt to generate more income. Going forward additional income generating schemes are currently being explored.

## **LICENSING**

### **Background**

The Licensing Service consists of the General Licensing, Hackney Carriage and Private Hire Licensing and Licensing Enforcement teams.

All three teams are located at Ashted Lock, Building 1-3, Birmingham Science Park, Dartmouth Middleway, Birmingham, B7 4AZ. The service moved to its new location from its former premises at Crystal Court on 7<sup>th</sup> December 2015.

The Licensing Service operates to an ISO 9002 BSI accredited Quality Management System, is an Investors in People employer and in 2014/2015 retained the Customer Service Excellence award that recognises customer care.

### **General Licensing**

The General Licensing Team is responsible for administering over 11,000 licences registrations and permits across a wide range of licensing functions, which includes amongst others, sales of alcohol, late night refreshment, regulated entertainment, sex establishments, charitable collections, amusement machines, gambling premises, skin piercers and scrap metal dealers.

The number of licences, registrations and permits issued by the team during the year 1<sup>st</sup> April 2015 until 31<sup>st</sup> March 2016 can be broken down as follows:

<b>FUNCTION</b>	<b>LICENCE TYPE</b>	<b>NUMBER ISSUED</b>
Licensing Act	Premises New	188
	Variation	49
	Variation DPS	582
	Transfer	174
	Provisional	0
	TENs	1193
	Personals	652
	Minor Variation	87
	Club Premises New	1
	Club Premises Variation	1
	Club Premises Minor Variation	3
Gambling Act	Premises New	2
	Premises Transfer	1
	Premises Variation	5
	Gaming Machines Alcohol New	34
	Gaming Machines Alcohol Transfer	6
	Gaming Machines Alcohol Variation	21
	Prize Gaming Permit	0
	Gaming Machines Club Fast Track Conv.	2
	Gaming Machines Club New	4

	Provisional Licence	0
	TUNs	0
	OUNs	1
Sex Establishments		
Sex Shop/Cinema	Grant	0
	Renewal	10
	Transfer	0
	Variation	0
	Short Term	0
SEV	Grant	1
	Renewal	10
	Transfer	0
	Variation	0
	Minor Variation	0
Massage & Special Treatments		
1 level	Grant	25
	Renewal	70
2+ levels	Grant	13
	Renewal	38
	Variation (Add Treatments)	1
	Transfer	2
Societies Lotteries	Grant	65
Street Collections	Grant	223
House - House Collections	Grant	19
Skin Piercers	Grant	160
Poisons	Grant	9
	Renewal	20
Scrap Metal - Collectors	Grant	24
	Renewal	0
Scrap Metal - Sites	Grant	3
	New Site Manager	1
	Renewal	0
<b>Total for year</b>		<b>3671</b>

The figures shown do not reflect the number of current licences, registrations or permits at any given time, but detail the number of applications completed during the period 1 April 2015 – 31 March 2016.



## **Hackney Carriage and Private Hire Licensing**

The Hackney Carriage and Private Hire Licensing Team issued 9,475 licences during 2015/2016, and conducted a further 6,128 transactions, when replacement, transfer and other sundry transactions are taken into account.

The number of licensed operators fluctuated throughout the course of the year but at the end of March 2016 the number was 79 (compared to 81 in 2014/2015).

The team is responsible for the Hackney Carriage Driver Knowledge Test which incorporates the Verbal Communication Test (VCT) as well as the combined verbal communication and knowledge test for private hire drivers.

Licences are required for Hackney Carriage and Private Hire drivers, Hackney Carriage and Private Hire vehicles and Private Hire operators.

Licence holders' details are shared with the City Council's Benefits Service to prevent and detect benefit fraud.

The team conducted a customer satisfaction survey during the course of the year, with overall satisfaction with the service being recorded as 96%. An independent market research company was commissioned during the year to carry out a customer satisfaction survey amongst hackney carriage and private hire drivers. The results of that survey closely reflected the results of our in-house satisfaction survey.

## **Licensing Enforcement**

The Licensing Enforcement Team is responsible for the inspection of licensed vehicles and premises, as well as dealing with requests for assistance in respect of general licensing, hackney carriage and private hire matters.

