

BIRMINGHAM CITY COUNCIL

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

14 SEPTEMBER 2016
ALL WARDS

**ACTIONS TAKEN BY THE CHIEF OFFICER IN CONSULTATION WITH THE
CHAIR OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE
DURING JULY AND AUGUST 2016**

1. Summary

- 1.1 This report advises the Committee of actions taken by the Chair under authority from the Licensing and Public Protection Committee, together with an explanation as to why this authority was used.

2. Recommendation

- 2.1 That the report be noted.

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3. Background Information

- 3.1 On 16 March 2007 Section 52 of the Road Safety Act 2006 came into force. This has had the effect of enabling a Licensing Authority to suspend or revoke a hackney carriage or private hire driver's licence with immediate effect – meaning that the suspension or revocation takes effect immediately once notice of the authority's decision has been given to the driver – where this decision is considered necessary in the interests of public safety.
- 3.2 In addition Environmental Health requested Chair and Chief Officers authority to implement electronic fixed penalty notices for litter offences which may affect the reporting of FPNs to Committee.

4. Summary of Environmental Health Related Actions Taken During July 2016

- 4.1 On 27 July 2016 the Chair was consulted and gave approval for the litter enforcement officers to trial a new to Birmingham electronic system for issuing litter Fixed Penalty Notices (FPNs). The recipients of a litter FPN will now have their details entered into a hand held computer which will upload their details directly and print the FPN on the street.
- 4.2 The new FPNs will allow payment through Pay-Points in post offices and newsagents and the system will reduce the need for inputting data manually. This will assist our administrative staff by reducing the risk of errors occurring in transposing data. It will also have a beneficial effect on workloads to city cashiers who are also experiencing increased demands in receiving payments.
- 4.3 The Chair was advised that Environmental Health would be able to continue reporting the numbers of FPNs issued but may not be able to run the reports in the format that Committee is familiar with. Environmental Health would advise Committee as soon as it knew if there was a problem in continuing to report FPNs by ward and other Local Authority.

5. Summary of Licensing Related Actions Taken During August 2016

- 5.1 On 15th August the Licensing Service were contacted by West Midlands Police regarding a driver who was being investigated for a sexual assault on a passenger whilst in his licensed vehicle. The passenger had been picked up at a bus stop late at night and had not booked the journey. Following consultation with the Chair, the driver's licence was revoked with immediate effect in the interests of public safety.
- 5.2 On 17th August it was discovered that a licensed private hire driver had been charged with a serious offence involving the disposal of a firearm used in an attempted murder. Following consultation with the Chair, the driver's licence was revoked with immediate effect in the interests of public safety.

6. Implications for Resources

- 6.1 No specific implications have been identified, although the new payment system should have a beneficial effect on the demands placed upon the Environmental Health service.

7. Implications for Policy Priorities

- 7.1 The contents of the report contribute to the City Council's published policy priority of improving the standards of licensed vehicles, people and premises in the City.
- 7.2 The implementation of the electronic fixed penalty facility will improve the efficiency of managing this work for both Environmental Health and colleagues in Finance as well as being easier for recipients to pay their fixed penalty. This supports the priority of developing a smart city.

8. Implications for Equality and Diversity

- 8.1 The actions identified in this report were taken in accordance with the Regulatory Services enforcement policy, which ensures that equality issues have been addressed.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT