

BIRMINGHAM CITY COUNCIL

**LICENSING AND
PUBLIC PROTECTION
COMMITTEE
16 MAY 2019**

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON THURSDAY, 16 MAY 2019 AT 1000 HOURS
IN COMMITTEE ROOMS 3 AND 4
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Bob Beauchamp, Nicky Brennan, Phil Davis, Neil Eustace, Adam Higgs, Nagina Kauser, Simon Morrall and Mike Sharpe.

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NOTICE OF RECORDING/WEBCAST

1164 The Chair advised that the meeting would be webcast for live and subsequent broadcast via the Council's internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

DECLARATIONS OF INTEREST

1165 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at the meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

There were no declarations of interest.

APOLOGIES

1166 Apologies were received from Councillors Olly Armstrong, Barbara Dring, Bruce Lines, Mary Locke, Hendrina Quinnen and Martin Straker-Welds for non-attendance.

MINUTES

1167

The Minutes of the meeting held on 10 April 2019, having been previously circulated were confirmed as a correct record and signed by the Chairman.

The business of the meeting and all discussions in relation to individual reports are available for public inspection via the web-stream.

REGULATION AND ENFORCEMENT BUSINESS PLANS 2019/23

The following report of the Assistant Director of Regulation and Enforcement was submitted:-

(See Document No. 1)

Steve Hollingworth, Assistant Director of Regulation and Enforcement, made introductory comments to the report and subsequently referred to Appendices 1 to 5 which detailed the service plans for the period 2019/23 in respect of Regulation and Enforcement.

Joyce Amadedon, Head of Operations and Bereavement Services, provided a presentation on the Coroner's and Mortuary service plan by referring to Appendix 1 of the report.

In response to members' comments and questions the following points were captured:-

- CT Scanner – level of effectiveness remained the same wherever it was located across the country.
 - Pathologist actively strengthening the case for a CT scanner
 - Bereaved families were normally informed of the CTPM service when it was requested by the Coroner and in agreement with the family, if the cause of death was unknown.
 - Coroner – looking at suicide prevention – ongoing consultation – feed back to Committee in due course.
 - Coroner – looking at capital spend - Business Plan – Mortuary facilities/building review ongoing.
 - Coroner – Awareness of shortage of pathologists – looking to increase levels with encouragement/training.
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Mark Croxford, Head of Environmental Health, provided a presentation on the Environmental Health and Pest Control Business Plan detailed in Appendix 2 of the report.

He made particular reference to the record of enforcement which was reported on a monthly basis and highlighted that most of the cases that were submitted to Court resulted in a successful conviction.

Emma Rohomon, Acting Head of Licensing, provided a detailed presentation on the Key Work Programmes and Projects by referring to Appendix 3 of the report.

Joyce Amadedon, Head of Operations and Bereavement Services, provided a presentation on the Registration Service by referring to Appendix 4 of the report.

Sajeela Naseer, Head of Trading Standards, provided a brief presentation by referring to Appendix 5 of the report.

Following Councillor Sharpe's note of appreciation for the hard work undertaken by the enforcement officers and the request for additional information, the Chair confirmed that the appropriate information relating to success rates would be included in a future report.

She stated there were 17 frontline enforcement officers and highlighted that over the last year there had been submitted 58 high rate prosecutions, adding that over the last 9 years there had only been one unsuccessful prosecution.

Sajeela referred to the work they were undertaking with partners relating to Brexit and the importation of goods, the work that was taking place with the Commonwealth Team regarding capacity brand protection, and the discussions that were taking place with the team relating to changes to specific legislation that may well include brand protection.

Tony Quigley, Head of Illegal Money Lending, provided a brief overview of the service highlighting that it had been in operation for the past 15 years.

He confirmed that they were not seeing any reduction in terms of illegal money lenders and subsequently highlighted the different ways in which they now operated and the high levels of interest that they charged.

He referred to the team and highlighted that they had assisted in over a 100 arrests per year as a result of illegal money lenders. He confirmed that the Committee would be provided with a more detailed update in a couple of months' time which would include information on the community projects they were involved in.

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Following the Chair and Members' comments, Tony Quigley made reference to the TV programmes that he had been involved in regarding illegal money lenders.

He referred to the suggestion that they look into the possibility of National Express advertising the Credit Union facility on the side of their buses, and was in agreement that this positive action should be raised through the appropriate channel.

The Chair put the recommendation to the meeting and it was agreed with one abstention.

