

**BIRMINGHAM CITY COUNCIL**

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

**15 JUNE 2016**  
**ALL WARDS**

**PROSECUTIONS AND CAUTIONS – MARCH 2016**

1. Summary
  - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of March 2016.
2. Recommendation
  - 2.1 That the report be noted.

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### 3. Results

#### 3.1 During the month of March 2016:

- Three licensing cases resulted in fines of £731 and a total of 20 penalty points were awarded. Prosecution costs of £1,440 were awarded. Four simple cautions were administered as set out in Appendix 1.
- 94 Environmental Health cases resulted in fines of £24,529, 17 months in custody and a six month conditional discharge. Prosecution costs of £18,780 were awarded. One simple caution was administered as set out in Appendix 2.
- Two Trading Standards cases resulted in fines of £4,500 and a four month suspended sentence. Prosecution costs of £5,717 were awarded. No simple cautions were administered.
- Appendix 4 lists cases finalised by district in March 2016 and cases finalised by district April-March 2016.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team April 2015 - February 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 2015 to March 2016 the following costs have been requested and awarded:

#### Licensing

£45,721 has been requested with £27,234 being awarded (59%).

#### Environmental Health

£201,950 requested with £176,953 being awarded (87%).

#### Trading Standards

£72,757 requested with £55,098 being awarded (75%).

- 5.3 For the month of March 2016 the following costs have been requested and awarded:

Licensing

£3,811 has been requested with £1,440 being awarded (37%)

Environmental Health

£21,791 has been requested with £18,780 being awarded (86%).

Trading Standards

£5,717 has been requested with £5,717 being awarded (100%).

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

	Name & Address	Date Case Heard	Court	Legislation	Fine	Name & Address	Offence details
1	Majid UI Rehman 92 Lulworth Road Hall Green Birmingham West Midlands B28 8NT	4/3/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	£300  + 6 penalty points	£250  (£1,083 requested)	Pleaded <u>not guilty</u> to one offence of carrying more passengers than his private hire licence permitted and in doing so invalidated his insurance cover.  Found guilty after trial.
2	MD Abdus Salam 63 Glenpark Road Ward End Birmingham B8 3QH	21/3/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	£331 – No Insurance  No separate penalty for plying  + 8 penalty points	£750  (£2,288 requested)	Pleaded <u>not guilty</u> to two offences; one offence of plying for hire outside Scruffy Murphy's in Dale End, Birmingham on 28 <sup>th</sup> February 2015 and one offence of consequently having invalid insurance.  Found guilty after trial.
3	Anthony Kelvin Cave 99 Dorsington Road Acocks Green B27 7AF	31/3/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	£100 – No Insurance  No separate penalty for plying  + 6 penalty points	£440  (£440 requested)	Pleaded guilty to two offences; one offence of plying for hire on Shirley Road, Birmingham on 4 <sup>th</sup> September 2015 and one offence of consequently having invalid insurance.

## LICENSING SIMPLE CAUTIONS

During the period of March 2016, four simple cautions have been administered.

### **Local Government (Miscellaneous Provisions) Act 1976**

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

**Section 54(2)** One caution was issued for failing to wear a private hire driver's badge in a manner as to be plainly and distinctly visible.

