

BIRMINGHAM CITY COUNCIL

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

15 MARCH 2017
ALL WARDS

PROSECUTIONS AND CAUTIONS – JANUARY 2017

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

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3. Results

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

- Two Licensing cases resulted in fines of £340. Prosecution costs of £700 were awarded with 8 penalty points. Ten simple cautions were administered as set out in Appendix 1.
- Sixty-two Environmental Health cases resulted in fines of £115,631 and a 12 month conditional discharge. Prosecution costs of £39,335 were awarded together with compensation in the sum of £160. One simple caution was administered as set out in Appendix 2.
- Two Trading Standards cases were finalised in January 2017 resulting in a 14 month prison sentence, an 11 month suspended sentence, a 12 month community order and a total of 255 hours of unpaid work. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in January 2017 and cases finalised by district April-January 2017.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team from April-December 2016.

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 2016 to January 2017 the following costs have been requested and awarded:

Licensing

£24,010 has been requested with £17,152 being awarded (71%)

Environmental Health

£218,006 has been requested with £185,628 being awarded (85%).

Trading Standards

£56,840 has been requested with £27,534 being awarded (48%).

- 5.3 For the month of January 2017 the following costs have been requested, awarded and received:

Licensing

£1,655 has been requested with £700 being awarded (42%) and £4,011 received.

Environmental Health

£43,621 has been requested with £39,335 being awarded (90%) and £25,936 received.

Trading Standards

No costs have been requested and £6,342 received.

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

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
1	Hammed Ullah Ibrahimkhail 47 Hamblets Road West Bromwich B70 9NY	5/1/17	Town Police Clauses Act 1847 Road Traffic Act 1988	£140 x no insurance + 8 penalty points No separate penalty x plying for hire	£200 (£452 requested)	Pleaded guilty to two offences: one of plying for hire in Bennetts Hill, Birmingham and one of consequently having invalid insurance.
2	Mohammed Saleem Kimati 15 Westfield Road Smethwick B67 6AW	9/1/17	Criminal Justices and Public Order Act 1964	£200	£500 (£1,203 requested)	Pleaded <u>not guilty</u> to one offence of soliciting persons to hire a vehicle in outside the Hyatt Hotel in Bridge Street, Birmingham. Found guilty following trial.

LICENSING SIMPLE CAUTIONS

During the period of January 2017, ten simple cautions have been administered.

Local Government (Miscellaneous Provisions) Act 1976

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

Section 50(3) One caution was issued for failing to report an accident to the City Council within 72 hours.

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

Local Government (Miscellaneous Provisions) Act 1976 Sections 48(6) and 54(2)

Two cautions were issued for failing to display a private hire vehicle licence plate and failing to wear a private hire driver's badge.

Town Police Clauses Act 1847 Section 45 One caution was issued for plying for hire.

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

One caution was issued for failing to produce upon request a copy of the Hackney Carriage Byelaws for inspection.

ENVIRONMENTAL HEALTH CASES**FOOD HYGIENE OFFENCES**

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
1	Tropical Food Experience Ltd Nairn House 1174 Stratford Road Hall Green Birmingham B28 8AQ	5/1/17	Food Safety and Hygiene (England) Regulations 2013	£2,000 x 1 st offence No separate penalty x remaining offences	£1,099 (£1,099 requested)	Pleaded guilty to five offences: four relating to the condition of Karib Gril, 2-4 St Mary's Row, Moseley, Birmingham. There was evidence of mouse activity throughout the premises allowing contamination of food, surfaces and equipment and there were holes and gaps in the structure of the premises allowing the ingress of mice. One offence relating to a Vegetable Pattie being found on display for sale past its use by date.
2	Fazel Haq Essakhil 24 Carlsbrooke Road Wednesbury WS10 0JA	5/1/17	Food Safety and Hygiene (England) Regulations 2013	£800 x 1 st offence No separate penalty x remaining offences	£200 (£1,421 requested)	Pleaded guilty to three offences relating to the condition of Firdous Grocery Halal Meat, 347 Dudley Road, Birmingham. Adequate procedures were not in place to control pests, mouse droppings were found on shelving behind bags of rice and boxes of seasoning and spices and further mouse droppings were found in the butchery area. Shelving and flooring on the shop floor were dirty.

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
3	Charles Aroence Koko 8 Avon Drive Castle Bromwich Birmingham B36 0TR	5/1/17	Food Safety and Hygiene (England) Regulations 2013	£500 x 1 st offence No separate penalty x remaining offences	£500 (£1,092 requested)	Pleaded guilty to three offences relating to the condition of Coasters Café, 248 High Street, Erdington, Birmingham. Adequate procedures were not in place to control pests, mouse droppings were found in the kitchen where food was being prepared and in boxes which held raw ingredients. The gas cooker, bain marie and tables holding food equipment were all found to be greasy. There were gaps within the structure of the building allowing ingress for mice.
4	Cravings4 Ltd 554 Stratford Road Birmingham B11 4AL Mohammed Zulqarnan 240 Heath Road Small Heath Birmingham B10 9BD	5/1/17	Food Safety and Hygiene (England) Regulations 2013	Total £9,175 (Company £8,000 x 1 st offence Director £1,175 x 1 st offence) No separate penalty x remaining offences	£1,000 (£1,007 requested) Costs to be paid by the Director	Both defendants pleaded guilty to five offences relating to the condition of Cravings, 554 Stratford Road, Birmingham. Adequate procedures were not in place to control pests, mouse droppings were found on floors and shelving and there were holes throughout the premises allowing pest ingress. There was a build-up of waste in the rear yard, including food packaging; building materials and food waste and food containers were in a dirty and damaged condition.

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
5	MSI Assets Ltd Unit 1-5 West Cross Shopping Centre Oldbury Road Smethwick B66 1JG	11/1/17	Food Safety and Hygiene (England) Regulations 2013	Total £5,000 (£1,000 x 5)	£2,170 (£2,170 requested)	Found guilty in absence of five offences: three relating to the condition of Food World, 728 Stratford Road, Birmingham. Adequate procedures were not in place to control pests and mouse droppings were found throughout the premises. There were holes in the structure of the building and the premises were not kept clean. Two offences relating to pots of yoghurt and Lychees being on display for sale past their use by dates.
6	Andalouse Ltd 95 Bordesley Green Birmingham B9 4QP	11/1/17	Food Safety and Hygiene (England) Regulations 2013	Total £4,000 (£2,000 x offences 1 & 2) No separate penalty on remaining offences	£2,208 (£2,208 requested)	Found guilty in absence of seven offences relating to the condition of Andalouse, 95 Bordesley Green, Birmingham. Adequate procedures were not in place to control pests and cockroaches were found throughout the premises. The premises were not kept clean and there was no supply of hot water to the wash-hand basin in the front kitchen area. Part of the food preparation surface in the front kitchen was damaged and had been repaired with sticky tape and cardboard was laid on the floor in the rear food preparation room. There was no evidence of a documented food safety management system based on the HACCP principles.

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
7	Foodco UK LLP Allways House 102 Castle Street Cambridge CB3 0AJ	19/1/17	Food Safety and Hygiene (England) Regulations 2013	Total £10,000	£3,582 (£3,582 requested)	Pleaded guilty to three offences relating to the condition of Muffin Break, Unit 10 Grand Central, Birmingham. There was a void around wiring under the front server counter and a gap underneath the back doors to the service corridor which could provide entry points for pests. There was evidence of mouse activity throughout the premises and mouse droppings were found on floors, shelves, food packaging and equipment. Shelving storing equipment, work preparation surfaces and equipment were found to be dirty.
8	Poundland Ltd Wellmans Road Willenhall WV13 2QT	20/1/17 at Birmingham Crown Court	Food Safety and Hygiene (England) Regulations 2013	Total £73,500 (£33,500 x Corporation Street offences £40,000 x Martineau Place offences) No separate penalty on remaining offences	£18,162 (£18,162 requested)	Pleaded guilty to eight offences: four relating to the condition of the Poundland store, at 1-4 Corporation Street, Birmingham on 27 th February 2015 and four relating to the condition of the Poundland store at 512 Martineau Place, 76-77 Corporation Street, Birmingham on 21 st September 2015. Mouse droppings were found throughout the Corporation Street store including the main shop area, lower store room and upstairs storeroom. Mouse droppings were found on shelving storing water bottles and crisps and gnawed Easter egg chocolate was found on shelving. There was a hole in the shop floor and gaps beneath shelving large enough to allow the ingress of mice. Mouse activity, namely droppings, gnawed food, shredded and nibbled food packaging and urine stains,

						were found throughout the shop floor at the Martineau Place shop. A hole was also identified around pipework in the upstairs store room which was large enough to allow ingress by pests.
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WASTE OFFENCES

1	Dinh Thanh Lee 9 Grove Avenue Handsworth Birmingham B21 9EX	5/1/17	Environmental Protection Act 1990	£300	£664 (£664 requested)	Pleaded guilty to one offence of failing to keep written information of the transfer of controlled waste from INails, 27-29 Grove Lane, Birmingham and failing to produce it to an authorized officer within 7 days in response to a written demand for information.
2	Jason James 56 Popes Lane Birmingham B30 1AY	6/1/17	Environmental Protection Act 1990	£400	£400 (£799 requested)	Pleaded <u>not guilty</u> to one offence of failing to keep written information of the transfer of controlled waste from First Stop Welders, Adderley Road, Saltley, Birmingham and failing to produce it to an authorized officer within 7 days in response to a written demand for information. Found guilty following trial.
3	Leah Roberts 51 Hodgson Tower 109 Guildford Drive Birmingham B19 2LY	12/1/17	Environmental Protection Act 1990	£200 x 1 (failing to comply with notice) No separate penalty x remaining offence	£150 (£630 requested)	Pleaded guilty to two offences: one of knowingly causing controlled waste (fly tipping), namely bags of garden rubbish and other waste, to be deposited from a vehicle on land at the junction of Kendrick Drive and York Crescent, Birmingham and one offence of failing to comply with a notice requiring written details of the name,

						address and date of birth of the driver and/or person who was in charge of the vehicle on the date of offence.
	Syed Gillani 14 Vibart Road Birmingham B26 2AD	18/1/17	Environmental Protection Act 1990	Total £1,400 (£500 x 1 st Sec 34 £400 x failing to produce £500 x obstruction) No separate penalty x 2 remaining Sec 34 offences	£1,500 (£1,992 requested)	Pleaded guilty to five offences: three of failing to take reasonable measures to ensure that waste from Origa Bridal Boutique and Men's Wear, 158a Ladypool Road, Birmingham was not deposited on land at the rear of Ladypool Road, one of failing to keep written information of the transfer of controlled waste from the business and failing to produce it to an authorized officer within 7 days in response to a written demand for information and one offence of providing false information as to his identity and position within the business. Originally listed for trial.
5	Rayan Curtis O'Mahony 20 Mulwych Road Tile Cross Birmingham B33 0BN	27/1/17	Environmental Protection Act 1990	£40	£200 (£600 requested)	Pleaded guilty to one offence of depositing controlled waste (fly tipping), namely black bags containing household and building waste, on land at the bottom of Lime Grove, Balsall Heath, Birmingham.
6	Muhammed Yusuf Ojela 38 Frances Road Lozells Birmingham B19 1SA	30/1/17	Environmental Protection Act 1990	Conditional Discharge x 12 months (depositing waste) £300 (failing to produce)	£500 (£670 requested) Compensation £160	Pleaded guilty to two offences: one of depositing controlled waste (fly tipping), namely a black bag containing waste relating to One Stop Computers, 359 Birchfield Road, on land adjacent to 359 Birchfield Road, Birmingham and one offence of failing to keep written information of the transfer of controlled

						waste from the business and failing to produce it to an authorized officer within 7 days in response to a written demand for information.
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ANIMAL WELFARE OFFENCES

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
1	Ali Khan 79 Stanmore Road Birmingham B16 9SU	5/1/17	Environmental Protection Act 1990	£60	£175 (£175 requested)	Found guilty in his absence of one offence of dropping litter, namely throwing a business card in the gutter, in Stanmore Road, Birmingham. Mr Khan then kicked the card into the middle of the road. The card had been posted through the door at 79 Stanmore Road by a dog warden.

LITTERING OFFENCES

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
1	David Parrish 14 Near Vallens Hadley Telford TF1 5SH	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Moor Street Queensway, Birmingham.
2	Claire Louise O'Kane 14 Langley Hall Road Solihull B92 7HE	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

3	Jonathon Moody 91 Hornby Road Blackpool FY1 4QP	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement on the corner of High Street and New Street, Birmingham.
4	Mohammed Manik Miah 12 Shirebrook Close Birmingham B6 6BT	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
5	Jade Johnson 25 Brad Street Northampton NN3 6RQ	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
6	Kevin Holt 4 Leighton Orton Malborne Peterborough PE2 5QB	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
7	Ian R Dell 336 Fordbridge Road Kingshurst Birmingham B37 6LU	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.

