

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE 29 JUNE, 202

MINUTES OF A MEETING OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE HELD ON WEDNESDAY, 29 JUNE, 2022 AT 1030 HOURS AT THE COUNCIL HOUSE, BIRMINGHAM B1 1BB

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Diane Donaldson, Barbara Dring, Sam Forsyth,
Adam Higgs, Zafar Iqbal, Ziaul Islam, Izzy Knowles, Mary
Locke, Saddak Miah, Simon Morrall, Sybil Spence and Penny
Wagg

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NOTICE OF RECORDING/WEBCAST

- 1 The Chair advised that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

The business of the meeting and all discussions in relation to individual reports are available for public inspection via the web-stream.

DECLARATIONS OF INTEREST

- 2 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at the meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

There were no declarations made.

APOLOGIES

- 3 An apology was received from Councillor Julien Pritchard for non-attendance.
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APPOINTMENT OF LICENSING AND PUBLIC PROTECTION COMMITTEE

- 4 The appointment by the City Council of the Committee and Chair for the Municipal Year 2022/2023 was noted as follows:-

Labour Group (10)

Councillor Phil Davis (**Chairman**)
Councillor Diane Donaldson
Councillor Barbara Dring
Councillor Sam Forsyth
Councillor Zafar Iqbal
Councillor Ziaul Islam
Councillor Narinder Kooner
Councillor Mary Locke
Councillor Saddak Miah
Councillor Sybil Spence

Conservative Group (2)

Councillor Adam Higgs
Councillor Simon Morrall

Liberal Democrat Group (2)

Councillor Izzy Knowles
Councillor Penny Wagg

Green Party (1)

Councillor Julien Pritchard

ELECTION OF DEPUTY CHAIR

It was proposed and seconded

- 5 **RESOLVED:-**

That Councillor Diane Donaldson be appointed as Deputy Chair of the Committee for the Municipal Year 2022/23.

FUNCTIONS, POWERS AND DUTIES

The following schedule was submitted:-

(See Document No. 1)

- 6 **RESOLVED:-**

That the Committee's functions, powers and duties, as agreed by City Council and set out in the attached schedule be noted.

PRESENTATION FROM HEADS OF SERVICE

- 7 The Chair informed that Paul Lankester, Interim Assistant Director Regulation and Enforcement had sent his apologies for the meeting as he was engaged in Commonwealth Games Business. He congratulated Sajeela Nasser upon being successful in being appointed as Assistant Director of Regulation and Enforcement

Presentations were made by each of the Heads of Service

Sajeela Nasser- Register Officer
Mark Croxford – Environmental Health
Work Environmental Health Board
Clean Air Zone monitoring
Emerging Trends
Exhumations

Tony Quigley – Trading Standards

Following the presentations officers responded to questions from Members. Copies of the presentations would be sent to Members.

- Members were urged to contact the team if they had any concerns about counterfeit goods.
 - Counterfeit goods were usually identified from their price and packaging etc.
 - Tony Quigley undertook to discuss a noise and nuisance issue with a Member following the meeting.
 - There was no budget at present to expand the languages used in any literature.
 - In response to a comment the Committee was informed that any Trading Standards operations were risk based and there was a police presence as was deemed appropriate.
 - In response to a query about resources that could be shared with Councillors to make the public aware about the Illegal Money Lending Team, Tony Quigley informed that there was a website, posters and educational packs were also available. He undertook to provide details of an officer contact for Councillors to get assistance with their needs.
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COMMITTEE CODE OF PRACTICE FOR MEMBERS AND OFFICERS

The following document was submitted:-

(See Document No. 2)

8 **RESOLVED:-**

That the Committee's Code of Practice for Members and Officers, as agreed by City Council and set out in the attached document be noted.

DATES OF MEETINGS OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE

9 **RESOLVED:-**

That meetings of the Licensing and Public Protection Committee be held on the following Wednesdays at 1030 hours at the Council House, Birmingham B1 1BB (except where indicated.)

20 June 2022
21 September 2022
16 November 2022
18 January 2023
15 March 2023

Informal online briefings to be held on the following dates

20 July 2022
26 October 2022
14 December 2022
15 February 2023

LICENSING SUB-COMMITTEES 2022/2023

The Chair had raised with Legal Services whether the fixed membership of the Sub-Committees could be more flexible to meet Member's workload. He would report back on the issue.

