

BIRMINGHAM CITY COUNCIL

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

13 SEPTEMBER 2017
ALL WARDS

PROSECUTIONS AND CAUTIONS – JUNE 2017

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of June 2017.
2. Recommendation
 - 2.1 That the report be noted.

Contact Officer: Alison Harwood, Acting Director Regulation and Enforcement
Telephone: 0121 303 0201
E-Mail: Alison.harwood@birmingham.gov.uk

3. Results

3.1 During the month of June 2017 the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- Three Licensing cases resulted in fines of £1,080. Prosecution costs of £1,703 were awarded with a total of 13 penalty points. 16 simple cautions were administered as set out in Appendix 1.
- 70 Environmental Health cases resulted in fines of £64,432 and two Community Orders with a total of 140 hours unpaid work. Prosecution costs of £36,988 were awarded. Two simple cautions were administered as set out in Appendix 2.
- One Trading Standards case was finalised resulting in a fine of £2,500 and prosecution costs in the sum of £7,000. A Confiscation Order was made in the sum of £93,167. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in June 2017 and cases finalised by district April - June 2017.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team in April - June 2017.

4. Consultation

4.1 The Enforcement Policy that underpins the work identified in this report is approved by your Committee. The policy reflects the views of the public and business in terms of the regulation duties of the Council. Any enforcement action[s] taken as a result of the contents of this report are subject to that Enforcement Policy.

5. Implications for Resources

5.1 Costs incurred in investigating and preparing prosecutions, including officers' time, the professional fees of expert witnesses etc. are recorded as prosecution costs. Arrangements have been made with the Magistrates Court for any costs awarded to be reimbursed to the City Council. Monies paid in respect of fines are paid to the Treasury.

5.2 For the year April 2017 to June 2017 the following costs have been requested and awarded:

Licensing

£6,991 has been requested with £4,311 being awarded (62%).

Environmental Health

£101,997 has been requested with £84,863 being awarded (83%).

Trading Standards

£18,322 has been requested with £16,776 being awarded (91%).

- 5.3 For the month of June 2017 the following costs have been requested and awarded:

Licensing

£1,703 has been requested with £1,703 being awarded (100%).

Environmental Health

£48,163 has been requested with £35,654 being awarded (74%).

Trading Standards

£9,261 has been requested with £7,000 being awarded (75%).

6. Implications for Policy Priorities

- 6.1 The contents of this report contribute to the priority action of ensuring business compliance with legislation to protect the economic interests of consumers and businesses as contained in the Council Business Plan 2015+.

7. Public Sector Equality Duty

- 7.1 The actions identified in this report were taken in accordance with the Enforcement Policy of the Licensing and Public Protection Committee which ensures that equality issues have been addressed.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

LICENSING CASES

APPENDIX 1

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	12/6/17	Shahedul Islam 359 Golden Hillock Road Sparkbrook Birmingham B11 2QL	Equalities Act 2010 Pleaded <u>not guilty</u> to one offence of failing to carry out a booking, accepted by the operator, because the disabled customer was accompanied by an assistance dog. Found guilty in his absence.	£660 £686 costs (£686 requested)	Sparkbrook	Ladywood
2	16/6/17	Simon Negash 86 Mulliner Street Foleshill Coventry CV6 5EU	Town Police Clauses Act 1847 & Road Traffic Act 1988. Pleaded guilty to two offences: one of plying for hire in Ladywell Walk, Birmingham and one of consequently having invalid insurance.	£300 x No Insurance + 6 penalty points No separate penalty for plying £452 costs (£452 requested)	Out of area	Ladywood
3	22/6/17	Raja Rashid Majeed Khan 42 Roland Road Lozells Birmingham B19 1RS	Town Police Clauses Act 1847 & Road Traffic Act 1988. Pleaded guilty to two offences: one of plying for hire in Ladywell Walk, Birmingham and one of consequently having invalid insurance.	£120 x No Insurance + 7 penalty points No separate penalty for plying £565 costs (£565 costs awarded)	Lozells & East Handsworth	Ladywood

LICENSING SIMPLE CAUTIONS

During the period of June 2017, 16 simple cautions have been administered.