8	Florin Crisan Flat 1A 270 Rotton Park Road Birmingham B16 0JH	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.
9	Vijay P Colston Apartment 406 Southside St John's Walk Birmingham B5 4TP	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
10	Sharon Kaur Bal 9 Berrybanks Rugby CV22 7JJ	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
11	Ardur Wilkoszewske 7 Foxdale Drive Brierley Hill DY5 3GZ	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
12	Andrew Walton 12 Holliers Grove Birmingham B37 6ET	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.

13	Dilon Walsh 81 Greenley Road Yardley Wood Birmingham B14 4JE	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt down a drain at the junction of Corporation Street and New Street, Birmingham.
14	Alin Ionut Stefanescu 51 Dustan Crescent Worcester WR5 2AF	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
15	Jacinta Radford 1 Lones Road West Bromwich B71 4LN	5/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
16	Kyle Bradley 72 Weoley Castle Road Birmingham B29 5PT	5/1/17	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Needless Alley, Birmingham.
17	Milagros Santos Roesnillo Flat 23 Albrighton House Browns Green Birmingham B20 1BQ	5/1/17	Environmental Protection Act 1990	£83	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Moor Street Queensway, Birmingham.

18	Karl Vosper 18 Harpurs Tadworth KT20 5UD	13/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.
19	Renata Toth 111 Knowle Road Sparkhill Birmingham B11 3AJ	13/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
20	Shane Luckhurst 194 Hamstead Road Birmingham B20 2RE	13/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bull Street, Birmingham.
21	Lisa Eaton 88 Grove Road Coventry CV7 9JE	13/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
22	Jeffrey Douglas Cutler 11 Woodland Street Smethwick B66 3TF	13/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.

23	Emad Uddin 79 Bentley Road North Walsall WS2 0DF	13/1/17	Environmental Protection Act 1990	£106 x litter offence No separate penalty x obstruction offence	£100 (£175 requested)	Pleaded guilty to two offences: one of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham and one of refusing to provide name, address and date of birth when requested by an authorised officer to do so.
24	Alex Johnson Ritchie The Anchor Inn Macetter Road Nuneaton CV10 0RT	13/1/17	Environmental Protection Act 1990	£100	£50 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
25	Daniel James Martin 16 Sorrel House Erdington Birmingham B24 0TQ	13/1/17	Environmental Protection Act 1990	£106	£50 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
26	Jerzy Dziemian 169 Lakes Road Erdington Birmingham B23 7UH	13/1/17	Environmental Protection Act 1990	£56	£50 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
27	Leon Ali 25 Anglesey Street Birmingham B19 1QS	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.

28	Dashamic Alliavic Flat 2 68 Park Road Rugby CV21 2QX	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
29	Lee Ketch 24a Jonesfield Crescent Eastfield Wolverhampton WV1 2LU	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
30	Alina-Georgiana Mittoc 48 Wolseley Street Bordesley Green Birmingham B9 4DH	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
31	Mark Morgan 8 Elmdon Coppice Solihull B92 0PL	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.
32	Amy McArthur O'Shaughnessy Flat 4 150 Duddeston Manor Road Birmingham B7 4JP	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

33	Zoe Pomfret 53 Grove Hall Drive Leeds LS11 7EU	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
34	Chuanli Wei Flat 7 Carmelite Court 68-70 Whitefriars Street Coventry CV1 2DS	19/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
35	Balal Ahmed 380 Station Road Stechford Birmingham B33 8SA	19/1/17	Environmental Protection Act 1990	£60	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in the Bullring, Birmingham.
36	Claire McGuinness 6 Barnard Close Chelmsley Wood Solihull B37 7SS	19/1/17	Environmental Protection Act 1990	£65	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
37	David Szabolcs Mogyoro 3 Gardens Crescent Dewsbury WF13 3HF	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a chocolate bar wrapper on the pavement in New Street, Birmingham.

38	Abdul Tanim Muktadir 30 Westminster Road Handsworth Birmingham B20 3LH	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
39	Adam Murray 53 Ipstones Avenue Birmingham B33 9DZ	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Cherry Street, Birmingham.
40	Natalie Nash 23 James Court Redditch Road Birmingham B38 8RN	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
41	Kristian Roberts Cottage C Thornelaw Court 2 Barbourne Crescent Worcester WR1 3JF	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
42	Stefania Liliana Stafania-Oana 51 Wednesbury Road Walsall WS1 4JL	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.

