

BIRMINGHAM CITY COUNCIL

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

15 NOVEMBER 2017
ALL WARDS

PROSECUTIONS AND CAUTIONS – SEPTEMBER 2017

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

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3. Results

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

- Two Licensing cases resulting in fines of £470. Prosecution costs of £752 were awarded with a total of 12 penalty points and a driving disqualification for a period of 28 days. Five simple cautions were administered as set out in Appendix 1.
- 84 Environmental Health cases resulted in fines of £21,700, two suspended sentence orders and two conditional discharges. Prosecution costs of £20,299 were awarded together with clean-up costs in the sum of £1,055. One simple caution was administered as set out in Appendix 2.
- Two Trading Standards cases were finalised resulting in fines of £2,923. Prosecution costs in the sum of £10,242 were awarded. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in September 2017 and cases finalised by district April - September 2017.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team in April - August 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 September 2017 the following costs have been requested and awarded:

Licensing

£11,700 has been requested with £7,183 being awarded (61%)

Environmental Health

£174,229 has been requested with £142,732 being awarded (82%).

Trading Standards

£73,251 has been requested with £65,036 being awarded (89%).

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

Licensing

£1,311 has been requested with £752 being awarded (57%)

Environmental Health

£25,797 has been requested with £20,299 being awarded (79%).

Trading Standards

£10,242 has been requested with £10,242 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**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	14/9/17	Soizadur Rahman 48 Drummond Road Bordesley Green Birmingham B9 5XL	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.	£235 x no insurance + 6 penalty points No separate penalty x plying £300 costs (£534 requested)	Bordesley Green	Ladywood
2	26/9/17	Jahangir Hussain 239 Charles Road Small Heath Birmingham B10 9EH	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire in Birmingham Road, Sutton Coldfield and one of consequently having invalid insurance.	£235 x no insurance + 6 penalty points + disqualified from driving for 28 days No separate penalty x plying £452 costs (£452 requested)	Bordesley Green	Sutton Trinity

LICENSING SIMPLE CAUTIONS

During the period of September 2017, five 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 57 One caution was issued for omitting a material particular on a licence application.

Section 64(3) One caution was issued for waiting on a Hackney Carriage stand without being licensed as Hackney Carriage.

FOOD HYGIENE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	14/9/17	Mudasar Ahmed 138 Clements Road Yardley Birmingham B25 8TS	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to six offences relating to conditions at Sami's Takeaway, 1108 Coventry Road, Birmingham. Cockroaches at all stages of their life cycle were found throughout the premises. Inadequate controls were in place to prevent access and harbourage of cockroaches. The food premises was not kept clean, chopping boards in use were damaged and dirty. Sponges used to clean surfaces were excessively dirty and in poor condition. Food was not kept in appropriate conditions to prevent harmful deterioration, in that food was stored in the chiller uncovered, food was stored in open tins and containers used to store food were dirty.	£1,615 x 1 No separate penalty for remaining offences £500 costs (£859 requested)	South Yardley	South Yardley
2	22/9/17	Muhammed Ejaz Chughtai 15 Bramble Dell Birmingham B9 5FE	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to three offences relating to conditions at Cho Cho Chicken, 147 Ladypool Road. Mouse droppings were found throughout the premises and there was a dead mouse under a chill display unit in the front serving area. There were live and dead cockroaches throughout the premises. There was an open drain in the rear preparation area and gaps in the coving in the floor/wall junctions that could provide access to pests.	£435 x 1 No separate penalty for remaining offences. £300 (£1,315 requested)	Bordesley Green	Ladywood

3	28/9/17	Nazam Hussain 8 Park Grove Wordsworth Road Birmingham B10 0EF	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to three offences relating to conditions at Roti Mahal, 351 Ladypool Road. There were mouse droppings on the floor throughout the premises. There was a window pane missing to the back of the premises and a large gap in the shutters behind this. There was a build-up of dirt at floor to wall junctions.	£320 x 1 No separate penalty for remaining offences £250 costs (£1,261 requested)	South Yardley	Ladywood
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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	11/9/17	Yousef Khan 27 Pritchard Close Smethwick B66 3PT	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of failing to comply with a statutory demand requiring written information relating to the transfer of controlled waste from the business at Star Car Wash, Manor Road, Witton, Birmingham to be provided within 7 days. Found guilty after trial.	12 month conditional discharge £300 costs (£576 requested)	Out of area	Perry Barr
2	11/9/17	Family Fashions Ltd Unit 15 56 Parliament Street Nechells Birmingham B10 0QJ	Environmental Protection Act 1990 Found guilty in absence of five offences; two offences of knowingly causing or permitting controlled waste, namely cardboard and a bag of waste, to be deposited on land in Parliament Street, Small Heath, Birmingham on two separate occasions. Two offences of failing to take measures to prevent waste from the premises being deposited	£2,000 (£1,000 x 2) No separate penalty for remaining offences £1,089 costs (£1,089 requested)	Nechells	Nechells