Local Government (Miscellaneous Provisions) Act 1976

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

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

Byelaw 26 of the Birmingham City Council Hackney Carriage Byelaws 2008 made under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875 Four cautions were issued for failing to wear or display a hackney carriage driver's badge and failing to produce a copy of the Birmingham City Council byelaws when requested

FOOD HYGIENE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	8/6/17	Dixy Chicken (Soho Road) Ltd 283 Soho Road Birmingham B21 9SA	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to seven offences relating to conditions at Dixy Chicken, 283 Soho Road. There was evidence of mice activity throughout the premises. Floors and shelving were dirty and littered with mouse droppings. There were dirty and greasy filters in the ventilation canopy above a fryer. There were gaps around pipe work, beneath a skirting board and around a door which could permit access to pests. Both sides of a chopping board were heavily scored and unable to be effectively cleaned. There was a full, uncovered waste bin at the foot of the salad table and two unlidded, full, waste oil barrels in the rear yard.	Total £840 (£120 x 7) £1,300 costs (£2,170 requested)	Soho	Soho
2	8/6/17	Hassan Dini 82 Martineau Tower Uxbridge Street Birmingham B19 3UL	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to four offences relating to conditions at Nine Mini Market, 116 Great Hampton Row, Aston, Birmingham. Mouse droppings were found throughout the premises and three dead mice found on a sticky board under shelving. There were holes and cracks in the structure of the premises, allowing access to pests. Packets of dried okra, which had been gnawed by mice, were being offered for sale.	Total £1,200 (£300 x 4) £500 costs (£791 requested)	Aston	Aston

3	8/6/17	Edries Ahmad 18 Romulus Close Birmingham B20 2AR	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to four offences relating to poor conditions found at Dastan Fresh Nan, 468 Dudley Road, Birmingham. Mouse droppings were found on shelving, within boxes storing food and underneath a mixer in the kitchen. Rat droppings were found on and underneath shelving. Packaging for cake bars and dates had been gnawed and a bag of rice had been gnawed and taped back together.	Total £480 (£160 x 3) £775 costs (£775 requested)	Handsworth Wood	Soho
4	8/6/17	Philpotts Ltd 146-156 Sarehole Road Hall Green Birmingham B28 8DT	Food Safety and Hygiene (England) Regulations 2013 Pleaded <u>not guilty</u> to three offences relating to conditions at Philpotts, 34 Bennetts Hill, Birmingham. There was evidence of mice activity throughout the premises and a mouse was seen running around the serving area. Mouse droppings were found on the floor, shelves and food packaging. There were holes in the chill display and in the ceiling leading to loft space. The premises was not kept clean, there was build-up of dirt on floor/wall junctions and pipework throughout the premises and under shelving. Found guilty after trial.	Total £35,000 (£12,000 x 2 £11,000 x 1) £15,892 costs (£15,892 requested)	Hall Green	Ladywood

5	16/6/17	Chung Ying Central Ltd Unit 1 17 Thorp Street Birmingham B5 4AT	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to two offences relating to conditions at Chung Ying Central, 126 Colmore Row, Birmingham. There were no adequate procedures in place to control pests in that live and dead cockroaches were found throughout the premises. The premises was not kept clean.	Total £2,000 (£1,000 x 2) £790 costs (£790 requested)	Nechells	Ladywood
6	21/6/17	Zafar Hussain 328 Baldwins Lane Birmingham B28 0RD	Food Safety and Hygiene (England) Regulations 2013 Pleaded <u>not guilty</u> to 18 offences relating to the conditions at Shabab, 163-165 Ladypool Road on four separate occasions. The premises were not kept clean or maintained in good condition and raw ingredients were not stored in appropriate conditions. There were no procedures in place based on the HACCP principles and food handlers were not wearing clean and protective clothing. No wash basin was provided for cleaning hands and hygienic hand drying. Adequate provisions were not provided for the storage and disposal of waste, rubbish and numerous tins of waste oil were being stored in the rear yard. Three of the offences related to the failure to comply with hygiene improvement notices requiring a documented food safety management system to be implemented, food to be protected from contamination and the premises and equipment to be kept in a clean condition Found guilty after trial.	Total £8,640 (£480 x 18) £2,000 costs (£6,183 requested)	Hall Green	Sparkbrook

