

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE

WEDNESDAY, 30 SEPTEMBER 2020 AT 10:30 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or 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 are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES

To receive any apologies.

5 - 14

4 MINUTES

To note the public section of the Minutes of the meeting held on 12 February, 2020.

15 - 30

5 THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014: PROPOSALS TO EXTEND AND VARY THE DOG RELATED PUBLIC SPACE PROTECTION ORDERS

Report of the Interim Assistant Director for Regulation and Enforcement.

31 - 38

6 IMPACT OF CAZ

Report of Interim Assistant Director of Regulation and Enforcement

<u>39 - 42</u>	7	<u>POSTPONING THE 2020 HACKNEY CARRIAGE UNMET DEMAND SURVEY</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>43 - 50</u>	8	<u>CORONAVIRUS AND ENFORCEMENT</u>	Report of the Interim Assistant Director of Regulation and Enforcement.
<u>51 - 60</u>	9	<u>REGULATION AND ENFORCEMENT REPORT TO END AUGUST 2020</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>61 - 66</u>	10	<u>NATIONAL TRADING STANDARDS REGIONAL INVESTIGAIONS TEAM (CENTRAL ENGLAND)</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>67 - 98</u>	11	<u>PROSECUTIONS AND CAUTIONS - FEBRUARY 2020</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>99 - 128</u>	12	<u>PROSECTIONS AND CAUTIONS - MARCH 2020</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>129 - 134</u>	13	<u>ACTION TAKEN BY THE CHAIR OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE: JANUARY TO AUGUST 2020</u>	Report of the Interim Assistant Director for Regulation and Enforcement.
<u>135 - 136</u>	14	<u>SCHEDULE OF OUTSTANDING MINUTES</u>	To consider the schedule outstanding minutes.
	15	<u>DATE OF NEXT MEETING</u>	To note the date of the next meeting on 18 November, 2020 at 1030 hours.
	16	<u>OTHER URGENT BUSINESS</u>	To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.
	17	<u>AUTHORITY TO CHAIRMAN AND OFFICERS</u>	Chairman to move:- 'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

18 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 2 and 6

P R I V A T E A G E N D A

1 **MINUTES - PRIVATE**

- Confidential – Other

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE 12 FEBRUARY 2020

**MINUTES OF A MEETING OF THE LICENSING
AND PUBLIC PROTECTION COMMITTEE HELD
ON WEDNESDAY, 12 FEBRUARY 2020 AT 1030
HOURS IN COMMITTEE ROOMS 3 AND 4,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Olly Armstrong, Bob Beauchamp, Nicky Brennan, Neil Eustace, Adam Higgs, Nagina Kauser, Mike Leddy, Bruce Lines, Mary Locke, Majid Mahmood, Simon Morrall, Mike Sharpe and Martin Straker Welds.

.....

NOTICE OF RECORDING/WEBCAST

1270 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.

The Chair advised that he had invited Justin Varney, Director of Public Health, to advise the meeting on the current situation on the coronavirus in private session. Therefore the meeting would go in to private at the end.

DECLARATIONS OF INTEREST

1271 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.

APOLOGIES

1272 An apology was received from Councillor Chauhdry Rashid for non-attendance. It was noted that Councillors Simon Morrell and Mike Leddy would be late attending the meeting.

MINUTES

1273 The Minutes of the meeting held on 18 December 2019, having been previously circulated were confirmed and signed by the Chair.

The Minutes of the meeting held on 15 January 2020, having been previously circulated were confirmed and signed by the Chair.

CHAIRS ANNOUNCEMENTS

A. Member Training

The Chair advised that due to insufficient business the Meeting of the Committee scheduled to be held on 11 March had been cancelled. However, it was proposed to hold a training session relating to Licensing Sub-Committees on that day, details of which would be circulated in due course.

B. Expedited Review

The Chair explained that representations against interim steps in respect of an Expedited Review had been received. The Committee Manager advised that it would be necessary for a Licensing Sub Committee to be arranged the following day and he sought members availability. The Chair and Councillor Mary Locke indicated their ability to sit on the Sub-Committee.

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

REVIEW OF LICENSING AND PUBLIC PROTECTION FEES & CHARGES 2020 - 2021

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

(See Document No. 1)

Following a suggestion by Paul Lankester, Interim Assistant Director, Regulation and Enforcement, the Chair took each appendix to the report separately:-

Appendix 1

Members agreed the fees and charges detailed in appendix 1.

Appendix 2a

Members agreed the fees and charges detailed in appendix 2a.

Appendix 2b

Mark Croxford, Head of Environmental Health, responded to a question from Councillor Majid Mahmood relating to the fees for dealing with stray dogs and that charged to Solihull Metropolitan Borough Council.

Members agreed the fees and charges detailed in appendix 2b.

Appendix 2c

Councillor Majid Mahmood proposed that the fines for graffiti and flyposting and littering should be set at the maximum of £150 which was seconded. In response, Mark Croxford, Head of Environmental Health, indicated that the Committee could put up the fine for graffiti and flyposting if it so wished. In respect of littering he drew Member's attention to paragraph 2.17. He went on to respond to a query by Councillor Nicky Brennan relating to how fines for flyposting were imposed by explaining that flyposting was always prosecuted and the number of incidences of flyposting by the same person/organisation was taken in to account with fines ranging from £1000 to £2000.