			on land, in that they did not have a lawful means to dispose of their waste. One offence of failing to comply with a statutory demand requiring written information relating to the transfer of waste from the business to be provided within 7 days.	£160 clean-up costs awarded.		
3	13/9/17	Curry in a Hurry Ltd 8 St Stephens Road Birmingham B29 7RP	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a sack containing wrapping, documents and food on Milner Road, Birmingham.	£1,800 £833 costs (£833 requested)	Selly Oak	Selly Oak
4	22/9/17	Mariusz Szlachtowicz 8 Lyall Grove Birmingham B27 7QN	Environmental Protection Act 1990 Pleaded guilty to two offences; one offence of failing to ensure that waste was transferred to an authorised person, in that a box was found in the garage area off Blechers Lane and Cotterills Lane, Washwood Heath, Birmingham and one offence of knowingly causing or permitting the waste to be deposited on land without a permit.	£120 x 1 No separate penalty for 2 nd offence £80 (£727 requested)	Washwood Heath	Bordesley Green
5	22/9/17	Sunil Kumar 3 End Hall Road Wolverhampton WV6 8HA Ravi Kumar 3 End Hall Road Wolverhampton WV6 8HA	Environmental Protection Act 1990 Sunil Kumar pleaded guilty to two offences: one of failing to ensure that an adequate procedure was in place to handle and dispose of asbestos containing materials that contaminated skips provided by Bogan Skip Hire and one of failing to ensure adequate training and supervision of employees in relation to overloaded skips. Ravi Kumar pleaded guilty to one offence of depositing three tonne bags of asbestos containing materials on land at Truckstop, Wharf Road, Tyseley, Birmingham	Suspended sentence order of 4 months custody x each defendant £2,545 costs (Sunil £1,522.50 Ravi £1,022.50) (£2,545 requested) Clean-up costs £895 (to be split equally between defendants)	Out of area	South Yardley

6	25/9/17	Adisson Ali Hussain 143 Brandwood Park Road Kings Heath Birmingham B14 6QX	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to two offences; one offence of depositing controlled waste, namely one black bag containing waste, in the vicinity of Rookery Road, Handsworth, Birmingham without a permit and one offence of failing to comply with a statutory demand for written information relating to the transfer of controlled waste from the business at Kurd Internet Shop, 73 Rookery Road, Handsworth, Birmingham to be provided within 7 days. Found guilty after trial.	£100 x 1 No separate penalty for 2 nd offence £900 costs (£1,805 requested)	Brandwood	Handsworth Wood
7	28/9/17	Maden Lal Flat above 110A Lozells Road Birmingham B19 2TB	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a statutory demand requiring written information relating to the transfer of controlled waste from the business at Annu Fashions, 110A Lozells Road, Birmingham to be provided within 7 days.	£300 £378 costs (£378 requested)	Lozells & East Handsworth	Lozells & East Handsworth

PEST OFFENCES

1	22/9/17	Robert Anthony Denham 228 Ryde Park Road Rednal Birmingham B45 8RJ	Prevention of Damage by Pests Act 1949 Pleaded guilty to one offence of failing to comply with a notice requiring the removal of an accumulation of rubbish, to cut back and remove all overgrowth and eradicate all pests from the rear garden of 228 Ryde Park Road, Rednal, Birmingham within two weeks.	£440 £699 costs (£699 requested)	Longbridge	Longbridge
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ANIMAL WELFARE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	15/9/17	Robert Grey 34 Greenford House Faulkners Farm Drive Birmingham B23 7XJ	The Fouling of Land by Dogs Order 2014 Pleaded guilty to one offence of being in charge of a dog and failing to remove dog faeces from land at the rear of Greenford House, Faulkner's Farm Drive, Birmingham.	£80 £100 costs (£315 requested)	Kingstanding	Kingstanding
2	25/9/17	Joanne Oliver 28 Admington Road Sheldon Birmingham B33 0RT	The Clean Neighbourhoods and Environment Act 2005 The Microchipping of Dogs (England) Regs 2015 Pleaded guilty to two offences of being in charge of a dog in Mickleton Avenue, Sheldon, Birmingham; one of failing to provide a name and address when required to do so in order to issue a fixed penalty and 1 of obstructing an authorised officer from seeking to take possession of a dog for the purpose of checking whether it was microchipped. Originally listed for trial.	12 month conditional discharge £280 costs (£970 requested)	Sheldon	Sheldon