7	22/6/17	Continent Foods Ltd Unit 19 Small Heath Trading Estate Armoury Road Birmingham B11 2RJ	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to two offences relating to conditions at Continent Foods Ltd, Unit 19 Small Heath Trading Estate, Armoury Road, Birmingham, rat droppings were found throughout the premises. Food was not protected against contamination in that bags of gnawed food were found.	£1,000 x offence 1 No separate penalty for remaining offence £650 costs (£650 requested)	South Yardley	Sparkbrook
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WASTE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	8/6/17	Sarah Phipps 9 Burdons Close Birmingham B34 6ET	Environment Act 1995 Found guilty in her absence of one offence of failing to provide information requested in a statutory demand for information in connection with the illegal depositing of a fridge/freezer on the public highway at the side of 9 Burdon's Close, Birmingham	£550 £470 costs (£470 requested)	Shard End	Shard End
2	8/6/17	Ion-Alexandru Barbu-Dragu 42 Compton Road Birmingham B20 3QG	Environmental Protection Act 1990 Pleaded guilty to one offence of knowingly causing controlled waste, namely a fridge freezer, TVs, pallets and other household items, to be deposited from a motor vehicle on land at the rear of Churchill Parade, 161-211 Birchfield Road, Birmingham.	£480 £500 costs (£740 requested)	Lozells & East Handsworth	Aston

3	12/6/17	Paul Taylor 4 Cromwell Street Dudley DY2 7HA	Environmental Protection Act 1990 Pleaded guilty to one offence of being in control of a vehicle which was used to deposit controlled waste, namely office furniture and documentation from Citysave Credit Union Ltd, at the Castle Vale Stadium site off Farnborough Road, Birmingham.	£650 £1,500 costs (£3,915 requested)	Out of area	Tyburn
4	14/6/17	Susan Cattell 40 St Athon Croft Birmingham B35 7LS	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of failing to prevent controlled waste from Extensions by Sue, 1089a Chester Road, Birmingham being deposited in the vicinity of 1089 Chester Road and one of failing to provide written information as to how waste from the business was being disposed of to an authorized officer within 7 days	£1,000 x offence 1 No separate penalty for remaining offences. £630 costs (£860 requested)	Tyburn	Tyburn
5	22/6/17	Kashif Khan 4 Central Grove Acocks Green Birmingham B27 7BY	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing an accumulation of controlled waste, including a mattress, wood and a large number of miscellaneous items, on land opposite Unit 4, Tyseley Estate, Seeleys Road, Birmingham.	£646 £1,676 costs (£1,676 requested)	Acocks Green	South Yardley
6	22/6/17	Aston & Bradley Insurance Services Ltd 51 Station Road Erdington Birmingham B23 6UE	Environmental Protection Act 1990 Pleaded guilty to one offence of causing controlled waste, namely one black bag of waste relating to Aston & Bradley Insurance Services Ltd, 51 Station Road, Erdington, Birmingham, to be deposited on land in Station Road, Erdington, Birmingham.	£120 £539 costs (£539 requested) £160.50 clean-up costs	Erdington	Erdington

7	22/6/17	Adam Khan 24 Stoneyford Grove Birmingham B14 4BU	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing a large amount of controlled waste, including a plastic outdoor storage box, chairs, wood and metal, on Priory Road, Aston, Birmingham.	£2,031 £816 costs (£816 requested) £160 clean-up costs	Billesley	Nechells
8	30/6/17	Marian-Alin Focanescu 42 Compton Road Birmingham B20 3QG	Environmental Protection Act 1990 Theft Act 1968 Pleaded guilty to two offences; one of knowingly causing controlled waste, namely a fridge freezer, TVs, pallets and other household items, to be deposited from a motor vehicle on land at the rear of Churchill Parade, 161-211 Birchfield Road, Birmingham and one of stealing approximately 410 plastic crates belonging to Marks and Spencer PLC from Marks and Spencer Simply Food, London Road, Woodley, Reading.	Community Order x 12 months 80 hours of unpaid work £1,000 costs (£1,410 requested)	Lozells & East Handsworth	Aston