In addition to the team's own Licensing Enforcement Officers, a Police Officer is seconded to the team as Taxi Liaison Officer. PC David Humpherson joined Licensing early in January 2013.

PC Humpherson has recruited and trained a team of Special Constables to assist our officers on plying for hire investigations. They have been trained in taxi and private hire legislation and to act as evidence gatherers by taking un-booked journeys in private hire vehicles. The additional resource that these officers provide adds to the impact that our own officers can make in respect of dealing with illegal plying for hire. It also addresses the problem that most drivers recognise our own officers. Training is ongoing and we are currently trialling new pro-forma documents to streamline the evidence gathering process during the exercises.

The team undertakes regular exercises to combat the persistent problem of illegal plying for hire, as well as conducting targeted stop check exercises to check compliance with vehicle and driver conditions. Where non-compliance is discovered, the team takes appropriate legal action according to the circumstances and whether the non-compliance relates to a breach of a licence holder's conditions of licence or

amounts to a criminal offence, in accordance with Regulation and Enforcement's approved Enforcement Policy.

The team also investigates more complex issues including unlicensed vehicles, false insurance documents, false insurance claims, and applicants making false or misleading representations on application forms. In 2015/2016 the team brought to conclusion a number of cases involving drivers who have provided false information to the police to avoid penalty charges for speeding offences that were detected by police Automatic Number Plate Recognition (ANPR) cameras. Often these cases require use of the Fraud Act to convey the seriousness of the offence.

Apart from the routine matters of illegal plying for hire and cases where drivers have been caught driving without a valid insurance policy, the following are some examples of cases that were concluded in 2015/2016:

- A Private Hire Operator was fined £9,000 for 4 offences of operating an unlicensed driver. The driver received a total fine (including costs) of £840 + 24 points and six months disqualification.
- Another operator was found to be operating an unlicensed driver and between them the driver and operator received a total of £1,320 in fines and costs, 36 points and 18 months disqualification.
- A private hire driver was found to be driving without insurance which resulted in £195 fine, £1,644 costs, 9 points and 12 months disqualification.
- Two private hire drivers were caught plying for hire and having no insurance using CCTV; one received a total penalty of £1,800, 12 points and 12 months disqualification. The second received a total penalty of £1,508 and 6 months disqualification.
- And finally one private hire driver was convicted of Fraud on seven counts and was given a 7 month custodial sentence and costs of £3,000 were awarded to the Council.

The enforcement activity consisted of plying for hire, vehicle stop checks, taxi touting prevention work and officers having a deterrent effect by their presence on city sheets.

One of the primary duties and responsibilities of the team is to ensure all requests for assistance received are investigated fully and fairly. This is carried out in accordance with the Regulation and Enforcement BSI accredited management system and published service standards.

Requests for Assistance (RFAs) are categorised and coded in order to identify possible trends. This also makes it possible to identify repeat offenders and take proportionally more severe enforcement action if appropriate.

During the period of 1 April 2015 to 31 March 2016, the team dealt with 1,520 requests for assistance, representing a slight increase from 1,477 in 2014/2015. In

accordance with our Enforcement Policy, based on a risk approach, we routinely inspect Private Hire Operators, sex establishments and premises licensed for sexual entertainment and Massage and Special Treatments. Hackney carriage and private hire vehicles are inspected at unannounced stop-check exercises. In addition 839 licensed premises were inspected in response to either a request for assistance (RFA) from a member of the public or other business or as part of an ongoing assessment of risk.

During the year 22 stop check and high visibility enforcement exercises were conducted across the city in conjunction with officers from West Midlands Police. Officers from the Central Motorways Patrol Group frequently assisted our officers. These exercises targeted licensed drivers who were not wearing seat belts or who were committing other road traffic offences. Motorway patrol officers (and the Licensing service's own police officer) are approved vehicle inspectors who are authorised to inspect vehicles to determine their condition under the Road Traffic Act 1988.

The overall compliance rate during 2015/2016 for safety critical conditions when measured at roadside stop-checks was 80.2% for private hire vehicles (it was 81.6% in 2014/2015) and 83.6% for hackney carriage vehicles (it was 85.4% in 2014/15). This measure was introduced at the beginning of 2012/2013. The figures show an improved compliance rate for vehicles overall, which is attributed to regular and sustained high-profile enforcement stop checks.

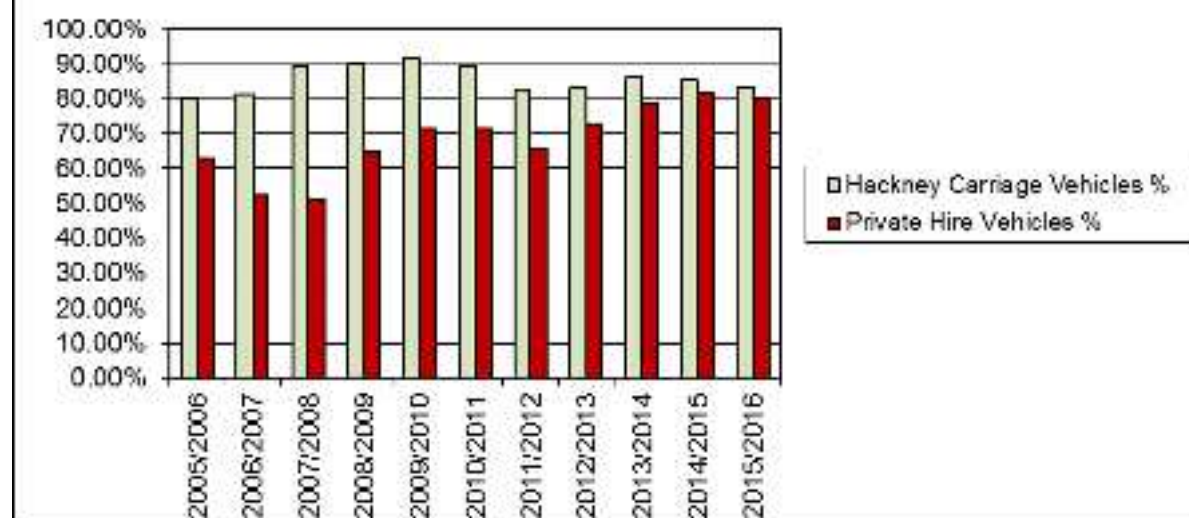
The greatest single reason for non-compliance was for lights.

The tables below record the percentage of vehicles which were fully compliant with conditions when inspected in stop-checks year by year since the 2005/2006 operational year.

	<b>Hackney Carriage Vehicles % Fully Compliant</b>	<b>No of Vehicles Checked</b>	<b>Private Hire Vehicles % Fully Compliant</b>	<b>No of Vehicles Checked</b>
<b>2005/2006</b>	80.0%	367	63.0%	1294
<b>2006/2007</b>	81.2%	708	52.2%	2419
<b>2007/2008</b>	89.5%	732	51.1%	2708
<b>2008/2009</b>	90%	1081	65%	2328
<b>2009/2010</b>	91.6%	1276	71.3%	1794
<b>2010/2011</b>	89.4%	1016	71.2%	2060
<b>2011/2012</b>	82.7%	399	66.0%	2270
<b>2012/2013</b>	83.2%*	191	72.7%*	959
<b>2013/2014</b>	86.1%*	273	78.7%*	1213
<b>2014/2015</b>	85.4%*	426	81.6%*	1307
<b>2015/2016</b>	83.6*	390	80.2*	1165

\*New safety critical measure introduced

### Hackney Carriage & Private Hire Compliance Rates



During the operational year 2015/2016, 85 licensed private hire operator inspections were conducted. At inspection, the most common failing was the requirement to keep copies of up to date insurance certificates for drivers.