LITTERING OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	8/9/17	Fiona Wilkinson 29 Clark Road Wolverhampton WV3 9NP	Environmental Protection Act 1990 Found guilty in her 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

2	8/9/17	Jacqui Temperley 1 Defiance Mill Queen Street Macclesfield SK10 5PS	Environmental Protection Act 1990 Found guilty in her 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
3	8/9/17	Krzysztof Swieczkowski 71 Woltanm Close Redditch Worcestershire B98 0NT	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
4	8/9/17	Shahmir Sanni 114 Welford Road Solihull B90 3HD	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
5	8/9/17	Riky Phillips 8 Milverton Hill Leamington Spa CV32 5HY	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
6	8/9/17	Mitch Mi Apartment 810 The Litmus Building 195 Huntington Street Nottingham NG1 3NY	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
7	8/9/17	Joshua Jones 51 Villa Road Lozells Birmingham B19 1BH	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)	Lozells & East Handsworth	Ladywood

8	8/9/17	Jack Hancock 4b South Road Hockley Birmingham B18 5NB	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)	Soho	Ladywood
9	8/9/17	Joseph Clarke 294 Oxhill Road Handsworth Birmingham B21 8EU	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Upper Bull Street, Birmingham.	£220 £175 costs (£175 requested)	Handworth Wood	Ladywood
10	8/9/17	Darren Brooks 241 Park Lane Castle Vale Birmingham B35 6LR	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)	Tyburn	Ladywood
11	14/9/17	Mikolaj Wisniewski Flat 2 47a Station Road Erdington Birmingham B23 6UE	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£65 £175 costs (£175 requested)	Erdington	Ladywood
12	14/9/17	Shaharyar Farrukh 22 Rushwood Close Walsall WS4 2HS	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£65 £175 costs (£175 requested)	Out of area	Ladywood
13	14/9/17	Dick Lima Ni N Hada 26 Churchill Parade Sutton Coldfield B75 7LD	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.	£85 £175 costs (£175 requested)	Sutton Trinity	Ladywood

14	14/9/17	Jeremy Powell Apartment 421 Snow Hill 86 Old Snow Hill Birmingham B4 6GE	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.	£5 No costs (£175 requested)	Ladywood	Ladywood
15	14/9/17	Ali Hussain 1 Church Square Oldbury B69 4DX	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£50 £125 costs (£175 requested)	Out of area	Ladywood
16	14/9/17	Zafeer Younis 15 Stewart Crescent Glasgow G78 1UU	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Pershore Road South, Kings Norton, Birmingham.	£145 £175 costs (£175 requested)	Out of area	Bournville
17	14/9/17	Maria Preston 11 Crestway Blackpool FY3 8PA	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£135 £175 costs (£175 requested)	Out of area	Ladywood
18	14/9/17	Joshua Bannister 11 Herbert Street West Bromwich B70 6HY	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
19	14/9/17	Greta Kowalik 47 Crowther Road Birmingham B23 7DL	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Stockland Green	Ladywood

20	14/9/17	Diana Pietruszka 29 Hemington Way Kirton Boston PE20 1EA	Environmental Protection Act 1990 Found guilty in her 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
21	14/9/17	Artur Popielec 29 Hemington Way Kirton Boston PE20 1EA	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
22	14/9/17	Lucian Claudiu Popescu 32 Bordesley Green East Birmingham B9 5SD	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
23	14/9/17	Mihaela Antoanela David 366 Harborne Lane Harborne Birmingham B17 0NY	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)	Harborne	Ladywood
24	14/9/17	Sandel Craciun 52 Fourth Avenue Bordesley Green Birmingham B9 5RQ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Watford Road, Kings Norton.	£220 £175 costs (£175 requested)	Bordesley Green	Bournville
25	14/9/17	Julia Downer 10 Basil Road Frankley Birmingham B31 5PS	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.	£220 £175 costs (£175 requested)	Weoley	Ladywood