ANIMAL WELFARE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	8/6/17	Shafique Choudhury 7 Perry Villa Drive Perry Barr Birmingham B42 2LG	Fouling of Land by Dogs Order 2014 made under The Clean Neighbourhoods and Environment Act 2005 Found guilty in his absence of one offence of being a person in charge of a dog which defecated on land at Perry Park, Church Road, Birmingham and failing to remove the faeces.	£220 £250 costs (£250 requested)	Perry Barr	Perry Barr

2	22/6/17	Joanne Curley 25 Thornley Grove Birmingham B76 9RH	Fouling of Land by Dogs Order 2014 made under The Clean Neighbourhoods and Environment Act 2005 Pleaded guilty to one offence of being a person in charge of a dog which defecated in New Street, Birmingham and failing to remove the faeces.	£80 £175 costs (£175 requested)	Sutton New Hall	Ladywood
3	30/6/17	Mohammed Khan 1 Nuttall Grove Handsworth Birmingham B21 0HZ	Animal Welfare Act 2006 Found guilty in his absence of one offence of being a person responsible for a Rottweiler type dog and failing to take steps to ensure the needs of the animal were met. The dog was underweight, living in squalid conditions and had a wound to his tail.	12 month community order with 60 hours of unpaid work. £150 costs (£961 requested)	Soho	Soho

LITTERING OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	2/6/17	Samiya Wedderburn 166 Linden Road Birmingham B30 1NS	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£100 £175 costs (£175 requested)	Bournville	Ladywood
2	2/6/17	Angela Wilkins 93 Warwards Lane Birmingham B29 7RA	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Selly Oak	Ladywood

3	2/6/17	Lesley Waters 6 Moor Park Road Northfield Birmingham B31 4HB	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Northfield	Ladywood
4	2/6/17	Medhi Tounsi 12 Ray Walk London N7 7RD	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
5	2/6/17	Babar Sheikh 48 Third Avenue Birmingham B9 5RJ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Bordesley Green	Ladywood
6	2/6/17	Paul Alexander Raymond Rose Cottage Oswestry SY10 7EU	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
7	2/6/17	Alexandru Nicolae 100 Minstead Road Birmingham B24 8PX	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Tyburn	Ladywood
8	2/6/17	Gary Browne 6 Moor Park Road Northfield Birmingham B31 4HB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£120 £175 costs (£175 requested)	Northfield	Ladywood

9	8/6/17	Derek Tong Apartment 14 38 Rylan Street Birmingham B16 8DD	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £175 costs (£175 requested)	Ladywood	Ladywood
10	8/6/17	Ian Robinson 32 Phoenix Court West Drive Birmingham B5 7RT	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £175 costs (£175 requested)	Edgbaston	Ladywood
11	8/6/17	Anthony Masih Mattu 8 Owen Road Wolverhampton WV3 0HP	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
12	8/6/17	Romulus Miah 91 Perrot Street Birmingham B18 4LZ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.	£220 £175 costs (£175 requested)	Soho	Ladywood
13	8/6/17	Syed Rahman 114 Leominster Road Birmingham B11 3BJ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.	£220 £175 costs (£175 requested)	Springfield	Ladywood
14	8/6/17	Josh Davis Room 1 90 Queensland Road Handsworth Birmingham B21 0QJ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.	£220 £175 costs (£175 requested)	Soho	Ladywood

