

BIRMINGHAM CITY COUNCIL

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

16 DECEMBER 2015
ALL WARDS

PROSECUTIONS AND CAUTIONS – OCTOBER 2015

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of October 2015.
2. Recommendation
 - 2.1 That the report be noted.

Contact Officer: Alison Harwood, Acting Director of Regulation and Enforcement
Telephone: 0121 303 0201
E-Mail: alison.harwood@birmingham.gov.uk

3. Results

3.1 During the month of October 2015:

- Two Licensing cases resulted in fines of £630. Prosecution costs of £986 were awarded together with 12 penalty points. 13 simple cautions were administered as set out in Appendix 1.
- 84 Environmental Health cases resulted in fines of £20,680. Prosecution costs of £18,120 were awarded. One simple caution was administered as set out in Appendix 2.
- Two Trading Standards cases resulted in an 8 month suspended prison sentence suspended and 250 hours of unpaid work and a 5 ½ year custodial sentence. No prosecution costs were awarded due to POCA timetables being fixed. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in October 2015 and cases finalised by district April-October 2015.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team April - September 2015.

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 October 2015 the following costs have been requested and awarded:

Licensing

£38,120 has been requested with £22,457 being awarded (59%).

Environmental Health

£100,039 requested with £88,825 being awarded (88%).

Trading Standards

£58,216 requested with £40,557 being awarded (70%).

- 5.3 For the month of October 2015 the following costs have been requested and awarded:

Licensing

£986 has been requested with £986 being awarded (100%).

Environmental Health

£19,494 has been requested with £18,120 being awarded (92%).

Trading Standards

No costs have been requested or awarded.

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 /Penalty	Costs	Offence details
1	Aamer Ayyaz 62 Ronald Road Nechells Birmingham B9 4UL	1/10/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £335 £85 – Plying £250 – No Insurance + 6 penalty points	£493 (£493 requested)	Pleaded guilty to two offences; one offence of plying for hire on Ludgate Hill on 27 th February 2015 and one offence of consequently having invalid insurance.
2	Faraj Naderbeigi 59 Southern Road Ward End Birmingham B8 2EJ	15/10/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £295 £75 – Plying £220 – No Insurance + 6 penalty points	£493 (£493 requested)	Pleaded guilty to two offences; one offence of plying for hire on Bennetts Hill on 13 th March 2015 and one offence of consequently having invalid insurance.

LICENSING SIMPLE CAUTIONS

During the period of October 2015, 13 simple cautions have been administered.

Local Government (Miscellaneous Provisions) Act 1976

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

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

Section 48(6) & 54(2) One caution was issued for failing to display a private hire vehicle licence plate and 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 forms.

Byelaw 26 of the Birmingham City Council Hackney Carriage Byelaws 2008 made under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875

One caution was issued for failing to wear or display a Hackney Carriage Drivers Badge in a manner as to be plainly and distinctly visible.

Byelaw 26 of the Birmingham City Council Hackney Carriage Byelaws 2008 made under section 68 of the Town Police Clauses Act 1847 and section 171 of the Public Health Act 1875

One caution was issued for failing to display a fare table in a manner as to be plainly and distinctly visible.

ENVIRONMENTAL HEALTH CASES**APPENDIX 2****FOOD HYGIENE OFFENCES**

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Alias Miah 59 Cottesbrook Road Birmingham B27 6LE	15/10/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £860 (£215 x 4)	£1,240 (£1,240 requested)	Pleaded guilty to four offences relating to conditions at Shippee Village, 261 Tile Cross Road, Birmingham. Live cockroaches were found at the premises including in a fridge storing food, on a wall near the kitchen and in the storeroom. The premises were dirty with an accumulation of dirt, debris and cockroach droppings. There were no procedures in place based on HACCP and food handlers were not trained in food hygiene matters.
2	Abdul Qayum 82 Phillmore Road Washwood Heath Birmingham B8 1PT	15/10/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £160 (£40 x 4) Mr Qayum was also prohibited from participating in the management of any food business until further notice.	£900 (£1,824 requested)	Pleaded guilty to four offences relating to the poor conditions found at Esh Kebab House, 93 Arden Road, Birmingham on two separate dates. On both occasions there were no procedures in place to control pests and mouse droppings were found throughout the premises. The premises were not kept clean and food preparation surfaces and equipment were dirty.