### Best Bar None

The national Best Bar None scheme, which was initiated by the Home Office, is designed to encourage premises to achieve high standards of compliance in respect of licensing legislation for the safety of customers. During 2015 the Licensing Enforcement Team organised and made a large contribution to the Birmingham Best Bar None scheme. Working with colleagues from West Midlands Police, West Midlands Fire Service, Environmental Health and Trading Standards, our officers assessed more than 50 premises that applied for accreditation. The Best Bar None standard recognises good practice in managing licensed premises for the safety of the customer, taking into account compliance with the Licensing Act 2003 and a range of other topics covering general health and safety, fire safety and measures to ensure that customers are protected when using the premises.

An awards ceremony and dinner took place at the International Convention Centre on 2<sup>nd</sup> December 2015, attended by 228 people from 45 different venues. The overall Best Bar None winner was the Le Truc restaurant/bar in The Arcadian Centre.

It was reported to the Licensing and Public Protection committee at its meeting in January 2016 that the 2015 Best Bar None Awards would be the last due to the pressure of competing demands on the different agencies that supported the scheme.

## Prosecutions

### Numbers of Cases

In 2015/2016 Licensing Officers submitted prosecution reports against 35 defendants and administered 170 simple cautions. During the same period 46 prosecution cases were finalised at Court. The majority of the prosecutions were for plying for hire offences.

### Costs and Fines

Fines totalling £27,528 were imposed and costs of £27,724 were awarded to the City Council against requests totalling £47,492 (59%). Offenders received sentences ranging from fines, community punishment orders and imprisonment, detailed below:

- 304 penalty points.
- 68 months disqualification.
- 7 months imprisonment.

LEGISLATION	CASES	OFFENCE S	FINES	COSTS AWARDE D	OTHER
Fraud Act 2006**	2	10	£200	£3,085	7mths imprisonment, 8mths disqualification
Local Government (Miscellaneous Provisions) Act 1976					
Section 46**** (Unlicensed driver or vehicle)	2	12	£1,070	£2,250	36 points & 18mth disqualification
Section 73(1)(c) (Obstruction)	1	1	£120	£450	
Road Traffic Act 1988***	3	11	£9,590	£900	18 points
Town Police Clauses Act 1847 (plying)	38	78	£16,548	£21,039	264 points & 42mths disqualification
<b>TOTALS</b>	<b>46</b>	<b>112</b>	<b>£27,528</b>	<b>£27,724</b>	
** includes 6 rta offences, 1 plying offence					
*** includes 4 LGOV Sec 46 offences					
**** 3 rta offences					

### Appeals against Sub Committee Decisions

The following tables list the number of cases proceeding to Court during the period 1 April 2015 to 31 March 2016, together with outcomes and costs recovery:

Outcome	Magistrates' Court	Crown Court	Total
Dismissed	37	4	41
Allowed	7	1 ( to BCC)	8(7 Contra BCC)
Allowed in part	3	3	6
Withdrawn pre- or at Court	8	3	11
Other	Consent Order agreed(1)	-	1
Total	56	11	67

**Note: These figures demonstrate that in 79% of cases, the decisions of the sub-committees were either supported by the Courts, or the appellants withdrew their appeal altogether.**

Appeal Costs	Requested	Ordered	Percentage
PH/HC	£34,042.73	£30,614.73	89.9%

### Work of the Licensing Sub-Committees

During the period 1 April 2015 to 31 March 2016 a total of 327 hackney carriage and private hire cases were referred to Licensing Sub Committees for consideration (in 2014/2015, 289 cases were referred to the Sub Committee). Following the recent delegation of certain decisions including the consideration of suitability of evidence as to good character where the applicant is from a failed state and cannot comply with the requirement to provide a DBS (Criminal Record Check), there should be a positive impact on the number of issues required to go before the sub-committees.

Sub Committees also considered 74 applications under the Licensing Act, these were for:

- Grant of Licence 34
- Variation 4
- Temporary Event Notice 2
- Personal 5
- Expedited Review 11
- Review 17
- Transfer 1

The above figures for sub-committee hearings demonstrate a reduction in volumes for Licensing Act grant applications (decreased from 40 the previous year and 56 the year before that.). Although review hearings have decreased from 28 to 17, the number of expedited reviews has increased by 45% from 6 to 11.