15	8/6/17	Lo Fend 39 Birmingham Road Great Barr Birmingham B43 6NX	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
16	8/6/17	Lee Freeman 60 Mallaby Close Shirley Solihull B90 2PW	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
17	8/6/17	Joshua Jones 97 Holly Road Handsworth Birmingham B20 2BX	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£220 £175 costs (£175 requested)	Lozells & East Handsworth	Ladywood
18	8/6/17	Lee Knibbs 28 Lea House Road Birmingham B30 2DD	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Bournville	Ladywood
19	8/6/17	Kiran Najib 65 Holte Road Birmingham B6 6RS	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.	£40 £175 costs (£175 requested)	Perry Barr	Ladywood
20	8/6/17	Wayne Patterson 129 Warren Farm Road Birmingham B44 0PU	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£50 No costs awarded (£175 requested)	Kingstanding	Ladywood

21	8/6/17	Christopher Williams 3 Kenilworth Mews Kenilworth Street Leamington Spa CV32 4QT	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£50 No costs awarded (£175 requested)	Out of area	Ladywood
22	8/6/17	Umairah Afsar 21 Buckland End Birmingham B34 6LB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Hodge Hill	Ladywood
23	8/6/17	Shafeen Akhtar 9 Tarrant Grove Birmingham B32 2NW	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £175 costs (£175 requested)	Quinton	Ladywood
24	8/6/17	Mohammed Alenzi Apartment 105 Orion Building 90 Navigation Street Birmingham B5 4AB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Ladywood	Ladywood
25	8/6/17	Wojciech Banasik Flat 3 2 Alexander Road Acocks Green Birmingham B27 6HE	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Acocks Green	Ladywood
26	8/6/17	Bradlee Bayliss 115 Woodbury Road Halesowen West Midlands B62 9AW	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood

27	8/6/17	Danut Paun 17 Kingsley Road Smethwick Birmingham B66 4SN	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
28	8/6/17	Jenna Busch 7a Taverners Crescent Derby DE23 6XT	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£50 No costs awarded (£175 requested)	Out of area	Ladywood
29	8/6/17	William Murphy 31 Long Leasow Selly Oak Birmingham B29 4LT	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.	£85 £175 costs (£175 requested)	Weoley	Ladywood
30	8/6/17	Gurupreet Rait 145 Turner Street West Bromwich B70 9HZ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
31	8/6/17	Cameron Rueben Ricardo Whelan 42 Peel Street Birmingham B18 7DT	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in St Philips Place, Birmingham.	£220 £175 costs (£175 requested)	Soho	Ladywood
32	8/6/17	Connor Ward 133 Algar Avenue Malvern Worcester WR14 2HA	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood

33	8/6/17	Sarah Woods 9 East Dales Milton Keynes MK13 7PJ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
34	22/6/17	Sunny Ali 6 The Hollies Montague Road Smethwick B66 4PE	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
35	22/6/17	Keith Mitchell 23 Third Avenue Wolverhampton WV10 9PH	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
36	22/6/17	Mohammed Najeeb 15 Dunlop Avenue Nottingham NG7 2BW	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
37	22/6/17	Bradley Parsonage 290a Lichfield Road Sutton Coldfield B74 2UG	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Sutton Four Oaks	Ladywood
38	22/6/17	Grant Slaney 82 Grange Drive Glen Parva Leicester LE2 9PG	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood

39	22/6/17	Callum Wykes 83a Harcourt Drive Sutton Coldfield B74 4LN	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £175 costs (£175 requested)	Sutton Four Oaks	Ladywood
40	22/6/17	Ben Cooper Hollydale House Dennfield Drive Walsall WS6 7JX	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£50 No costs awarded (£175 requested)	Out of area	Ladywood
41	22/6/17	Kerry Louise Devey 34 Greenslade Grove Hednesford Cannock WS12 1QR	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£80 £175 costs (£175 requested)	Out of area	Ladywood
42	30/6/17	Lee Mitchell Phipps 25 Heynesfield Road Birmingham B33 0AG	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	Conditional Discharge x 6 months £50 costs (£175 requested)	Shard End	Ladywood
43	30/6/17	Joe Burbeck 75 Church Road Malvern WR14 1NQ	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£35 £85 costs (£175 requested)	Out of area	Ladywood
44	30/6/17	Lisa Marie Inman 75 Copthorne Road Kingstanding Birmingham B44 9NU	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£35 £85 costs (£175 requested)	Oscott	Ladywood