FLY-POSTING OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Matthew Corser 26 Norwich Croft Marston Green Solihull B37 5PR	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£250	£250 (£250 requested)	Found guilty in his absence of one offence of displaying an advertisement for "S.O.U.P Every Friday/Saturday at Amusement 13" on street furniture on Ladywell Walk, Digbeth without the consent of the City Council.

HEALTH ACT OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Escape Restaurant & Desserts Ltd 149 Barford Street Birmingham B5 6AH	28/10/15	Birmingham Magistrates Court	Health Act 2006	Total £3,600 (£1,350 – offence 1 £2,250 – offence 2)	£1,800 (£1,800 requested)	Pleaded guilty to two offences of being in control of smoke-free premises at Escape, 147-153 Barford Street and failing to stop people from smoking there on two separate occasions.

ANIMAL WELFARE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Lucy Olivia Regan Flat 1 Parker House Britford Close Birmingham B14 5LJ	15/10/15	Birmingham Magistrates Court	The Dogs on Leads Order 2014	£220	£305 (£305 requested)	Found guilty in her absence of one offence of failing to ensure a dog was kept on a lead on Britford Close.
2	David James Walsh 27 Ascot Court Abdon Avenue Weoley Castle B29 4PY	29/10/15	Birmingham Magistrates Court	The Dogs on Leads Order 2014	£60	£250 (£250 requested)	Pleaded guilty to one offence of failing to ensure a dog was kept on a lead on Shenley Fields Road, Weoley Castle.

LITTERING OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Chelsea Doran 56 Romney Way Great Barr Birmingham B43 7TP	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette wrapper on the pavement in New Street.
2	Jenny Alken 20 Quinton Road West Halesowen Birmingham B32 2QD	1/10/15	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 in Colmore Row.
3	Nicola Weaver 225 Barnes Hill Birmingham B29 5UJ	1/10/15	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 in Colmore Row.

4	Kathleen Turner 762 High Road Leytonstone London E11 3AW	1/10/15	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 in Navigation Street.
5	Matt Trigg 99 Darford View Brierley Hill West Midlands DY5 3SX	1/10/15	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 in Broad Street.
6	Aneesa Shabbir Room 5 2-2A Short Heath Road, Erdington Birmingham B23 6JP	1/10/15	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 in Union Street.
7	Rachel Seaman 95 Yarnfield Road Birmingham B11 3PJ	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of depositing a black bag of waste on the pavement in Spring Road, Yardley.
8	Laura Sargent 211 Leamington Road Coventry CV3 6JZ	1/10/15	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 in Stephenson Street.
9	Kathryn Reed 53 Westbury Road Coventry CV5 8HZ	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.
10	Grant Atkinson 472 Chester Road Sutton Coldfield Birmingham B73 5BP	1/10/15	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 in High Street.

11	Stuart Bryan Lawther 26 Abbey Mount Bangor North Down BT20 4DB	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£50 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street.
12	Joshua Major Moon Cottage Penhow NP26 3AD	1/10/15	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 in New Street.
13	Kelly Hepworth 101 Moorland Road Cardiff CF24 2LG	1/10/15	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 in New Street.
14	Joanne Dunn 371B Archway Road North London N6 4EJ	1/10/15	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 in Stephenson Street.
15	Angela Curtiss 56 St Margaret's Court Swansea SA1 1JZ	1/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Colmore Row.
16	Jason Brown 70 Westbourne Road Halesowen Birmingham B62 9NF	1/10/15	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 in Rotunda Square, Birmingham.
17	Tony Bonfield 373 Tangmere Drive Castle Vale Birmingham B35 7PT	1/10/15	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 in New Street, Birmingham.
18	Adam Goldsmith 83 Fowlmere Road Birmingham B42 2DZ	9/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.

