

**BIRMINGHAM CITY COUNCIL**

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

**20 JUNE 2018**  
**ALL WARDS**

**PROSECUTIONS AND CAUTIONS – MARCH & APRIL 2018**

1. Summary
  - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of March and April 2018.
2. Recommendation
  - 2.1 That the report be noted.

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### 3. Results

3.1 During the months of March and April 2018 the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- Three Licensing cases were finalised resulting in fines of £1,260 and prosecution costs of £1,268. 14 penalty points were issued and a total of 18 months driving disqualifications were imposed. 37 simple cautions were administered as set out in Appendix 1.
- 127 Environmental Health cases resulted in fines of £292,196. Prosecution costs of £43,959 were awarded. 9 months imprisonment suspended for 2 years, 12 months disqualification from driving and forfeiture of a vehicle. 4 months imprisonment suspended for 2 years, 4 months tagged curfew and 6 months disqualification from driving. Compensation for clean-up costs in the sum of £1,644 was awarded. One simple caution was administered as set out in Appendix 2.
- Three Trading Standards cases were finalised resulting in fines of £37,760 and prosecution costs of £12,316. Compensation in the sum of £7,577 was awarded. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in March and April 2018 and cases finalised by district April - March 2018.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2017 to March 2018.

### 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 April 2018 the following costs have been requested and awarded:

Licensing

£19,059 has been requested with £12,292 being awarded (64%).

Environmental Health

£380,872 has been requested with £311,497 being awarded (82%).

Trading Standards

£90,808.70 has been requested with £81,788.69 being awarded (90%).

- 5.3 For the months of March and April 2018 the following costs have been requested and awarded:

Licensing

£2,013 has been requested with £1,268 being awarded (63%).

Environmental Health

£51,455 has been requested with £43,959 being awarded (85%).

Trading Standards

£12,316 has been requested with £12,316 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**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	7/3/18	Mohammed Wasim Balsall Heath Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988  Pleaded <u>not guilty</u> to two offences: one of plying for hire in Suffolk Street Queensway, Birmingham and one of consequently having invalid insurance.  Found guilty after trial	£150 – No Insurance  + 6 penalty points  Disqualified from driving for 6 months  No separate penalty for plying  £500 costs (£1,031 requested)	Moseley & Kings Heath	Ladywood
2	12/4/18	Imran Yousaf Basford Nottingham	Town Police Clauses Act 1847 & Road Traffic Act 1988  Found guilty in his absence of two offences: one of plying for hire in Bennetts Hill, Birmingham and one of consequently having invalid insurance.	£770 – No Insurance  + 8 penalty points  No separate penalty for plying  £568 costs (£568 requested)	Out of area	Ladywood
3	30/4/18	Mohammed Sulieman Rehman Ward End Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988  Pleaded guilty to two offences: one of plying for hire in Rea Street, Birmingham and one of consequently having invalid insurance.	£340 – No Insurance  Disqualified from driving for 12 months  No separate penalty for plying  £200 costs (£414 requested)	Washwood Heath	Ladywood

## **LICENSING SIMPLE CAUTIONS**

During the period of March and April 2018 37 simple cautions have been administered

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

**Section 48(6)** 11 cautions were issued for failing to display a private hire vehicle licence plate

**Section 54(2)** Four caution was issued for failing to wear the drivers badge in a position and manner as to be plainly and distinctly visible

**Section 48(6) & Section 54(2)** Four cautions were issued for failing to display a private hire vehicle licence plate and for failing to wear the drivers badge in a position and manner as to be plainly and distinctly visible

**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

### **Licensing Act 2003**

**Section 136(1)(a) & Section 57** One caution was issued for carrying on a licensable activity otherwise than in accordance with an authorisation and for failing to produce a premises licence upon request by an authorised officer.

**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** Two cautions were issued for failing to wear or display a hackney carriage driver's badge in a position and manner as to be plainly and distinctly

### **Town Police Clauses Act 1847 & Road Traffic Act 1988**

**Section 45 & Section 143** 10 cautions were issued for plying for hire and driving without insurance

**Section 51 & Section 143** One caution was issued for acting as a private hire driver without a current licence and driving without insurance

### **Criminal Justices and Public Order Act 1994**

**Section 167(1)** One caution was issued for soliciting person to hire a vehicle, to carry them as passengers.

### **Equalities Act 2010**

**Section 170** One caution was issued for failing to carry out a booking accepting by the operator due to the passenger being accompanied by an assistance dog.

**ENVIRONMENTAL HEALTH CASES****WASTE OFFENCES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	1/3/18	RRB Birmingham Ltd 18 West Heath Road Northfield Birmingham B31 3TG	Environmental Protection Act 1990  Pleaded guilty to one offence of depositing controlled waste, namely one black bag containing documents relating to RRB Birmingham Ltd, on a grass verge opposite 3a The Green, Kings Norton, Birmingham. Statutory Declaration made. Originally proved in absence on 18.1.18.	£2,000 fine  £1,010 costs (£1,010 requested)	Northfield	Kings Norton
2	15/3/18	Caribbean Mish Mash Ltd 406 Dudley Road Birmingham B18 4HH	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at Mish Mash Caribbean, 406 Dudley Road, Birmingham was disposed of within 7 days.	£350 fine  £351 costs (£351 requested)	Soho	Soho
3	28/3/18	Muhammed Nabeel Birmingham	Environmental Protection Act 1990  Pleaded <u>not guilty</u> to one offence of knowingly causing or permitting controlled waste, namely 13 bags containing plasterboard, tiles and building waste, to be deposited from a vehicle in Yardley Green Road, Birmingham. Found guilty after trial	£1,000 fine  £934 costs (£934 requested)	South Yardley	Bordesley Green
4	29/3/18	Saima Malik Oldbury	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at Saima Hair & Beauty, 237 Dudley Road, Birmingham was disposed of within 7 days.	£300 fine  £300 costs (£690 requested)	Out of area	Soho

5	6/4/18	Virginity Hair & Beauty Boutique Ltd 180 Dudley Road Birmingham B18 7QX	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at Virginity Hair & Beauty Boutique, 180 Dudley Road, Birmingham was disposed of within 7 days.	£1,000 fine  £574 costs (£574 requested)	Ladywood	Ladywood
6	9/4/18	Wajid Ur Rahman Birmingham	Environmental Protection Act 1990  Pleaded guilty to two offences; one of knowingly causing or permitting controlled waste, namely logs, chipboard and tubing, to be deposited from a vehicle on land in Bolton Road, Birmingham and one offence of failing to provide information as to the person in charge of the vehicle on the date of offence	£432 x fly tipping offence No separate penalty x information offence  £1,500 costs (£2,096 requested)	Bordesley Green	Nechells
7	12/4/18	Emma Wall Birmingham	Environmental Protection Act 1990  Pleaded guilty to two offences of failing to comply with notices requiring written information of how waste from the business at The Sun Lounge, 54-56 Station Road, Erdington, Birmingham was disposed of within 7 days.	£300 – offence 1  No separate penalty for offence 2  £400 costs (£881 requested)	Hall Green	Erdington
8	12/4/18	PB Haute Couture Ltd 414 Stratford Road Birmingham B11 4AD	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at Princess B Haute Couture, 180 Alum Rock Road, Birmingham was disposed of within 7 days.	£300 fine  £200 costs (£437 requested)	Springfield	Washwood Heath
9	12/4/18	Mohammed Adnan Khan Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of knowingly causing or permitting controlled waste, namely bags of waste to be deposited on land on Yardley Wood Road, Birmingham.	£150 fine  £100 costs (£817 requested)	Brandwood	Billesley

10	12/4/18	City Express (MSB) Ltd 86 Alum Rock Road Birmingham B8 1HZ	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at City Express Travel, 86 Alum Rock Road, Birmingham was disposed of within 7 days.	£300 fine  £434 costs (£434 requested)	Washwood Heath	Washwood Heath
11	12/4/18	Amsons TM Ltd 353-355 Coventry Road Birmingham B10 0SN	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from the business at Amsons, 126 Alum Rock Road, Birmingham was disposed of within 7 days.	£300 fine  £463 costs (£463 requested)	Nechells	Washwood Heath
12	12/4/18	Muhammed Adnan Dudley	Environmental Protection Act 1990  Pleaded guilty to three offences of knowingly causing or permitting controlled waste to be deposited on land. On 25 <sup>th</sup> September 2017 five black bags of domestic waste were deposited on Dugdale Street, on 10 <sup>th</sup> October 2017 two black bags of domestic waste were deposited on Abberley Street and on 16 <sup>th</sup> October 2017 six black bags of domestic waste were deposited on Abberley Street	£640 – offence 3  No separate penalty for offences 1 & 2  £1,000 costs (£1,705 requested)	Out of area	Soho
13	19/4/18	Mark Bolton Bilston Wolverhampton	Environmental Protection Act 1990  Pleaded guilty to eight offences: one of depositing controlled waste, namely 15 black bags, signage boards, broken furniture, wooden fence panels and a large builder's bag, on land at the car park outside Malcolm Locker Youth Centre, Rowden Drive, Birmingham, four of failing to comply with notices requiring information as to how the business at Gardens R Us, 268 Great Bridge Road, Wolverhampton disposes of its waste, one of failing to keep any written information regarding the transfer of controlled waste from the business and two offences of failing to	4 months custody suspended for 2 years 4 months tagged curfew  Disqualified from driving for 6 months  Excluded from Rowden Drive for 2 years	Out of area	Erdington



			provide information as to the driver of the vehicle used to deposit the controlled waste	£1,659 costs (£1,659 requested)  Clean-up costs £160		
14	20/4/18	Jimmy Doherty Tunstall Stoke on Trent	Environmental Protection Act 1990  Pleaded <u>not guilty</u> to one offence of knowingly causing or permitting controlled waste, namely building waste and general household waste, to be deposited on parkland at Sarehole Mill, Birmingham.  Found guilty after trial.	9 months imprisonment suspended for 2 years.  Disqualified from driving for 12 months.  Forfeiture of vehicle  Compensation for clean-up £1,484  No costs awarded	Out of area	Hall Green
15	26/4/18	Courtney Bullivant Leicester	Pleaded guilty to two offences; one of knowingly causing or permitting controlled waste, namely two bed bases, to be deposited on land on Brookfield Road, Birmingham and one offence of failing to comply with a statutory demand for information as to how waste is disposed of from the garden at 1 Louisa place, Brookfield Road, Birmingham.	£1,720 fine  £1,068 costs (£1,068 requested)	Out of area	Soho

**PEST OFFENCES**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	26/4/18	Allmid Limited 222 Alcester Road Moseley Birmingham B13 8EY	Prevention of Damage by Pests Act 1949  Pleaded guilty to one offence of failing to comply with a notice requiring the accumulation of rubbish and overgrowth to be removed from land at Garage 97 and the communal area opposite 80 North Park Road, Birmingham, and to eradicate pests within 28 days.	£370 fine  £572 costs (£527 requested)	Moseley & Kings Heath	Stockland Green

**FLYPOSTING OFFENCES**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	12/4/18	Westbourne Leisure Ltd Westbourne Head Office Strawberry Bank Hotel 72 Main Road Meriden Coventry CV7 7NF	Town & Country Planning Act 1990  Pleaded guilty to two offences of displaying posters advertising an event at the Irish Centre on guard railings opposite the Irish Centre, High Street, Digbeth and outside the O2 Institute, Digbeth without the consent of the City Council.	£600 – offence 1  No separate penalty for offence 2  £820 costs (£820 requested)	Out of area	Nechells

**ANIMAL WELFARE OFFENCES – SINGLE JUSTICE PROCEDURE**

1	23/03/18	Gail Flynn Birmingham	The Microchipping of Dogs (England) Regulations 2015  Found guilty in her absence of one offence of being the keeper of a Staffordshire Bull Terrier type dog and failing to comply with notices requiring that the microchip details recorded	£220 fine  £175 costs (£175 requested)	Longbridge	Longbridge
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			on the database were updated with the keeper's full name, address and contact number.			
2	13/4/18	Tina Tyndale Birmingham	The Microchipping of Dogs (England) Regulations 2015  Found guilty in her absence of one offence of being the keeper of a Shar Pei dog and failing to comply with notices requiring the dog to be microchipped within 21 days.	£220 fine  £175 costs (£175 requested)	Stockland Green	Stockland Green

### **FOOD HYGIENE OFFENCES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	1/3/18	East End Foods Plc East End House Kenrick Way West Bromwich B71 4EA	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to three offences relating to conditions at East End Foods, 58-99 Darwin Street, Birmingham. Rat droppings were found throughout the premises. Food was not protected against contamination, gnawed boxes and bags of food were found. There was a build-up of dust and debris throughout the premises.	£180,000 fine  £3,453 costs (£3,453 requested)	Out of area	Nechells
2	15/3/18	Chung Ying Cantonese Restaurant Ltd 17 Thorp Street Birmingham B5 4AT	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to 14 offences; nine relating to conditions found at Chung Ying Gardens Cantonese Restaurant, 17 Thorp Street, Birmingham on 16 <sup>th</sup> December 2016. The premises were not kept clean and there were no adequate procedures in place to control pests. No hot water was supplied to the hand basins throughout the premises. Food was not protected against contamination,	£30,000 fine  £4,414 costs (£4,414 requested)	Nechells	Nechells

			<p>uncovered cashew nuts were being stored on top of uncovered raw prawns and uncovered raw prawns were stored next to uncovered cooked chicken. Foods were not being stored at correct temperatures. Food was not protected against allergens, nuts; raw shellfish and cooked chicken were stored, uncovered together posing a risk of cross contamination. There were no procedures in place based on HACCP.</p> <p>Three offences relating to the conditions found on 21<sup>st</sup> December 2016. There was no hot water to hand wash basins throughout the kitchen or food preparation areas and there was no evidence of a food safety management system being in place and two offences of failing to comply with Hygiene Improvement Notices requiring written allergy information to be available for the food and drink served at the premises and a constant supply of hot water to be provided throughout the premises</p>			
3	15/3/18	<p>Kafe Karachi Ltd 253 Alcester Road South Kings Heath Birmingham B14 6DT</p>	<p>Food Safety and Hygiene (England) Regulations 2013</p> <p>Pleaded guilty to seven offences relating to poor conditions following an inspection at Kafe Karachi Ltd, 127-129 Ladypool Road, Birmingham. The Company failed to comply with two Hygiene Improvement Notices; one required them to remove loose flaking paint and redecorate and to ensure all food ingredients were stored in suitable clean and undamaged packaging. The second notice required them to put in place, implement and maintain procedures based on HACCP. The premises was not kept clean, food crates used to store samosas were dirty and greasy. A work top table had been repaired using black tape and was ingrained with food</p>	<p>£4,000 fine</p> <p>£3,069 (£3,069 requested)</p>	Brandwood	Sparkbrook

			debris. Food was not protected against contamination, carrots were being stored beneath raw fish and raw meat was being prepared next to salad.			
4	29/3/18	Adeola Idowu Birmingham	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to five offences following an inspection of Joy Express, 120 Great Hampton Row, Birmingham. There was evidence of mouse activity throughout the premises. Mouse droppings were found on shelves and the floor. A large hole in the wall, defective ceiling tiles and lack of pest proofing allowed access to pests. A bag of chapatti flour was on display for sale that had been damaged by pests. There were no procedures based on HACCP.	£533 fine  £1,573 costs (£1,573 requested)	Kingstanding	Aston
5	6/4/18	Yum Yum Grill (UK) Ltd Unit 22 Martineau Place Birmingham B2 4UU	Food Safety and Hygiene (England) Regulations 2013  Found guilty in their absence of five offences relating to conditions at Yum Yum Grill, Unit 22 Martineau Place, Birmingham. There was evidence of mouse activity in the premises. The premises was dirty, shelving, walls, touch points, the rear door and a hand basin was dirty. Cleaning equipment, the microwave, chest freezers, food containers and food packaging were all dirty. There were no procedures based on HACCP. There was no evidence that food handlers were trained in food hygiene.	£12,000 fine  £1,977 costs (£1,977 requested)	Ladywood	Ladywood
6	12/4/18	Paul & Mario's Ltd 5 Bloomsbury Street Birmingham B7 5BX	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to three offences relating to conditions at Paul & Mario's, 5 Bloomsbury Street, Birmingham. There was evidence of mouse activity throughout the premises. The	£1,400 – offence 1 No separate penalty for remaining offences  £915 costs	Nechells	Nechells