45	30/6/17	Thomas Gallagher 37 Clevedon Square Cheltenham GL51 8BN	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £85 costs (£175 requested)	Out of area	Ladywood
46	30/6/17	Mehrunnisha Patel 11 Abbots Close Leicester LE5 1EH	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £85 costs (£175 requested)	Out of area	Ladywood
47	30/6/17	Melissa Shepherd 37 Kendals Close Radlett WD7 8NQ	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£220 £85 costs (£175 requested)	Out of area	Ladywood
48	30/6/17	Tony Ngujen Van 124 Teddington Grove Perry Barr Birmingham B42 1RQ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.	£220 £85 costs (£175 requested)	Perry Barr	Ladywood
49	30/6/17	Mohammed Meshrer Ali Alewezi 105 Orion Building 90 Navigation Street Birmingham B5 4AB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.	£220 £85 costs (£175 requested)	Ladywood	Ladywood
50	30/6/17	Abdulrahman Atiah Abdulrahman Alzahrn 1805 Rotunda Building Worcester Street Birmingham B2 4BB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Station Street, Birmingham.	£220 £85 costs (£175 requested)	Ladywood	Ladywood

51	30/6/17	Wenjie Chen Apartment 54 140 Bath Row Birmingham B15 1NQ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.	£220 £85 costs (£175 requested)	Ladywood	Ladywood
52	30/6/17	David Vincent Farr 13 Baton Turn Burton on Trent DE13 8EA	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£220 £85 costs (£175 requested)	Out of area	Ladywood

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

One simple caution was administered during June 2017.

Food Safety and Hygiene (England) Regulations 2013

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

TRADING STANDARDS**APPENDIX 3**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	26/6/17 Birmingham Crown Court	Tarlochan Singh Khurana 52 Vanbrough Crescent Northolt UB5 5JW	<p>Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 Licensing Act 2003 Trade Marks Act 1994 Consumer Protection from Unfair Trading Regulations 2008</p> <p>Pleaded guilty to six offences; two of possessing 59 packs of cigarettes and nine packs of hand rolling tobacco at Stechford Food & Wine, 207 Station Road Stechford, Birmingham which did not show the pictorial health warnings on the packaging and which had been imported without the payment of duty; three offences relating to the possession of goods, namely five packets of Mayfair cigarettes, 13 bottles of Glens Vodka and four bottles of Smirnoff Vodka, for the purpose of supply, which bore registered trademarks without the consent of the trade mark proprietors and one of possessing for supply four bottles of Famous Grouse Whisky which had tampered custom stamps and as such were not valid for sale in the UK</p>	<p>Total £2,500 (£500 x 4 £250 x 2)</p> <p>£7,000 costs (£9,261 requested)</p> <p>Forfeiture of seized counterfeit and illicit goods granted</p> <p>Confiscation order in the sum of £93,167</p>	Out of area	Stechford & Yardley North

TRADING STANDARDS SIMPLE CAUTIONS

No simple cautions were administered during June 2017.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – JUNE 2017

<u>WARDS & CONSTITUENCIES FINALIZED BY OFFENCE</u>				
	<u>Licensing</u>	<u>Environmental Health - Non FPNs</u>	<u>Environmental Health - FPNs</u>	<u>Trading Standards</u>
EDGBASTON				
Bartley Green				
Edgbaston				
Harborne				
Quinton				
ERDINGTON				
Erdington		1		
Kingstanding				
Stockland Green				
Tyburn		2		
HALL GREEN				
Hall Green				
Moseley & Kings Heath				
Sparkbrook		2		
Springfield				
HODGE HILL				
Hodge Hill				
Washwood Heath				
Bordseley Green				
Shard End		1		
LADYWOOD				
Aston		3		
Ladywood	3	3	52	
Nechells		1		
Soho		3		