26	14/9/17	Connor Foster 96 Overstone Road Sywell Northampton NN6 OAW	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	14/9/17	Alexandru Gheorghe 81 Blakeland Street Bordesley Green Birmingham B9 5XQ	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
28	14/9/17	Stephen Grimes 23 Brandwood Park Road Kings Heath Birmingham B14 6QY	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Brandwood	Ladywood
29	14/9/17	Radu Ionica 40 Avon Road Worcester WR4 9AG	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bennetts Hill, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
30	14/9/17	Shofiquil Islam 10 Jinnah Close Highgate Birmingham B12 0SU	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)	Nechells	Ladywood
31	14/9/17	Jonathan Wyatt 28 York Close Bicester Oxford OX26 4XE	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

32	14/9/17	Patricia Walker 18 Clarkson Street Barnsley S70 4SJ	Environmental Protection Act 1990 Found guilty in her 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
33	14/9/17	Ahmed Joya 77 Kings Road Stockland Green Birmingham B23 7JN	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)	Stockland Green	Ladywood
34	14/9/17	Romeo Lacatus 147 James Turner Street Winson Green Birmingham B18 4NF	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bristol Road, Birmingham.	£220 £175 costs (£175 requested)	Soho	Edgbaston
35	14/9/17	Ethes Lakatos 12 Park Street Smethwick B67 6AY	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette box on the pavement in Moor Street Queensway, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
36	14/9/17	Debbie Logan 74 Pineapple Road Stirchley Birmingham B30 2TL	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)	Bournville	Ladywood
37	14/9/17	Daisd Raban 103 Unett Street Smethwick B66 3TA	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

38	14/9/17	Constantin Marginean 98 Brunswick Road Handsworth Birmingham B21 9AB	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Lozells & East Handsworth	Ladywood
39	14/9/17	Imran Noor 4 Holder Road Sparkbrook Birmingham B11 1PU	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)	Sparkbrook	Ladywood
40	14/9/17	Doru Alexander Preda 23-24 Bright Street Wolverhampton WV1 4AT	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Hinckley Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
41	14/9/17	Iona Badea 17 Astbury Avenue Smethwick B67 6JD	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bennetts Hill, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
42	14/9/17	Louise McClusky 28 Bromford Crescent Erdington Birmingham B24 9RL	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
43	14/9/17	Aran Srikumar Apartment 225c The Recordings Room Bristol Road Selly Oak Birmingham B29 6AU	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bristol Road, Birmingham.	£220 £175 costs (£175 requested)	Selly Oak	Ladywood

44	14/9/17	Eduard Timingeri 18 Brixham Road Edgbaston Birmingham B16 0JY	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)	Soho	Ladywood
45	28/9/17	Muhammed Tahir 127 Whitehall Road Handsworth Birmingham B21 9AX	Environmental Protection Act 1990 Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.	£80 £20 costs (£175 requested)	Lozells & East Handsworth	Ladywood
46	28/9/17	Ionela Miruna Ana 608 Bristol Road Birmingham B29 6BQ	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
47	28/9/17	Kelsey Aston 278 Walsall Road Perry Barr Birmingham B42 1UB	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.	£220 £175 costs (£175 requested)	Perry Barr	Ladywood
48	28/9/17	John Bishop 222 Bordesley Green Birmingham B9 4SU	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)	Nechells	Ladywood
49	28/9/17	Miku Florin Catacin 62 Hurst Road Smethwick B67 6ND	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Cannon Street, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood

50	28/9/17	David Collins Black Lion Hotel North Street Rhayader Wales LD6 5BU	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
51	28/9/17	Natasha Egan 93 Hanover Road Rowley Regis B65 9EE	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
52	28/9/17	Matthew Gibson 7 Crew Drive Tipton DY4 7SS	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
53	28/9/17	Zaneta Anna Gornicka 276 Hillmorton Road Rugby CV2 1GB	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)	Out of area	Ladywood
54	28/9/17	Ionel Prtica Ionita 14 Kernthorpe Road Kings Heath Birmingham B14 6RA	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)	Brandwood	Ladywood
55	28/9/17	Katy Sadler 193 Parkfields Wolverhampton WV4 6ER	Environmental Protection Act 1990 Found guilty in her 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