			premises was not kept clean, the floor was littered with mouse droppings, there was an accumulation of grease and dirt on the wall and floor behind the pressure cooker. A dead mouse was found behind the freezer. The rear entrance door was left open without adequate pest proof screening.	(£915 requested)		
7	26/4/18	Medina Bakery Ltd 48 Golden Hillock Road Birmingham B10 0LG  Rashid Ahmed Esakjee Kings Heath Birmingham	Food Safety and Hygiene (England) Regulations 2013  The Director and Company pleaded guilty to 21 offences each relating to conditions at Medina Bakery, 48 Golden Hillock Road, Birmingham on two separate dates. On the first occasion the premises was dirty and mouse droppings were found throughout the premises. A wall in the rear storage room was covered in mould, the ceiling and light fittings were rusty and there was an accumulation of dirt underneath the walk in oven. A hole in the skirting board in the manufacturing room allowed access to pests and the roller shutter door had gaps around it. The cellar was full of redundant equipment making it impossible to carry out pest checks. There were not enough wash basins available. Bleach and washing powder was stored in close proximity to where food was prepared. Tiles in the manufacturing room were cracked and damaged and areas of the wall were damaged. Equipment was dirty and staff wore filthy overcoats. Cling film and wrapping materials were stored next to mouse droppings. On the second occasion the premises was still dirty and a fridge used to store yeast and mixed fruit was covered in mould. Paint on the ceiling was cracked above a mixer and the floor around the wash hand basin/sink was damaged. Open boxes of fruit and nuts were being stored on	£20,000 fine against the company  £1,734 costs (£1,734 requested)  £1,280 (£640 x 2) fine against the Director.  All costs to be paid by the company.	South Yardley	South Yardley

			shelving and not protected against flies. A number of undescribed eggs were noted in the manufacturing room and warehouse and no documentation was available to show where they had come from.			
8	26/4/18	Azad Supermarket (Bham) Ltd 479-481 Stratford Road Sparkhill Birmingham B11 4LE	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to four offences relating to conditions at Azad Supermarket, 479-481 Stratford Road, Birmingham during two separate visits. On the first visit tiles in the walk-in freezer were cracked and damaged, the floors in the shop, butchery, warehouse and walk in chiller were dirty, tile grouting around the sink in the butchery was dirty. Live cockroaches were present in the butchery area. On the second visit the company had failed to comply with a Hygiene Improvement Notice requiring the floors, walls and ceilings to be thoroughly cleaned. Live cockroaches were found in the butchery area, corridors, on the shop floor and within containers of vegetables and boxes of crisps	£12,000  £2,004 costs (£2,004 requested)	Springfield	Springfield

#### **LITTERING OFFENCES (NON SJP)**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	26/4/18	Hama Choman Tahir Smethwick	Environmental Protection Act 1990  Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street.	£45 fine  £75 costs (£175 requested)	Out of area	Ladywood

### **LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE**

<b>Date Cases Heard</b>	<b>Total Number of Cases</b>	<b>Total Fines imposed</b>	<b>Total Costs awarded</b>	<b>Total Costs requested</b>
9/3/18	9	£1,980	£1,395	£1,575
23/3/18	30	£6,526	£5,160	£5,250
13/4/18	42	£8,690	£3,570	£7,350
27/4/18	18	£3,560	£2,885	£3,150