**Section 57** One caution was issued for knowingly omitting information on licence application form.

## ENVIRONMENTAL HEALTH CASES

## APPENDIX 2

### WASTE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	<p>Augustin Dobre 114 Village Road Aston Birmingham B6 6RD</p> <p>Ionut Muti 69 Holte Road Aston Birmingham B6 6RS</p>	1/3/16	Birmingham Crown Court	<p>Environmental Protection Act 1990</p> <p>Environmental Protection Act 1990</p> <p>Control of Pollution Act 1989</p>	<p>Dobre - 6 months imprisonment</p> <p>Muti - 11 months imprisonment for EPA offences</p> <p>No separate penalty for scrap metal offence</p>	<p>No order for costs</p> <p>No order for costs</p>	<p>Dobre pleaded guilty to five offences of depositing controlled waste (fly tipping), from a VW Sharron motor vehicle in Priory Road, Aston, Birmingham.</p> <p>Muti pleaded guilty to fifteen offences of depositing controlled waste (fly tipping), from a Ford Galaxy and VW Sharron motor vehicle in Priory Road, Aston, Birmingham and one offence of acting as a scrap metal dealer without a license</p>
2	Abdul Ghafoor 10 Brunswick Road Handsworth Birmingham B21 9AA	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£300	<p>£1,062</p> <p>(£1,062 requested)</p> <p>+ £160 towards rubbish removal costs</p>	Pleaded guilty to one offence of depositing controlled waste (fly tipping), namely two black bags of waste relating to business at 168 Rookery Road, Birmingham.

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
3	Ansar Mahmood 98 George Arthur Road Alum Rock Birmingham B8 1LW	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£120	£100 (£463 requested)	Pleaded guilty to one offence of knowingly causing controlled waste (fly tipping), namely a black bag of waste, to be deposited on Crawford Street, Alum Rock, Birmingham.

### **ANIMAL WELFARE**

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Sean Witten 82 Baldmoor Lake Road Erdington Birmingham B23 5PU	23/3/16	Birmingham Magistrates Court	The Fouling of Land by Dogs Order 2014	£180	£175 (£858 requested)	Pleaded <u>not guilty</u> to one offence of being in charge of a dog which defecated on a grass verge in Goosemoor Park, Erdington, Birmingham and failing to remove the faeces.  Found guilty after trial.
2	Paul Michael Barber 207 Shirley Road Acocks Green Birmingham B27 7NR	31/3/16	Birmingham Magistrates Court	The Dogs on Leads Order 2014 The Clean Neighbourhoods and Environment Act 1995	£220	£337 (£337 requested)	Found guilty in his absence of one offence of being in charge of a dog and failing to ensure that the dog was kept on a lead in Dolphin Lane, Acocks Green, Birmingham.

## FOOD HYGIENE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Sohail General Stores Ltd 278A Stratford Road Birmingham B11 1AA	3/3/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	£2,500 x 1 offence  No separate penalty x remaining offences	£986  (£986 requested)	Pleaded guilty to four offences relating to the condition of Sohail General Stores, 278A Stratford Road, Birmingham, mouse droppings were found throughout the premises, there was no evidence of procedures being implemented based on HACCP or any staff training.
2	Amjad Saleem 31 St Oswalds Road Small Heath Birmingham B10 9RB	31/3/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £720	£1,025  (£1,025 requested)	Pleaded guilty to three offences relating to the condition of 2 Treat U, 1776 Coventry Road, Birmingham, rat droppings were found in the kitchen and storeroom, the premises were not kept clean and there were gaps along the ceiling in the food store room.
3	Casamou Limited 6 Brindley Place Birmingham B1 2JB	31/3/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £5,300	£1,830  (£1,830 requested)	Pleaded guilty to nine offences relating to the condition of Edmunds Fine Dining, 6 Brindley Place, Birmingham, mouse droppings were found throughout the premises, there was a gap beneath the rear door to the kitchen, floor surfaces were dirty, the hot hold cupboard was dirty and tubs of pasteurised cream were found past their "use by" date.