56	28/9/17	Dean Simms 15 Edale Road Great Barr Birmingham B42 2DL	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)	Perry Barr	Ladywood
57	28/9/17	Robert Luke Simpson Flat 32 Chilton House Coleman Street Southend on Sea SS2 5AE	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
58	28/9/17	Matthew Spencer Flat 5c Highfield Road Edgbaston Birmingham B15 3EF	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)	Edgbaston	Ladywood
59	28/9/17	Madaline Tarca 18 Parker Street Warrington WA1 1LT	Environmental Protection Act 1990 Found guilty in her 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
60	28/9/17	Claire Ward 22 Marlborough Road Coventry CV2 4EP	Environmental Protection Act 1990 Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Place, Birmingham.	£220 £175 costs (£175 requested)	Out of area	Ladywood
61	28/9/17	Carl Williamson 8 Hilleys Croft Chelmsley Wood Solihull B37 5BW	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

62	28/9/17	Muhammed Khan 199 Malmesbury Road Small Heath Birmingham B10 0JJ	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Moor Street, Birmingham.	£220 £175 costs (£175 requested)	South Yardley	Ladywood
63	28/9/17	Jamie Lattimer 655 Yardley Wood Road Billesley Birmingham B13 0HN	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Kings Heath High Street, Birmingham.	£220 £175 costs (£175 requested)	Billesley	Moseley & Kings Heath
64	28/9/17	Alice Lavery Flat 8 Lisle House Clarence Square Cheltenham GL50 4JR	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)	Out of area	Ladywood
65	28/9/17	Christian Limban 147 James Turner Street Winson Green Birmingham B18 4NF	Environmental Protection Act 1990 Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bristol Road, Birmingham.	£220 £175 costs (£175 requested)	Soho	Edgbaston
66	28/9/17	Daria Magdalena Matachowska 276 Hillmorton Road Rugby CV2 1GB	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)	Out of area	Ladywood
67	28/9/17	Thomas McDonald 350 Marsh Lane Bootle Liverpool L20 2BX	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

68	28/9/17	Marin Mihia 210 Bacchus Road Winson Green Birmingham B18 4RD	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)	Soho	Ladywood
69	28/9/17	Alistair Page Apartment 2 1 Harlequin Drive Moseley Birmingham B13 8NU	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)	Moseley & Kings Heath	Ladywood
70	28/9/17	Andrei Alin Pop 71 Norfolk Road London E6 2NH	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
71	25/9/17	Murad Jalal Qadri 462 Porters Avenue Dagenham RM8 2EE	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)	Out of area	Ladywood

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

One simple caution was administered during September 2017.

Health & Safety at Work etc. Act 1974

One caution was issued for failing to ensure the workplace is in a condition that is safe and without risks to prevent employees falling from two mezzanines.

TRADING STANDARDS

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	11/9/17	<p>Qamar Ashfaq 12 Bankes Road Small Heath Birmingham B10 9PR</p> <p>James Hudson Motors Ltd 189-203 Formans Road Sparkhill Birmingham B11 3AX</p>	<p>Road Traffic Act 1988 & Consumer Protection from Unfair Trading Regulations 2008.</p> <p>Each defendant pleaded guilty to 42 offences; 17 of exposing vehicles for sale which were in a dangerous and unroadworthy condition from James Hudson Motors Ltd, 189-203 Formans Road, Sparkhill, Birmingham. 17 offences of placing misleading advertisements stating that the vehicles were in excellent condition which was false in that they were poorly maintained and unroadworthy. Seven offences of advertising vehicles for sale on the company website and omitting to state that the vehicles were Category C insurance write offs and were damaged. One offence of advertising motor vehicles for sale without first carrying out a basic inspection to ascertain whether the vehicle was safe, roadworthy, of satisfactory quality or economical repair.</p> <p>Originally listed for trial.</p>	<p>Director fined £1,000 x 1</p> <p>No separate penalty for remaining offences</p> <p>Disqualified from being a Director for 5 years.</p> <p>Company fined £1,000 x 1</p> <p>No separate penalty for remaining offences</p> <p>Director £3,000 costs Company £6,000 costs (£9,000 requested)</p> <p>Forfeiture of all 17 vehicles granted.</p>	Bordesley Green	Springfield

2	14/9/17	<p>Tahir Mahmood 351-355 Coventry Road Small Heath Birmingham B10 0SN</p> <p>Amsons TM Ltd 351-355 Coventry Road Small Heath Birmingham B10 0SN</p>	<p>Consumer Protection Act 1987</p> <p>Each defendant pleaded guilty to one offence of having 25 incense burners in possession for supply at Amsons, 351-355 Coventry Road. which were unsafe in that they failed to comply with the Electrical Equipment (Safety) Regulations 1994.</p>	<p>Director fined £923</p> <p>No separate penalty for the company</p> <p>£1,242 costs (£1,242 requested)</p> <p>Forfeiture of seized items granted.</p>	Nechells	Nechells
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TRADING STANDARDS SIMPLE CAUTIONS