### **ENVIRONMENTAL HEALTH SIMPLE CAUTIONS**

One simple caution was administered during March and April 2018

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

One caution was issued for failing to comply with Food Hygiene Regulations



**TRADING STANDARDS CASES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	5/3/18	<p>Car Place Birmingham Ltd 134 Small Heath Highway Birmingham B10 0BW</p> <p>Mohammed Umair Birmingham</p> <p>Mohammed Tufail Birmingham</p>	<p>Consumer Protection from Unfair Trading Regulations 2008 &amp; Road Traffic Act 1988</p> <p>The Company and Mohammed Umair each pleaded guilty to 23 offences; eight of exposing cars for sale at 134 Small Heath Highway, in an unroadworthy condition. 10 offences of exposing vehicles for sale on carplaceltd.co.uk website, autotrader.co.uk website and at 134 Small Heath Highway, creating the impression they could be legally sold when they could not as they were unroadworthy. Five offences of advertising and offering for sale motor vehicles without first carrying out a basic inspection to ascertain whether the vehicles were safe, roadworthy and of satisfactory quality or economical to repair.</p> <p>Mohammed Tufail pleaded guilty to four offences; two of exposing vehicles for sale on carplaceltd.co.uk website, autotrader.co.uk website and at 134 Small Heath Highway, creating the impression they could be legally sold when they could not as they were unroadworthy. A further two offences of advertising and offering for sale motor vehicles without first carrying out a basic inspection to ascertain whether they were safe, roadworthy and of satisfactory quality or economical to repair.</p>	<p>Car Place – fine £33,120</p> <p>(£1,440 x 23)</p> <p>Mohammed Umair – fine £1,800</p> <p>£2,472 costs</p> <p>£4,283 compensation</p> <p>Mohammed Tufail - £575 fine</p> <p>£7,418 costs</p> <p>£3,294 compensation</p> <p>(Total costs requested £9,891)</p>	Nechells	Nechells

2	6/4/18 at Birmingham Crown Court	Jambaz Ahmadzai Alum Rock Birmingham	<p>Tobacco and Related Products Regulations 2016 and Trade Marks Act 1994</p> <p>Pleaded guilty to six offences: two of supplying 898 packs of cigarettes and tobacco of various brands and 220 packs of snuff from Metro Express, 704 Alum Rock Road, Birmingham, which failed to carry the health warnings required on the packaging and a further offence relating to the supply of 84 packs of snuff which failed to carry the health warnings required and three offences relating to packets of cigarettes of various brands and hand rolling tobacco which bore registered trademarks without the consent of the trade mark holders.</p>	<p>18 month community order with 100 hours unpaid work x 6</p> <p>To run concurrently</p> <p>POCA timetable set</p>	Washwood Heath	Washwood Heath
3	26/4/18 at Birmingham Crown Court	<p>KRC Motors WM Ltd 1098 Kingsbury Road Birmingham B35 6AH</p> <p>Hawdam Khalis Jabar Birmingham</p>	<p>Consumer Protection from Unfair Trading Regulations 2008</p> <p>The Company and Director each pleaded guilty to two offences relating to an advertisement on the Auto Trader Website which contained false information, namely that the vehicle had “no accident damage” and was in “excellent condition”. The advert also omitted that the vehicle was in fact a Category D Insurance write off.</p>	<p>Company fined £2,000</p> <p>£2,425 costs (to be paid by company)</p> <p>(£2,425 requested)</p> <p>Director fined £265</p>	Tyburn	Tyburn

### **TRADING STANDARDS SIMPLE CAUTIONS**

No simple cautions were administered during March and April 2018

**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – MARCH 2018**

<b><u>WARDS &amp; CONSTITUENCIES FINALIZED BY OFFENCE</u></b>				
	<b><u>Licensing</u></b>	<b><u>Environmental Health - Non FPNs</u></b>	<b><u>Environmental Health - FPNs</u></b>	<b><u>Trading Standards</u></b>
<b>EDGBASTON</b>				
Bartley Green				
Edgbaston				
Harborne				
Quinton				
<b>ERDINGTON</b>				
Erdington				
Kingstanding				
Stockland Green				
Tyburn				
<b>HALL GREEN</b>				
Hall Green				
Moseley & Kings Heath				
Sparkbrook		1		
Springfield				
<b>HODGE HILL</b>				
Hodge Hill				
Washwood Heath				
Bordseley Green		1		
Shard End				
<b>LADYWOOD</b>				
Aston		1		
Ladywood	1			
Nechells		2	37	1
Soho		2	2	