## **LITTERING OFFENCES**

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
1	Shauna Toole 10 Chattock Close Bromford Birmingham B36 8AJ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Select on New Street, Birmingham.
2	Samantha Williams 40 Waldrons Moor Birmingham B14 6RT	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Bonmarche on Bull Street, Birmingham.
3	Lawrence Matthew Wimlett 432 Portland Road Bearwood B17 8LT	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on Cannon Street, Birmingham.
4	Christopher Cleary The White Lion 1 Aldergate Tamworth B79 7DJ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Pandora on Union Street, Birmingham.
5	Bruno Costa Flat 52 Epsom Court 33 Abdon Avenue Birmingham B29 4PQ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Superdrug on Union Street, Birmingham.
6	Silvija Eivaite 8 Simons Walk London E15 1QE	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of spitting a chewing gum on the pavement outside near lamppost number 2 on Temple Row, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
7	Hamla Hussain 209 Douglas Road Acocks Green Birmingham B27 6HL	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside 120 Colmore Row on Bull Street, Birmingham.
8	Yvonne Mayor 11 Foley Road Birmingham B8 2JT	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Betfred on Dale End, Birmingham.
9	Kate Mooney 49 Crossfell Tamworth B77 4HQ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Holiday Inn on Smallbrook Queensway, Birmingham.
10	Nicola Wright 46 Vernon Road Birmingham B16 9SH	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside HSBC on New Street, Birmingham.
11	Mohammed Haroon 2 Hefford Drive Smethwick B66 1RR	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Odeon on New Street, Birmingham.
12	Lee Radburn 8 Craven Court Church Street Evesham WR11 1FB	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Tesco on New Street, Birmingham.

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13	Christopher Neil Armstrong 89 Johnson Road Cannock WS11 4BA	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Briar Rose on Bennetts Hill, Birmingham.
14	Katarzyna Szczublińska 69 Linden Road Smethwick B66 4DZ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement opposite Lush on New Street, Birmingham.
15	Jack Sargent Flat B 85 Abblewell Street Walsall WS1 2EU	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside JD on High Street, Birmingham.
16	Lee Smith 74 Crosbie Road Coventry CV5 8FY	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Flight Centre on New Street, Birmingham.
17	Brendon O'Hare 44 Tannery Close Atherstone CV9 1JS	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt down the drain on Waterloo Street, Birmingham.
18	Matthew Harry Hemmings 44 Mavis Road Longbridge Birmingham B31 2SD	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£70	£80 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement on Bennetts Hill, Birmingham.

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19	Mark Dodd 32 Admington Road Birmingham B33 0RT	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement outside Burger King on Union Street, Birmingham.
20	Joseph Peter Duffy 340Thimblemill Road Smethwick B67 6PU	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£70	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement outside Bella Italia on New Street, Birmingham.
21	Claire Elizabeth Evans 6 Chestnut Tree Avenue Coventry CV4 9FZ	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	None awarded (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement outside Select on New Street, Birmingham.
22	Barrington Gilbert McLarty 212 Lighthorne Avenue Birmingham B16 8EP	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement outside Blue Banana on New Street, Birmingham.
23	Rebecca Josephs Flat 1, 55 Weoley Castle Road Birmingham B29 5QD	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto an electrical box outside Square Peg on Bull Street, Birmingham.
24	Kiran Philora 56 Westbourne Road Halesowen B62 9NF	3/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Waterloo House on Waterloo Street, Birmingham.

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25	Anjum Kasmani 42A St Mary's Row Moseley Birmingham B13 8JG	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Pavillions on High Street, Birmingham.
26	Zofia Grams 256 Heath Street Birmingham B18 4DF	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Ladbrokes on Stephenson Street, Birmingham.
27	Samuel Clarke 56 Shenstone Road Birmingham B14 4TJ	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside building 43 on Temple Row, Birmingham.
28	David Carroll 118B Pine Court Cemetery Road Lye Stourbridge DY9 8AN	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside William Hill on Waterloo Street, Birmingham.
29	James Anderson 114 Sylvancroft Preston PR2 7BP	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on a green electrical box on Navigation Street, Birmingham.
30	Helen Ford 1641 Coventry Road Yardley Birmingham B26 1DD	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£100  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Size on Lower Temple Street, Birmingham.