### **Service Delivery Plan 2015/2016 – Outturn**

The Service Delivery Plan identifies targets and levels of performance. In order to ensure the delivery of quality services, the Licensing Service operates within the Regulation and Enforcement ISO9002 accredited management system (REMS).

The Licensing Service is committed to a programme of activities designed to ensure that our Service Provision and Service Standard targets are met.

<b>Service Provision</b>	<b>Acceptable Quality Level</b>	<b>Annual Outturn</b>
We will respond to all applications in a timely manner: Percentage of applications processed within 60 days* *Subject to tests and Committee timetable	90%	99.4%
We will respond to Requests for Assistance (RFA's): Percentage of RFA's responded to within 5-day target	97.5%	94.4%
We will submit all reports within two thirds of the time allowed us by law	98%	50%
Percentage of successful licensing prosecutions	95%	93.8%
Hackney Carriage and Private Hire: Overall customer satisfaction with Enforcement	80%	81%
Responding to Requests for Assistance: Overall customer satisfaction	80%	75%
Hackney Carriage and Private Hire: Overall customer satisfaction with reception services	80%	96%
Percentage of personal callers to Licensing seen within 15 minutes of their appointment time	97%	99.9%

## **CORONERS AND MORTUARY**

2015 (the Coroner's Service operates a calendar year for statistical data) saw a significant increase in the number of deaths notified to the Coroner. The number rose to 4,805, an increase of 12.2% on 2014 and represented 41% of all deaths in Birmingham and Solihull. There was a resultant 13% increase in the number of Post Mortems carried out at 1,775.

2015 saw the Senior Coroner Mrs Louise Hunt joined by a full time Area Coroner Ms Emma Brown with her team completed by four Assistant Coroners.

2015 saw the completion of the few remaining complex inquests that had been outstanding when the Senior Coroner took up post in 2013 and enabled the new work processes to run in accordance with the requirements of the Coroners and Justice Act provisions that became effective at the same time. This resulted in the average length of time from death to inquest to fall from 42 weeks in 2014 to 12 weeks in 2015, well below the national average of 20 weeks. The percentage of inquests that took over a year from death fell to under 2% against a national average of 8%. The service compared favourably with national averages in relation to the percentage of deaths that were inquested, the percentage that were subject to post mortem analysis and the amount of histological and toxicological testing that was carried out.

The expenditure on toxicological testing fell to £143K for the year compared to £197K in 2014 and £360K in 2013, a reduction of 60% in two years as the result of a renegotiated contract with BCL.

In October 2015 a new IT system, Civica, was introduced to the Coroner's and Mortuary service, this is still being embedded but is expected to deliver improved efficiency across the service.

Customer satisfaction with the service remained excellent.



## **ENGLAND ILLEGAL MONEY LENDING TEAM**

The England Illegal Money Lending Team is hosted by Birmingham City Council, tackling loan sharks across communities in England. The team moved under the governance of the national trading Standards Board in 2012.

The team consists of 32 Investigators and Regional Liaise Officers that support individuals and communities being exploited by loan sharks.

The England team receives approximately 600 intelligence / information reports each year that are investigated and risk assessed. The risk assessment will include action to be taken as well as any perceived or real risk in respect of our duty of care to the complainant / victim.

Every intelligence report is investigated to ensure that any decision about further action is informed and considered. The process is underpinned by the requirement to continually review all information to ensure the team has not underestimated or failed to act on the information.

In 2015/2016 work undertaken by the team included:

- 66 Arrests.
- 26 charged
- 36 On Bail.
- 10 cases finalized.
- 16 Custodial Sentences.
- Value of the loan books identified £8,604,806.50

In 2015/2016 there were 1,768 victims identified, the LIAISE team had 838 contacts with victims and witnesses. Of those, 91 agreed to complete a questionnaire about their financial situation. These **91** victims were in a total of **£838,000** of legitimate (non loan shark) debt – an average of **£9,217.96 per person – up over £1,000 each on the year before.** One victim from Yorkshire who believes engaging with IMLT saved his life, has made a video telling his story to encourage other victim's to come forward.