No simple cautions were administered during September 2017.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – SEPTEMBER 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			2	
Harborne				
Quinton				
ERDINGTON				
Erdington				
Kingstanding		1		
Stockland Green				
Tyburn				
HALL GREEN				
Hall Green				
Moseley & Kings Heath			1	
Sparkbrook				
Springfield				1
HODGE HILL				
Hodge Hill				
Washwood Heath				
Bordseley Green		1		
Shard End				
LADYWOOD				
Aston				
Ladywood	1	2	66	1
Nechells		1		
Soho				

NORTHFIELD				
Kings Norton				
Longbridge		1		
Northfield				
Weoley				
PERRY BARR				
Lozells & East Handsworth		1		
Handsworth Wood		1		
Oscott				
Perry Barr		1		
SELLY OAK				
Billesley				
Bournville			2	
Brandwood				
Selly Oak		1		
SUTTON COLDFIELD				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity	1			
Sutton Vesey				
YARDLEY				
Acocks Green				
Sheldon		1		
South Yardley		2		
Stechford & North Yardley				
TOTAL	2	13	71	2

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – SEPTEMBER 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			1	
Quinton				
ERDINGTON				
Erdington			1	
Kingstanding		1		
Stockland Green			2	
Tyburn			2	
HALL GREEN				
Hall Green				
Moseley & Kings Heath			1	
Sparkbrook			1	
Springfield				
HODGE HILL				
Hodge Hill				
Washwood Heath		1		
Bordseley Green	2	1	3	1
Shard End				
LADYWOOD				
Aston				
Ladywood			1	
Nechells		1	2	1
Soho			5	

NORTHFIELD				
Kings Norton				
Longbridge		1		
Northfield				
Weoley			1	
PERRY BARR				
Lozells & East Handsworth		1	3	
Handsworth Wood			1	
Oscott				
Perry Barr			2	
SELLY OAK				
Billesley			1	
Bournville			1	
Brandwood		1	2	
Selly Oak		1	2	
SUTTON COLDFIELD				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity			1	
Sutton Vesey				
YARDLEY				
Acocks Green				
Sheldon		1		
South Yardley		2	1	
Stechford & North Yardley				
OUT OF AREA		2	36	
TOTAL	2	13	71	2

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – SEPTEMBER 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	1	0	0	0	1	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	2	0	1	0	66	0	0	2	0	0	0	71
Environmental Health (non FPNs)	0	1	0	1	3	1	3	1	0	3	0	13
Trading Standards	0	0	1	0	1	0	0	0	0	0	0	2

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	2	0	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	2	5	2	3	8	1	6	6	1	1	36	71
Environmental Health (non FPNs)	0	1	0	2	1	1	1	2	0	3	2	13
Trading Standards	0	0	0	1	1	0	0	0	0	0	0	2

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	2	0	10	2	0	1	1	2	0	19
Environmental Health (FPNs) Not paid and prosecuted	2	0	2	0	296	1	0	5	0	0	0	306
Environmental Health (non FPNs)	0	8	7	6	32	3	12	3	1	9	0	81
Trading Standards	1	0	2	1	4	0	0	0	0	2	0	10

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	4	6	2	1	1	0	0	0	4	19
Environmental Health (FPNs) Not paid and prosecuted	11	11	10	21	38	10	21	22	6	5	151	306
Environmental Health (non FPNs)	3	8	6	10	18	2	9	4	3	9	9	81
Trading Standards	0	0	2	0	5	0	0	0	0	1	2	10

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2017 – MARCH 2018

	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Total 2017/2018
Waste Investigation Outcomes						
Investigations into commercial waste disposal suspected offences and offences	23	35	83	101	88	330
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	20	32	75	85	75	287
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	11	13	25	29	89	167
<u>Section 87 Environmental Protection Act.</u> Fixed Penalty notices issued for commercial and residential litter offences (£80)	5	0	5	0	3	13
<u>Section 33 Environmental Protection Act</u> fixed penalty notices issued for fly tipping (£400)	4	9	7	1	6	27
<u>Section 52 Anti Social Behaviour Crime and Policing Act</u> fixed penalty notices issued for failing to comply with a community protection notice (£100)					1	1
Prosecutions						
Number of prosecution files submitted to legal services (number produced quarterly)			15	15		