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31	Rachel Cullen 47 Apperley Way Halesowen B63 2PN	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Debenhams on Smallbrook Queensway, Birmingham.
32	Connor Crampton 11 Lytham Close Doncaster DN4 6UT	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£120	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside the Potato Man Van on Lower Temple Street, Birmingham.
33	Amy Spragg 36 Brace Street Walsall WS1 3PS	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement opposite Primark on New Street, Birmingham.
34	Gerry McNamara 48 Brighton Avenue Bolton BL1 5LS	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Thomson on New Street, Birmingham.
35	Argon Korbi 31 Overton Road London E10 7PR	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on Bull Street, Birmingham.
36	Rias Shah 26 Dawberry Road Kings Heath Birmingham B14 6RX	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£75 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement opposite Vodafone on New Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
37	Matthew Randell 10 Dowles Croft Droitwich WR9 9LB	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£105	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Thomson on New Street, Birmingham.
38	Cian O'Donoghue 168 Glyn Eiddew Pentwyn Cardiff CF23 7BS	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£75 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Oasis on New Street, Birmingham.
39	Leanne Keenan 9 Hook Drive Sutton Coldfield Birmingham B74 4LW	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	6 month Conditional Discharge	None awarded (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside The Square Peg on Corporation Street, Birmingham.
40	Folau Kioa Flat 428 Finchley Road London NW2 2HY	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£100	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Moor Street Train Station on Moor Street, Birmingham.
41	Russ Houlton 12 Heathfield Road Halesowen B63 1AD	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£115	£75 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Starbucks on New Street, Birmingham.
42	Peter Harban 58 Dornie Drive Birmingham B38 9DZ	11/3/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Jack Willis on New Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
43	Timothy Wood Flat 17 Martley Croft Quinton Road West Birmingham B32 2QE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£80  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Blacks on High Street, Birmingham.
44	Chenghui Huang 46 Four Wells Drive Sheffield S12 4JB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on Lower Temple Street, Birmingham.
45	Conrad Cole 39 Portland Place Bilston WV14 9TB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on outside Union Street, Birmingham.
46	Andrew Wilkes 80 Newbolds Road Wolverhampton WV10 0SF	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on outside Union Street, Birmingham.
47	Rebecca Weaver 44 Ellerton Road Kingstanding Birmingham B44 0QE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on Colmore Row, Birmingham.
48	Victoria Watkins 71 Trentham Road Coventry CV1 5BE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on Bull Street, Birmingham.
49	William Leadbitter 32 Derby Road Worcester WR5 1AE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement by Megabus bus stop Hill Street, Birmingham.



	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
50	Hani Lambert 312 Coventry Road Small Heath Birmingham B10 0XE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Superdrug on New Street, Birmingham.
51	Waqas Iqbal 65 Armstrong Hurst Close Rochdale OL12 9XB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt outside Ladbrokes on Lower Temple Street, Birmingham.
52	Karl Hughes 83 Worcester Street Wolverhampton WV2 4LE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt outside Old Guys on New Street, Birmingham.
53	Paul Joseph Cassidy 719 London Road Coventry CV3 4EX	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£195  (£195 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Blacks on High Street, Birmingham.
54	Tabetha McMillian 167 Hanging Lane Northfield Birmingham B31 5DL	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt outside McDonalds on Bristol Road South, Northfield, Birmingham.
55	David James McGovern 2 Nixon Street Failsworth Manchester M35 0FW	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on Edgbaston Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
56	Lucy Stephens Flat3 41 Bradford Street Birmingham B5 6HX	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt outside on the pavement on New Street, Birmingham.
57	Gary Shaw 3 Yew Tree Gardens Rosliston DE12 8JG	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Cashino on New Street, Birmingham.
58	Daniel Peden 64 Pendeen Road Birmingham B14 4ED	17/3/2016	Birmingham Magistrates Court	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 Bull Street, Birmingham.
59	Claire Payton Flat 1 304 Kings Road Kingstanding Birmingham B44 0UL	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt outside Poundland on Corporation Street, Birmingham.
60	Martin Blatters Flat 2 85 Haringay Road Kingstanding Birmingham B44 0UB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt outside Ladbrokes on Lower Temple Street, Birmingham.
61	Baker Ihssan Al Adami 50 Lye Cross Road Tividale B69 1PQ	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt outside Cotswold on New Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
62	Christine Murray 19 Warstone Terrace Birmingham B21 9NE	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement on Bull Street, Birmingham.
63	Jennifer Watson 90 Childs Avenue Woodcross Wolverhampton WV14 9XB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Vodafone on New Street, Birmingham.
64	Jason Tyler 448 Bordesley Green Birmingham B9 5NS	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement near Starbucks on New Street, Birmingham.
65	Dan Trandfir 46 Wittaker Street Wolverhampton WV2 2EB	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Ask Italian on New Street, Birmingham.
66	Rachel Inns 138A Ogley Hay Road Burntwood Staffordshire WS7 2HY	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Cosy Club on Waterloo Street, Birmingham.
67	Mati Henrc 57 Eva Road Birmingham B18 4NH	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping and kicking a crunched up paper on the pavement on Lower Temple Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
68	Marcus Williams Davis 71 Westwood Drive Rednal B45 9WF	17/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Eat4less on Corporation Street, Birmingham.
69	Kelly Richmond Flat 245 Cleveland Tower Holloway Head Birmingham B1 1UE	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping two cigarette butts on the pavement outside Jack Wills on Cannon Street, Birmingham.
70	Louise Morris Flat 10 De Montford House Shirrall Grove Birmingham B37 6JR	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement near CEX on Bull Street, Birmingham.
71	Mosneagu Mihal 16 Hurst Street Birmingham B5 4BN	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Eat4less on Corporation Street, Birmingham.
72	Jayne Kirby 16 Berwick Grove Northfield B31 5QJ	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Boots on Union Street, Birmingham.
73	Andrew Gray 1 Endmoor Grove Erdington Birmingham B23 5DT	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Popworld on Broad Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
74	Shane Gardner 25 Goldcrest Croft Smithswood Birmingham B36 0SB	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement outside Boots on High Street, Birmingham.
75	Tatiana Biktmirova 30 St. Nicholas Road London SE18 1HJ	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside TK Maxx on Smallbrook Queensway, Birmingham.
76	Brigitta Balogh Flat 1 26 Waterside Drive Hockley B18 5RY	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Sports Direct, Birmingham.
77	Levi Martin Pinder 36 Hamstead Road Hockley Birmingham B19 1DB	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the road on Waterloo Street, Birmingham.
78	Elizabeth O'Neil 600 Aldridge Road Great Barr Birmingham B44 8NG	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Eat4less on Corporation Street, Birmingham.
79	Victoria Mowatt 347 Wakefield Road Denby Dale Huddersfield HD8 8RT	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Tesco on New Street, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
80	Shirley Ann Smythe 18 Waldrons Moor Birmingham B14 6RS	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement outside Amantia on Bennetts Hill, Birmingham.
81	Joanne Higgs 74 Guild Close Ladywood Birmingham B16 8DX	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Blacks on High Street, Birmingham.
82	Sarah McCormack 699 College Road Birmingham B44 6AS	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£93	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Ming Moon on Hurst Street, Birmingham.
83	Stephanie Hill 9 Ingot Close Walsall WS2 7DD	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside New Look on Corporation Street, Birmingham.
84	Kyle McCormack 699 College Road Birmingham B44 0AS	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Ming Moon on Hurst Street, Birmingham.
85	Cheryl Morrall 58 Farnborough Road Castle Vale Birmingham B35 7JE	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement opposite Ibis on Ladywell Walk, Birmingham.

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
86	Roxanne Richmond 45 Driars Close Coventry CV2 5JR	31/3/2016	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt onto the pavement outside Primark on New Street, Birmingham.

### **ENVIRONMENTAL HEALTH SIMPLE CAUTIONS**

During March 2016 one simple caution was administered.