<b>NORTHFIELD</b>				
Kings Norton		1		
Longbridge		1		
Northfield				
Weoley				
<b>PERRY BARR</b>				
Lozells & East Handsworth				
Handsworth Wood				
Oscott				
Perry Barr				
<b>SELLY OAK</b>				
Billesley				
Bournville				
Brandwood				
Selly Oak				
<b>SUTTON COLDFIELD</b>				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity				
Sutton Vesey				
<b>YARDLEY</b>				
Acocks Green				
Sheldon				
South Yardley				
Stechford & North Yardley				
<b>TOTAL</b>	1	9	39	1

# CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE ) – MARCH 2018

<u>WARDS &amp; 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>
<b>EDGBASTON</b>				
Bartley Green				
Edgbaston			1	
Harborne				
Quinton				
<b>ERDINGTON</b>				
Erdington				
Kingstanding		1		
Stockland Green				
Tyburn				
<b>HALL GREEN</b>				
Hall Green				
Moseley & Kings Heath	1			
Sparkbrook			1	
Springfield				
<b>HODGE HILL</b>				
Hodge Hill				
Washwood Heath			2	
Bordseley Green				
Shard End			1	
<b>LADYWOOD</b>				
Aston			3	
Ladywood			1	
Nechells		1	1	1
Soho		1	3	

<b>NORTHFIELD</b>				
Kings Norton				
Longbridge		1	1	
Northfield		1	1	
Weoley				
<b>PERRY BARR</b>				
Lozells & East Handsworth			2	
Handsworth Wood				
Oscott				
Perry Barr				
<b>SELLY OAK</b>				
Billesley			1	
Bournville				
Brandwood		1	3	
Selly Oak				
<b>SUTTON COLDFIELD</b>				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity			1	
Sutton Vesey				
<b>YARDLEY</b>				
Acocks Green				
Sheldon				
South Yardley		1		
Stechford & North Yardley				
<b>OUT OF AREA</b>		2	17	
<b>TOTAL</b>	1	9	39	1

**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2017 - MARCH 2018**

	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	1	0	0	0	<b>1</b>
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	39	0	0	0	0	0	0	<b>39</b>
Environmental Health (non FPNs)	0	0	1	1	5	2	0	0	0	0	0	<b>9</b>
Trading Standards	0	0	0	0	1	0	0	0	0	0	0	<b>1</b>

**CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2017 - MARCH 2018**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	1	0	0	0	0	0	0	0	0	<b>1</b>
Environmental Health (FPNs) Not paid and prosecuted	1	0	1	3	8	2	2	4	1	0	17	<b>39</b>
Environmental Health (non FPNs)	0	1	0	0	2	2	0	1	0	1	2	<b>9</b>
Trading Standards	0	0	0	0	1	0	0	0	0	0	0	<b>1</b>

**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2017 - MARCH 2018**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	0	3	0	17	2	0	2	1	2	0	<b>29</b>
Environmental Health (FPNs) Not paid and prosecuted	3	1	2	0	583	1	0	5	0	0	0	<b>595</b>
Environmental Health (non FPNs)	3	9	16	11	58	14	16	3	2	18	0	<b>150</b>
Trading Standards	1	0	4	1	7	0	0	0	0	2	0	<b>15</b>

**CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2017 – MARCH 2018**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	1	8	7	3	1	3	0	0	0	5	<b>29</b>
Environmental Health (FPNs) Not paid and prosecuted	25	21	31	44	68	21	37	33	8	21	286	<b>595</b>
Environmental Health (non FPNs)	6	10	14	17	30	10	13	7	4	17	22	<b>150</b>
Trading Standards	1	0	4	0	7	0	0	0	0	1	2	<b>15</b>



# CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2018

<u>WARDS &amp; CONSTITUENCIES FINALIZED BY OFFENCE</u>				
	<u>Licensing</u>	<u>Environmental Health - Non FPNs</u>	<u>Environmental Health - FPNs</u>	<u>Trading Standards</u>
<b>EDGBASTON</b>				
Bartley Green				
Edgbaston				
Harborne				
Quinton				
<b>ERDINGTON</b>				
Erdington		2		
Kingstanding				
Stockland Green		2		
Tyburn				1
<b>HALL GREEN</b>				
Hall Green		1		
Moseley & Kings Heath				
Sparkbrook				
Springfield		1		
<b>HODGE HILL</b>				
Hodge Hill				
Washwood Heath		3		1
Bordseley Green				
Shard End				
<b>LADYWOOD</b>				
Aston				
Ladywood	2	2	60	
Nechells		3		
Soho		2		