19	Shyrah Farid 272 Station Road Birmingham B33 8QR	9/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
20	Carl Matthew Woods 82 Fairholme Road Birmingham B36 8HP	9/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.
21	Drogomir Onhaus 67 Bournville Lane Birmingham B30 2LP	9/10/15	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 in Lower Temple Street, Birmingham.
22	Emily Green 23 Watney Grove Kingstanding Birmingham B44 0AX	9/10/15	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 in Stephenson Street, Birmingham.
23	Emily Carter 30 Goodere Drive Poleworth Tamworth B78 1BZ	9/10/15	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 in Stephenson Street, Birmingham.
24	Magdalena Majewska 35 Cambridge Street West Bromwich B70 8HG	15/10/15	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 in Hill Street, Birmingham.
25	Stephen Ngai 18 Columbia Close Birmingham B5 7LF	15/10/15	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 in Smallbrook Queensway.
26	Graham Holmes 13B Parklands Court Park Road Southampton SO15 3AS	15/10/15	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 in Broad Street.

27	Imran Khan 3 Medicott Road Sparkbrook Birmingham B11 1NX	15/10/15	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 in New Street.
28	Laurie Beglin- Charley Flat 6 7-9 Woodstock Road Birmingham B13 9BB	15/10/15	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 in Hill Street, Birmingham.
29	Callie Ifill Flat 154 Ashcroft Square King Street London W6 0YN	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
30	Michael Bartlett 62 Ardencote Road Billesley Birmingham B13 0RW	15/10/15	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 in New Street, Birmingham.
31	John Bettam 11 Fashoda Road Selly Park Birmingham B29 7QB	15/10/15	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 in Bull Street, Birmingham.
32	Sham Sayani 67 Warwick Road Sparkhill Birmingham B11 4RB	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Broad Street, Birmingham.
33	Chloe Grace Smith 186 Wulfstan Street London W12 0AD	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.

34	Umut Yildirim 110A High Street Penge Anerley SE20 7EZ	15/10/15	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 in Lower Temple Street.
35	Shane McDonnell 8 Pine Grove Kings Heath Birmingham B14 4DE	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a tissue on the pavement in High Street, Birmingham.
36	Andrew Ursell 12 Landau Close Undy Monmouthshire Wales NP26 3NT	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping two cigarettes on the pavement in Stephenson Street, Birmingham.
37	Philip Withey 5 Oakleigh Birmingham B31 3DA	15/10/15	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 in High Street, Birmingham.
38	Karlene Jayne Simms 86 Perry Barr Locks Walsall Road Perry Barr Birmingham B42 1LU	15/10/15	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 in Priory Queensway, Birmingham.
39	Katarlyna Tankowza 14 Salstar Close Birmingham B6 4PP	15/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a tissue on the pavement in Corporation Street, Birmingham.
40	Kyle Bissell 16 Leydon Croft Kings Norton Birmingham B38 0AH	15/10/15	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 in Hill Street, Birmingham.

41	Besmir Dashja 16 Kitchener Road Edgbaston Birmingham B29 7QD	15/10/15	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 in Broad Street, Birmingham.
42	Clayton Gillett 3 Windmill Court Windmill Road Coventry CV6 7AU	15/10/15	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 in New Street, Birmingham.
43	Rebecca Harris 14 Budbrooke Grove Birmingham B34 7ND	15/10/15	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 in Newhall Street.
44	Sheila Watkins 11 Regan Crescent Erdington Birmingham B23 5NR	23/10/15	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 in Bull Street, Birmingham.
45	Abdul Subhan 25 Dearman Road Sparkbrook Birmingham B11 1HH	23/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£330 x offence 1 No separate penalty for offence 2.	£350 (£350 requested)	Found guilty in his absence of two offences of dropping cigarette butts on the pavement in Lower Temple Street and St Phillips Place on two separate occasions.
46	Martin Moloney 15 Old Church Green Yardley Birmingham B33 8QP	23/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£165	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.
47	Ben Brittain Flat 7 Bywater House Paddock Walsall, WS1 2HL	23/10/15	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 in New Street, Birmingham.