10 **RESOLVED:-**

- (i) That the membership of Sub-Committees A, B and C appointed by the City Council for the Municipal Year 2022/2023 be noted as detailed below:-
- (II) Each Sub-Committee comprises 3 Members (with a quorum of 3) and will determine matters relating to The Licensing Act 2003, The Gambling Act 2005, Hackney Carriage Licences, Private Hire

Licensing and Public Protection Committee – 29 June, 2022

- (iii) Licences and such other business as may be referred to them by the Director of Regulation and Enforcement Services.
- The Chairs of the Licensing and Public Protection (Licensing Sub-Committee's role is to chair the Licensing Sub-Committee meetings, deal with subsequent actions of appeals and assist in finding substitutes for Members as required.

Any Member nominated must have had formal training as set out in the Licensing Procedure Rules.

Licensing Sub-Committee A – Mondays (1000 hours)

Cllrs Phil Davis (Chairman)	Lab	Billesley Ward
Mary Locke	Lab	Stirchley Ward
Simon Morrall	Con	Frankley Great Park

Licensing Sub-Committee B – Tuesdays (1000 hours)

Cllrs Diane Donaldson	Lab	Bromford & Hodge Hill
Ward		
Saddak Miah	Lab	Garretts Green
Adam Higgs	Con	Highters Heath Ward

Licensing Sub-Committee C – Wednesdays (1000 hours)

Cllrs Sam Forsyth	Lab	Quinton Ward
Narinder Kooner	Lab	Handsworth Wood Ward
Penny Wagg	L/D	Acocks Green Ward

MINUTES

- 11 The Minutes of the last meeting held on 9 March 2022 having been previously circulated, were confirmed and signed by the Chair.

LPPC OUTTURN REPORT 2021/22

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

(See document no. 3)

David Jones made introductory remarks relating to the report informing that much of the financial pressure during the year was owing to Covid. There was a separate appendix for Covid related matters.

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RESOLVED:-

That the Licensing and Public Protection Committee is requested to:-

- i) Note the revenue outturn non-Covid related underspend of £0.483m shown in Appendix 1;
 - ii) Note the financial pressure due to Covid of £0.510m shown in Appendix 2;
 - iii) Note the expenditure on ring-fenced licensing services in Appendix 3;
 - iv) Note the expenditure on grant funded and PoCA programmes in Appendix
 - v) Note the position on reserves, as detailed in Appendix 5.
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LICENSING POLICIES PROCEDURES AND DELEGATIONS 2022

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

(See document no. 4)

Emma Rohomon made introductory remarks relating to the report. In response to a comment about the Licensing Register website being based on the old Ward boundaries she informed that the electronic register was in the process of being replaced. In the interim all Members were sent a summary of licensing applications. It was anticipated that the system would go live in October. The new system will have an online public register. When the system is ready to be launched it will be reported back to the Committee. The Chair asked Members to let him know their views on setting up a small group of Members to look at the subject.

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RESOLVED:-

That the schemes of delegation detailed within the report be approved.

REGULATION & ENFORCEMENT ACTIVITY REPORT (QUARTER 4) – 2021/22

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

(See document no. 5)

Tony Quigley informed there was some work being undertaken regarding vaping shops. A report of findings will be submitted to the Committee in the future.

14 **RESOLVED:-**

That the content of the report be noted

PROSECUTIONS AND CAUTIONS REPORT – FEBRUARY, MARCH, APRIL 2022

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

(See document no. 6)

15 **RESOLVED:-**

That the report be noted.

CHAIRS AUTHORITY REPORT – JANUARY TO MAY 2022

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

(See document no. 7)

16 **RESOLVED:-**

That the report be noted

OTHER URGENT BUSINESS

17 In reply to a question from Councillor Morrall on progress with the issues raised by former Councillor Mike Sharpe about begging at traffic lights, the Chair advised that he had requested an update on the issue from the Cabinet Member and for an explanation why the issue was excluded from PSPO's. He will report back the response from the Cabinet Member to the Committee.

AUTHORITY TO CHAIRMAN AND OFFICERS

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RESOLVED:-

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

The meeting ended at 1140 hours.

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CHAIR