<b>NORTHFIELD</b>				
Kings Norton				
Longbridge				
Northfield				
Weoley				
<b>PERRY BARR</b>				
Lozells & East Handsworth				
Handsworth Wood				
Oscott				
Perry Barr				
<b>SELLY OAK</b>				
Billesley		1		
Bournville				
Brandwood				
Selly Oak				
<b>SUTTON COLDFIELD</b>				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity				
Sutton Vesey				
<b>YARDLEY</b>				
Acocks Green				
Sheldon				
South Yardley		1		
Stechford & North Yardley				
<b>TOTAL</b>	2	18	60	2

# CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE ) – APRIL 2018

<u>WARDS &amp; 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>
<b>EDGBASTON</b>				
Bartley Green			2	
Edgbaston				
Harborne				
Quinton			2	
<b>ERDINGTON</b>				
Erdington				
Kingstanding				
Stockland Green		1	2	
Tyburn			1	1
<b>HALL GREEN</b>				
Hall Green		1	1	
Moseley & Kings Heath		1		
Sparkbrook			2	
Springfield		2		
<b>HODGE HILL</b>				
Hodge Hill			1	
Washwood Heath	1	1	2	1
Bordseley Green		1		
Shard End			1	
<b>LADYWOOD</b>				
Aston			1	
Ladywood		2	2	
Nechells		2		
Soho			3	

<b>NORTHFIELD</b>				
Kings Norton				
Longbridge			1	
Northfield			1	
Weoley			1	
<b>PERRY BARR</b>				
Lozells & East Handsworth			3	
Handsworth Wood			3	
Oscott			1	
Perry Barr			3	
<b>SELLY OAK</b>				
Billesley				
Bournville				
Brandwood		1		
Selly Oak			1	
<b>SUTTON COLDFIELD</b>				
Sutton Four Oaks				
Sutton New Hall				
Sutton Trinity			1	
Sutton Vesey				
<b>YARDLEY</b>				
Acocks Green				
Sheldon				
South Yardley		1	1	
Stechford & North Yardley			1	
<b>OUT OF AREA</b>	1	5	23	
<b>TOTAL</b>	2	18	60	2

### **CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2018**

	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	<b>2</b>
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	61	0	0	0	0	0	0	<b>61</b>
Environmental Health (non FPNs)	0	4	2	3	7	0	0	1	0	1	0	<b>18</b>
Trading Standards	0	1	0	1	0	0	0	0	0	0	0	<b>2</b>

### **CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2018**

	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	0	1	<b>2</b>
Environmental Health (FPNs) Not paid and prosecuted	4	3	3	4	6	3	10	1	1	2	24	<b>61</b>
Environmental Health (non FPNs)	0	1	4	2	4	0	0	1	0	1	5	<b>18</b>
Trading Standards	0	0	0	0	1	0	0	0	0	0	0	<b>1</b>

**WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY**  
**APRIL 2017 – MARCH 2018**

	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Total 2017/2018
<b>Waste Investigation Outcomes</b>													
Investigations into commercial waste disposal suspected offences and offences	23	35	83	101	88	43	90	111	63	120	173*	157*	<b>1087</b>
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	20	32	75	85	75	37	56	76	46	94	144*	121*	<b>861</b>
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	11	13	25	29	89	28	37	35	23	58	51	34	<b>433</b>
<u>Section 87 Environmental Protection Act</u> . Fixed Penalty notices issued for commercial and residential litter offences (£80)	5	0	5	0	3	0	2	3	0	1	0	0	<b>19</b>
<u>Section 33 Environmental Protection Act</u> fixed penalty notices issued for fly tipping (£400)	4	9	7	1	6	2	4	5	4	5	5	4	<b>56</b>
<b>Prosecutions</b>													
Number of prosecution files submitted to legal services (number produced quarterly)			15			19			53			43	<b>130</b>

\*feb and march missed figures from previous months added in (36 in Feb and 42 in Mar)

\*feb and march have missed figures from previous months added in (29 in Feb and 35 in March)