48	Graham Bishop 16 Gews Corner Chesnut Waltham Cross EN8 9BX	23/10/15	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 in New Street, Birmingham.
49	Martin Fitzgerald 29 Partons Road Kings Heath Birmingham B14 6TG	23/10/15	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 in Corporation Street, Birmingham.
50	Luke Clay 3 Windmill Court Windmill Road Coventry, CV6 7AU	23/10/15	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 in New Street, Birmingham.
51	Elyssir Tahzma 33 Berridge Road Nottingham NG7 6LX	23/10/15	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 in New Street, Birmingham.
52	Delaney Robinson 53 Baldwin Street Smethwick B66 3RP	23/10/15	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 in Hinckley Street, Birmingham.
53	Sadia Rashid 98 Lord Street Walsall WS1 4DR	23/10/15	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 in Stephenson Street.
54	David Knott 11 Spencer Square Essex CM7 5JZ	23/10/15	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 in Temple Street.
55	Dominic Hughes 40 Carpathian Court Spencer Street Birmingham B18 6JP	29/10/15	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 in Centenary Way, Birmingham.

56	Alison Hancox 229 Coles Lane Sutton Coldfield Birmingham B72 1NS	29/10/15	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 in Snow Hill Queensway, Birmingham.
57	Chelsea Desiree Keane 63 Romsley Road Birmingham B32 3PR	29/10/15	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 in Barnabas Road, Erdington.
58	Hassan Hussain 116 Hillaries Road Erdington Birmingham B23 7QT	29/10/15	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 in New Street, Birmingham.
59	Tuan Trong Mguyen 231C Glascote Road Glascote B77 2AZ	29/10/15	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 in High Street, Birmingham.
60	Nazer Mohammed 414 High Street Smethwick B66 3PJ	29/10/15	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 in New Street, Birmingham.
61	Vasilij Scekrhov 4 Sandown Road Rugby CV21 3LG	29/10/15	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 in Lower Temple Street, Birmingham.
62	Kamil Lukasz Rajek 21 Lodge Road Redditch B98 7BS	29/10/15	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 in New Street, Birmingham.

63	Robert Wright Flat 7 Avon House Great Colmore Street, Birmingham B15 2AS	29/10/15	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 in Waterloo Street, Birmingham.
64	Jacqueline Smith Room 4 37 Waterworks Road Birmingham B16 9AL	29/10/15	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 in High Street, Birmingham.
65	Afzana Afzal 23 Ventnor Avenue Ward End Birmingham B36 8ED	29/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
66	Ross Taylor 52 Parkeston Crescent Kingstanding Birmingham B44 0PD	29/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	None awarded (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street.
67	Massimiliano Vernaglione 144 Broadmoor Rd Smethwick, B67 6JX	29/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street.
68	Lauren Rachel Sandiland 28 Smarts Avenue Lichfield WS14 0PB	29/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street.
69	Rhiannon Busby 76 Holland Road Sutton Coldfield Birmingham B72 1RE	29/10/15	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 The Parade, Sutton Coldfield, Birmingham.

70	Balal Ahmed Flat 4 28 Russell Road Moseley Birmingham B13 8RE	29/10/15	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 in Snow Hill, Birmingham.
71	Carrie Broadbent 16A Highfield Road Rowley Regis B65 0BU	29/10/15	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 in Corporation Street.
72	Kieran Clark The Railway Inn 30 Station Road Coleshill Birmingham B46 2EH	29/10/15	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 in New Street.
73	Michelle Dennis 41 Holloway Street Wolverhampton WV1 2SY	29/10/15	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 in Colmore Row.
74	Jean Didier 215 Lyndhurst Court Birmingham New Road Wolverhampton WV4 6LP	29/10/15	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 in New Street.
75	Earl Kimberley 18 Harebell Wall Rugby CV23 0TT	29/10/15	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 in Corporation Street.
76	Stephen Steptoe Flat 31 Birbeck House Guernsey Drive Birmingham B36 0PG	29/10/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£330	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.

77	Stephen Darnley The Fulhams Tenbury Wells Worcestershire WR15 8RN	29/10/15	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 in Stephenson Street, Birmingham.
78	Ella Carmen 45 Beechwood Road Kings Heath Birmingham B14 4AB	29/10/15	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 in New Street, Birmingham.