### **Food Safety and Hygiene (England) Regulations 2013**

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

## TRADING STANDARDS

## APPENDIX 3

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Arif Nasir 17 Warwick Road Sparkhill Birmingham B11 4RA	17/3/16	Birmingham Crown Court	Trade Marks Act 1994	4 month imprisonment suspended for 12 months (concurrent in respect of all 10 counts)	POCA timetable set  Costs and forfeiture to be postponed pending the outcome of the confiscation proceedings	Pleaded guilty to 10 offences: 1 relating to the sale of BMW goods, namely Racing Style Seat Belt Covers, without the consent of the trade mark proprietor and 9 offences relating to the possession for supply of car accessories from 17 Warwick Road, Sparkhill, Birmingham, including seat belt covers, wheel covers, key rings, badges, USB sticks and valve caps, which bore registered trademarks, namely BMW, Jaguar, Mercedes, Peugeot, Land Rover and Mini, without the consent of the trade mark proprietors.
2	Newemoo Ltd 12 Moss House Close Birmingham B15 1HE  Yi Li 12 Moss House Close Birmingham B15 1HE	17/3/16	Birmingham Magistrates Court	General Product Safety Regs 2005	Company Fined £2,250 (£750 x 3)  Director Fined £2,250 (£750 x 3)	No costs awarded against company  £5,717 (to be paid by Director)  (£5,717 requested)	Each defendant pleaded guilty to 3 offences of acting as a distributor at 2-4 Benacre Drive, Birmingham and possessing for supply AC/DC Adaptors which the defendants knew, or should have presumed on the basis of the information in their possession as a professional, were dangerous.  An order was made for the forfeiture and destruction of all 212 items seized.

During March 2016 no simple cautions were administered.



# APPENDIX 4

## CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – MARCH 2016

	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	1	0	3
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	85	1	0	0	0	0	0	86
Environmental Health (non FPNs)	0	1	1	1	2	0	1	0	0	2	0	8
Trading Standards	0	0	1	0	1	0	0	0	0	0	0	2

## CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – MARCH 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	1	0	0	0	0	0	1	1	3
Environmental Health (FPNs) Not paid and prosecuted	3	7	1	3	9	6	3	5	1	3	45	86
Environmental Health (non FPNs)	0	1	1	2	1	0	2	0	0	1	0	8
Trading Standards	0	0	1	0	1	0	0	0	0	0	0	2

**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2015 - MARCH 2016**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	4	2	3	0	32	0	0	1	1	1	1	<b>45</b>
Environmental Health (FPNs) Not paid and prosecuted	2	2	2	0	589	2	0	0	1	0	0	<b>598</b>
Environmental Health (non FPNs)	3	9	12	12	33	3	7	8	2	9	0	<b>98</b>
Trading Standards	0	1	3	7	7	0	1	1	0	2	2	<b>24</b>

**CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2015 - MARCH 2016**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	3	6	12	6	1	2	1	0	2	10	<b>45</b>
Environmental Health (FPNs) Not paid and prosecuted	28	37	28	33	64	26	29	24	10	28	291	<b>598</b>
Environmental Health (non FPNs)	4	5	10	14	19	2	8	6	1	9	20	<b>98</b>
Trading Standards	0	1	3	7	7	1	1	0	1	3	0	<b>24</b>

**APPENDIX 5****WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY**  
**APRIL 2015 - MARCH 2016**

	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	<b>Total 2015-2016</b>
<b>Waste Investigation Outcomes</b>													
Investigations into commercial waste disposal suspected offences and offences	57	32	44	123	13	27	40	33	11	22	24	10	<b>436</b>
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	40	25	30	95	23	18	22	19	10	13	19	11	<b>325</b>
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	2	2	4	6	6	5	1	5	6	3	9	3	<b>52</b>
<u>Section 87 Environmental Protection Act</u> . Fixed Penalty notices issued for commercial and residential litter offences (£80)	26	15	15	11	15	16	14	4	9	2	5	8	<b>140</b>
<b>Prosecutions</b>													
Total prosecutions submitted to legal services since incorporation of WEU													<b>134</b>