NORTHFIELD				
Kings Norton				
Longbridge				
Northfield				
Weoley				
PERRY BARR				
Lozells & East Handsworth				
Handsworth Wood				
Oscott				
Perry Barr		1		
SELLY OAK				
Billesley				
Bournville				
Bradwood				
Selly Oak				
SUTTON COLDFIELD				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity				
Sutton Vesey				
YARDLEY				
Acocks Green				
Sheldon				
South Yardley		1		
Stechford & North Yardley				1
TOTAL	3	18	52	1

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – JUNE 2017

<u>WARDS & CONSTITUENCIES - FINALIZED BY DEFENDANT'S ADDRESS</u>				
	<u>Licensing</u>	<u>Environmental Health - Non FPNs</u>	<u>Environmental Health - FPNs</u>	<u>Trading Standards</u>
EDGBASTON				
Bartley Green				
Edgbaston			1	
Harborne				
Quinton			1	
ERDINGTON				
Erdington		1		
Kingstanding			1	
Stockland Green				
Tyburn		1	1	
HALL GREEN				
Hall Green		2		
Moseley & Kings Heath				
Sparkbrook	1			
Springfield			1	
HODGE HILL				
Hodge Hill			1	
Washwood Heath				
Bordseley Green			1	
Shard End		1	1	
LADYWOOD				
Aston		1		
Ladywood			5	
Nechells		1		
Soho		2	3	

NORTHFIELD				
Kings Norton				
Longbridge				
Northfield			2	
Weoley			1	
PERRY BARR				
Lozells & East Handsworth	1	2	1	
Handsworth Wood		1		
Oscott			1	
Perry Barr		1	2	
SELLY OAK				
Billesley		1		
Bournville			2	
Bradwood				
Selly Oak			1	
SUTTON COLDFIELD				
Sutton Four Oaks			2	
Sutton New Hall		1		
Sutton Trinity				
Sutton Vesey				
YARDLEY				
Acocks Green		1	1	
Sheldon				
South Yardley		1		
Stechford & North Yardley				
OUT OF AREA	1	1	23	1
TOTAL	3	18	52	1

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – JUNE 2017

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	3	0	0	0	0	0	0	3
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	52	0	0	0	0	0	0	52
Environmental Health (non FPNs)	0	3	2	1	10	0	1	0	0	1	0	18
Trading Standards	0	0	0	0	0	0	0	0	0	1	0	1

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – JUNE 2017

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	1	0	0	0	1	0	0	0	1	3
Environmental Health (FPNs) Not paid and prosecuted	2	2	1	3	8	3	4	3	2	1	23	52
Environmental Health (non FPNs)	0	2	2	1	4	0	4	1	1	2	1	18
Trading Standards	0	0	0	0	0	0	0	0	0	0	1	1

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL - JUNE 2017

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	1		5	2	0	0	0	2	0	11
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	154	0	0	0	0	0	0	154
Environmental Health (non FPNs)	0	5	3	3	17	2	5	1	0	6	0	42
Trading Standards	0	0	0	0	3	0	0	0	0	2	0	5

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL - JUNE 2017

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	4	2	0	1	1	0	0	0	2	11
Environmental Health (FPNs) Not paid and prosecuted	7	5	3	15	20	6	12	6	2	3	75	154
Environmental Health (non FPNs)	2	3	4	5	10	1	7	1	1	4	4	42
Trading Standards	0	0	0	0	3	0	0	0	0	1	1	5

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2017 – MARCH 2018

	Apr-17	May-17	Jun-17	Total 2017/2018
Waste Investigation Outcomes				
Investigations into commercial waste disposal suspected offences and offences	23	35	83	141
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	20	32	75	127
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	11	13	25	49
<u>Section 87 Environmental Protection Act.</u> Fixed Penalty notices issued for commercial and residential litter offences (£80)	5	0	5	10
<u>Section 33 Environmental Protection Act</u> fixed penalty notices issued for fly tipping (£400)	4	9	7	20
Prosecutions				
Number of prosecution files submitted to legal services (number produced quarterly)			15	15