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During October 2015 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 CASES

APPENDIX 3

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Rashid Mahmood 107 Heather Road Small Heath Birmingham B10 9TD	9/10/15	Birmingham Crown Court	Criminal Law Act 1977	Custodial sentence of 5½ years	POCA timetable set	<p>Pleaded <u>not guilty</u> to one offence of conspiring with Abid Hussain, Nadeem Abid, Waseem Hussain and Shahid Mahmood to commit fraud by false representation by selling, or seeking to sell, motor vehicles with odometer readings which were lower than their true mileage. Complaints were received from members of the public from around the UK who had unwittingly purchased these clocked cars. Over 255 cars are thought to have been clocked between 2007 and 2011 with over 50 forming the main crux of the case. Many of the vehicles were purchased at auction with high mileages and subsequently clocked, with some losing over 100,000 miles.</p> <p>Found guilty after trial.</p> <p>Abid Hussain, Nadeem Abid, Waseem Hussain and Shahid Mahmood pleaded guilty and were sentenced in July 2015.</p>

2	Pritpal Singh Khurana 62-64 Herrick Road Washwood Heath Birmingham B8 1PG	16/10/15	Birmingham Crown Court	Trade Marks Act 1994, Consumer Protection from Unfair Trading Regulations 2008 and Tobacco Products (Manufacture, Presentation and Sale)(Safety) Regulations 2002	Total of 8 months custody suspended for 2 years + 250 hours unpaid work.	POCA timetable set	Pleaded guilty to ten offences relating to goods offered for sale at M&S News, 62-64 Herrick Road. Five offences relating to the possession of goods, namely 1276 packets of cigarettes and hand rolling tobacco, which bore registered trademarks without the consent of the trade mark proprietors, namely Benson & Hedges, Mayfair, Palace and Golden Virginia, one offence of having in possession for sale two bottles of Bacardi Rum with counterfeit duty paid labels and four offences of possessing for sale 6328 packets of cigarettes and 692 pouches of hand rolling tobacco which did not show the picture health warning on the packaging or visible warnings on the surface of the product. Forfeiture order granted.
---	--	----------	---------------------------	---	--	--------------------------	---

TRADING STANDARDS SIMPLE CAUTIONS

During October 2015, no simple cautions were administered.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – OCTOBER 2015

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	2	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	0	1	1	0	75	0	0	0	1	0	0	78
Environmental Health (non FPNs)	0	0	0	2	2	1	0	1	0	0	0	6
Trading Standards	0	0	0	2	0	0	0	0	0	0	0	2

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – OCTOBER 2015

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	1	1	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	4	6	5	3	3	2	2	7	3	3	40	78
Environmental Health (non FPNs)	0	0	0	1	1	1	0	1	0	1	1	6
Trading Standards	0	0	0	2	0	0	0	0	0	0	0	2

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-OCTOBER 2015

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	2	2	0	26	0	0	1	1	0	1	36
Environmental Health (FPNs) Not paid and prosecuted	1	1	2	0	273	1	0	0	1	0	0	279
Environmental Health (non FPNs)	1	7	10	4	19	1	4	5	2	4	0	57
Trading Standards	0	1	1	7	6	0	0	1	0	1	2	19

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

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	2	6	9	5	1	1	1	0	1	9	36
Environmental Health (FPNs) Not paid and prosecuted	14	18	15	17	21	9	12	13	7	13	140	279
Environmental Health (non FPNs)	2	4	8	5	10	1	4	6	1	4	12	57
Trading Standards	0	1	1	7	6	1	0	0	1	2	0	19

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL- SEPTEMBER 2015

	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Total 2015/2016	
Waste Investigation Outcomes									
Investigations into commercial waste disposal suspected offences and offences	57	32	44	123	13	27		296	
<i>Section 34 Environmental Protection Act</i> demand notices issued: (trade waste statutory information demands)	40	25	30	95	23	18		231	
<i>Section 34 Environmental Protection Act</i> fixed penalty notices issued to businesses (£300)	2	2	4	6	6	5		25	Payment rate = 34%
<i>Section 87 Environmental Protection Act.</i> Fixed Penalty notices issued for commercial and residential litter offences (£80)	26	15	15	11	15	16		98	Payment rate = 69%
Prosecutions									
Prosecutions submitted to legal services	59								