Every witness that engages with the team is risk assessed and appropriate measures are put in place to ensure their safety. In 2015/16 3 individuals were rehoused as part of this support.

In 2015/16 the LIAISE staff trained 13,000 frontline staff. This is instrumental in giving people the skills and knowledge to encourage their clients to report activity. Over 250 pieces of intelligence can be directly attributed to the work of LIAISE officers in 2015/16

December 2015 saw the launch of the first national stop loan sharks week. Activities across the country spread the Stop Loan Sharks message far and wide. This included a twitter campaign with partner agencies that achieved a reach of 2.5 million people.

Proceeds of crime money has been invested in projects across the country. Community arts projects, youth drama productions, money management skills targeted at people at risk of illegal lending and community safety initiatives all benefited from grant money from proceeds of crime. In January 2016 “The Grubstaker”, a play about illegal lending by young people for young people, premiered in Scarborough to a full house.

Lesson plans about financial capability skills that are delivered around the Stop Loan Sharks message are now being delivered in 5000 schools across England.

This year the Treasury announced that the team would be funded via an industry levy collected by the Financial Conduct Authority. The levy will be in place by 2017/18 and will afford a degree of consistency over a sustained period.

## **CUSTOMER SATISFACTION**

The tables below indicate the percentage of respondents to our surveys who were very or fairly satisfied in respect of the indicated measures with regard to their Requests for Assistance from Regulation and Enforcement Services.

<b>Environmental Health (general RFAs): April 2016</b>					
Measure	Overall quality of service	Staff Courtesy	Speed of Service	Outcome of our actions	Treated fairly
% Satisfied	60%	62%	47%	42%	63%
<b>Environmental Health (RFAs relating to rubbish) April 2016</b>					
Measure	Overall quality of service	Staff Courtesy	Speed of Service	Outcome of our actions	Treated fairly
% satisfied	58%	57%	46%	57%	67%
<b>Pest Control: April 2016</b>					
Measure	Overall quality of service	Staff Courtesy	Speed of Service	Outcome of our actions	Treated fairly
% Satisfied	94%	96%	96%	94%	96%

<b>Trading Standards: January 2016</b>					
Measure	Overall quality of service	Staff Courtesy	Speed of Service	Outcome of our actions	Treated fairly
% Satisfied	60%	78%	56%	40%	50%
<b>Trading Standards – No Rogue Traders Here service – satisfaction :</b>					
Satisfaction with the quality of work or services = >99%.					
Would you recommend the service to family/friends = >99%.					

**78%** of customers were satisfied with our targets for responding to RFA's – i.e. within five working days.

<b>Coroners Service: March 2016</b>					
Measure	Staff sensitivity	Staff Courtesy	Timescale of Service	Outcome of inquest	Treated fairly
% Satisfied	99%	96%	94%	95%	94%

### **Business Satisfaction**

#### **Licensing – Hackney Carriage and Private Hire Licensing August 2015**

Measure	Overall quality of service	Staff Courtesy	Speed of Service	Treated fairly
% Satisfied	96%	97%	97%	97%

#### **Licensing – Hackney Carriage and Private Hire Enforcement April 2015**

Measure	Overall quality of service	Staff Courtesy
% Satisfied	81%	97%

### **Customer Confidence**

Service Area	Confidence
When buying goods or services in Birmingham how confident are you that you will receive the goods/services that you asked for at the price advertised and in the correct quantity?	83.9%
How confident are you that the food you buy in shops and takeaways and the food that you eat in restaurants in Birmingham is safe?	71.3%
How confident do you feel about your safety when travelling in Birmingham licensed Hackney Carriage (Black Cab) or Private Hire vehicles	79.8%
How confident are you that Licensed premises in Birmingham are suitably controlled to ensure that you have a safe and enjoyable time?	75.6%

### **Response Times to RFAs**

Service Area	% of RFAs responded to within target time
Environmental Health	71.3
Pest Control	95.3
Licensing	94.4
Trading Standards	89.6
Register Office	97.5

### **Your Views**

Regulation and Enforcement received 84 compliments in 2015/2016 and upheld 24 complaints against service. Dealt with 95% of complaints within the City's target time