43	Ashraf Ali Flat 30 Saxelby House 7 Kimpton Close Birmingham B14 5TE	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
44	Aprelyne Cayabyab 31 Templefield Gardens Birmingham B9 4NY	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
45	Mario Mitar Flat 2 87 Edgbaston Road Smethwick B66 4LF	27/1/17	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
46	Sianne Kelly Flat 55 Avoncroft House Winchester Drive Birmingham B37 5QH	27/1/17	Environmental Protection Act 1990	£140	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
47	Wafa Jafri Flat 2 130 Fellows Road London NW3 3JH	27/1/17	Environmental Protection Act 1990	£140	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

One simple caution was administered during January 2017.

Food Safety and Hygiene (England) Regulations 2013

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

TRADING STANDARDS

	Name & Address	Date Case Heard	Legislation	Fine/Penalty	Costs	Offence details
1	Meet Singh Alwadi 76 West Park Road Smethwick B67 7JH	20/1/17 at Birmingham Crown Court	Trade Marks Act 1994	Community Order x 12 months and ordered to complete 75 hours of unpaid work	POCA timetable set	Pleaded guilty to six offences of having in possession goods, namely watches, sunglasses and purses, at Kings Watches, 49 Great Hampton Street, Birmingham which bore the registered trademarks of Apple, ICE, Chanel, Louis Vuitton and Michael Kors, without the consent of the trade mark holders.
2	Ashton Hajj and Umra Limited 58 Oldham Road Ashton-under- Lye Tameside OL6 7AP Babur Hussain 91 Lees Road Aston-under- Lyme Tameside OL6 8BQ Sabir Raza 93 Lees Road Aston-under- Lyme Tameside OL6 8BQ	31/1/17 at Leicester Crown Court	Fraud Act 2006	Hussain Total of 14 months imprisonment Raza Total of 11 months imprisonment (suspended for 18 months) + 180 hours unpaid work Both disqualified from acting as a Director (or being involved in the management of a company) for 5 years Company to be sentenced at confiscation hearing	POCA timetable set	All defendants pleaded <u>not guilty</u> to four offences: one of making false claims (on the company's website and advertising literature) that customers booking Hajj & Umrah packages and flights with Ashton Hajj & Umra Ltd would be protected under the ATOL scheme, and three of making false representations to consumers about the quality of accommodation they would be provided with when undertaking pilgrimage and their travel arrangements. All found guilty following trial.

TRADING STANDARDS SIMPLE CAUTIONS

No simple cautions were administered during January 2017.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – JANUARY 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	2	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	47	0	0	0	0	0	0	47
Environmental Health (non FPNs)	1	1	5	2	5	0	1	0	0	0	0	15
Trading Standards	0	0	0	0	1	0	0	0	0	0	1	2

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – JANUARY 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	0	0	0	0	0	0	2	2
Environmental Health (FPNs) Not paid and prosecuted	0	2	1	0	6	2	4	2	0	2	28	47
Environmental Health (non FPNs)	1	0	2	1	2	0	2	1	0	1	5	15
Trading Standards	0	0	0	0	0	0	0	0	0	0	2	2

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	3	4	0	24	0	0	1	0	0	0	35
Environmental Health (FPNs) Not paid and prosecuted	0	3	1	1	459	0	0	0	0	0	0	464
Environmental Health (non FPNs)	3	8	16	11	32	6	12	10	2	4	0	104
Trading Standards	1	2	0	0	6	0	0	0	1	2	1	13

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	0	9	4	5	0	8	0	0	1	6	35
Environmental Health (FPNs) Not paid and prosecuted	24	34	24	19	53	25	20	9	3	18	235	464
Environmental Health (non FPNs)	1	4	10	10	25	5	10	10	1	7	21	104
Trading Standards	1	3	0	0	2	0	0	0	1	1	5	13

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2016 – DECEMBER 2016

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total 2016/2017
Waste Investigation Outcomes										
Investigations into commercial waste disposal suspected offences and offences	22	44	69	62	66	96	38	63	28	488
<i>Section 34 Environmental Protection Act</i> demand notices issued: (trade waste statutory information demands)	14	95	64	53	25	71	24	50	25	421
<i>Section 34 Environmental Protection Act</i> fixed penalty notices issued to businesses (£300)	7	2	15	34	26	14	4	29	13	144
<i>Section 87 Environmental Protection Act.</i> Fixed Penalty notices issued for commercial and residential litter offences (£80)	4	13	10	11	8	7	10	6	0	69
<i>Section 33 Environmental Protection Act</i> fixed penalty notices issued for fly tipping (£400)									11	11
Prosecutions										
Number of prosecution files submitted to legal services (number produced quarterly)			11			17			17	45