(Councillor Morrall abstained as he was unable to view the agenda and associated documentation via the computer due to IT difficulties).

1168

RESOLVED:-

That the Committee considered and approved the service plans as presented for 2019/23, namely;

Appendix 1	Coroners and Mortuary
Appendix 2	Environmental Health
Appendix 3	Licensing
Appendix 4	Registration Service
Appendix 5	Trading Standards

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

The following report of the Assistant Director of Regulation and Enforcement was submitted:-

(See Document No. 2)

Mark Croxford, Head of Environmental Health, apologised for the draft report being uploaded onto the system.

He updated the Committee on the progress of the transit sites by specifically referring to 4.1 to 4.4 of the report and subsequently explained the Gypsy and Traveller Accommodation Assessment (GTAA), and how the assessment was carried out regularly within the city, as part of the city planning Birmingham Development Plan (BDP).

He highlighted that work had commenced yesterday on the Proctor Street site development and that it should be completed and suitable for occupation in 16 weeks' time.

He referred to the existing sites; Tameside Drive and Aston Brook Street and whilst updating their current position, confirmed that in the future they would provide an additional 10 pitches and with the inclusion of Proctor Street, this would provide 30 pitches across the city.

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He reported on the up to date position relating to the injunction action on the 9 parks and that they were currently writing a statement in order for the injunction to apply citywide.

While members expressed their keenness for the injunction to be extended to all open spaces across the city, Mark Croxford referred to the importance of the injunction being extended not only to prevent displacement, but also explained the merits of the introduction under the Criminal Justice Crime Act 62A which would come into effect and help to quicken up the process in alleviating issues.

Members expressed their appreciation for all the hard work and efforts that had been demonstrated from Mark and the team.

Mark thanked members and agreed to pass on the positive comments.

He provided a brief explanation regarding the difficulties in obtaining sites in the south side of the city, and stated that whilst there were adequate provision from the sites that were being brought into use, therefore alternative sites could not be considered at this time, adding that the drive was from the BDP and if in the future additional sites were required, than they could consider other areas of the city.

At the request for additional information, Mark agreed to circulate a copy of the injunctions (9 protected parks) to the Committee.

The Chair put the recommendations in the report to the meeting which was unanimously agreed:-

1169

RESOLVED:-

The Committee:-

- (i) Noted the report and Outstanding Minute No. 111 be discharged, and
- (ii) Requests a further report to be brought in 3 months to update on the various work items contained with the report.

FIXED PENALTY NOTICES ISSUES FEBRUARY AND MARCH 2019

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 3)

Mark Croxford, Head of Environmental Health, made introductory comments to the report.

The Chair put the recommendation in the report to the meeting which was unanimously agreed.

1170 **RESOLVED:-**

That the report be noted.

THE BIRMINGHAM CITY COUNCIL ACT 1990

The following report of the Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 4)

Emma Rohomon, Acting Head of Licensing made introductory comments to the report.

The Chair put the recommendations to the meeting which were unanimously agreed.

1171 **RESOLVED:-**

- (i) That the report be noted, and
 - (ii) That outstanding Minute No. 942(ii) be discharged.
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SCHEDULE OF OUTSTANDING MINUTES

The following schedule of Outstanding Minutes was submitted:-

(See Document No. 5)

Steve Hollingworth, Assistant Director of Regulation and Enforcement, referred to the reports and confirmed both were discharged

1172 **RESOLVED:-**

That all Outstanding Minutes be discharged.

DATE OF NEXT MEETING

1173 It was noted that the next meeting was scheduled to take place on Wednesday, 12 June 2019 at 1000 hours in Committee Rooms 3 and 4, Council House.

OTHER URGENT BUSINESS

Councillor Barbara Dring (former Chair) – Note of Appreciation

1174 Councillor Brennan submitted a note of thanks and appreciation to Councillor Barbara Dring for all her hard work and dedication to the Licensing and Public

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Protection Committee, and especially, with regard to the issues of the Clean Air Zone and the Inquest for the pub bombing.

She also expressed appreciation for allowing her and Councillor Armstrong to be able to work a job share arrangement due to both of them having young family commitments.

Councillors Higgs and Beauchamp also paid personal tributes to Councillor Barbara Dring for her long and distinguished service to the Licensing and Public Protection Committee, highlighting that she would be sadly missed by all and subsequently wished her well in her future endeavours, which was echoed by the Committee.

AUTHORITY TO CHAIR AND OFFICERS

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RESOLVED:-

In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

The meeting ended at 11:15 hours.

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CHAIRMAN