A debate ensued relating to graffiti during which the need for partnership working to combat graffiti was identified. It was noted that the reduction of resources needed to reverse to overcome the increase in graffiti. It was noted that it was not in the power of the Local Authority to undertake restorative justice. The link between crime and grime was noted.

Councillor Majid Mahmood suggested that a working group of the Committee be set up to look at the problem of graffiti or perhaps the matter be Could be looked at by a Task and Finish Overview and Scrutiny Committee.

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, suggested that a recommendation be made to Overview and Scrutiny that a Task and Finish Overview and Scrutiny relating to graffiti be established.

Members agreed the fees and charges detailed in appendix 2c subject to the Fixed Penalty Notice for Graffiti and Flyposting and litter being increased to £150. Members also agreed the recommendation to Overview and Scrutiny that a Task and Finish Overview and Scrutiny relating to graffiti be established.

Appendix 2d

Mark Croxford, Head of Environmental Health, responded to a question from Councillor Mike Sharpe relating to who got the bill for pest services at rented and student accommodation.

Members agreed the fees and charges detailed in appendix 2d.

Appendix 3

Members agreed the fees and charges detailed in appendix 3.

Appendix 4

Members agreed the fees and charges detailed in appendix 4.

Appendix 5

In response to a question from Councillor Majid Mahmood Paul Lankester, Interim Assistant Director, Regulation and Enforcement, explained that Acivico had put forward fees which they believed were competitive and he felt that they would come back to the Committee requesting changes if they felt they were not.

Members agreed the fees and charges detailed in appendix 5.

Appendix 6

Members agreed the fees and charges detailed in appendix 6.

1274

RESOLVED:-

- (i) That the changes to the fees and charges for Trading Standards Services, as detailed in Appendix 1, are approved to take effect from 1 April 2020;
- (ii) that the changes to the fees and charges for Environmental Health Services, as detailed in Appendix 2(a), are approved to take effect from 1 April 2020;
- (iii) that the changes to the fees and charges for Animal Welfare Services, as detailed in Appendix 2(b), are approved to take effect from 1 April 2020;
- (iv) that the changes to the fees and charges for Environmental Health Fixed Penalty Notices, as detailed in Appendix 2(c), are approved to take effect from 1 April 2020;
- (v) that the changes to the fees and charges for Pest Control Services, as detailed in Appendix 2(d), are approved to take effect from 1 April 2020;
- (vi) that the changes to the fees and charges for Register Office Services, as detailed in Appendix 3, are approved to take effect from 1 April 2020;
- (vii) that the statutorily set charges for the Register Office, as detailed in Appendix 3(a) be noted;
- (viii) that the changes to the fees and charges for Coroner's Services as detailed in Appendix 4, are approved to take effect from 1 April 2020;
- (ix) that the changes to the fees and charges for Birmingham Account Team (Acivico-Building Consultancy) as detailed in Appendix 5, are approved to take effect from 1 April 2020;
- (x) that the changes to the fees and charges for Highways Services as detailed in Appendix 6 are approved to take effect from 1st April 2020;

- (xi) that authority be delegated to the Interim Assistant Director of Regulation and Enforcement and Heads of Service to authorise the negotiation of variations to the fees and charges identified in this report, in the interests of commercial flexibility; and
- (xii) that Overview and Scrutiny be requested to establish a Task and Finish Overview and Scrutiny relating to graffiti.

LICENSING AND PUBLIC PROTECTION BUDGET MONITORING 2019/20 - QUARTER 3

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

(See Document No. 2)

David Jones, Finance Manager – Services Finance, made introductory comments relating to the report and in response to a query from Councillor Majid Mahmood as to what the budget for public rights of way was used for, he explained that it was part of the Inclusive Growth Directorate and he undertook to put that question to the Director.

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, responded to questions from Councillor Majid Mahmood relating to monies due from the Home Office, use of surplus licensing money to fund the provision of CCTV in private hire vehicles and hackney carriages and extra finance for food safety work.

In respect of the relocation of the Mortuary, Paul Lankester, Interim Assistant Director, Regulation and Enforcement, note that that was an area of work within the Cabinet Member's Portfolio and for that reason reports would not be submitted to the Committee. He referred to the work being undertaken in respect of the Mortuary and forthcoming reports on the situation. He undertook to circulate to Members the reports when they became available.

1275

RESOLVED: -

- (i) That the latest Revenue budget position at the end of December 2019 (Quarter 3) and Forecast Outturn as detailed in Appendix 1 be noted;
- (ii) that the position for the Savings Programme for 2019/20 as detailed in Appendix 2 be noted;
- (iii) that the position on Capital projects as detailed in Appendix 3 be noted; and
- (iv) that the position on reserves and balances, as detailed in Appendix 4 be noted.

UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS

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

(See Document No. 3)

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

Councillor Neil Eustace sought clarification regarding the Tameside Drive site and Paul Lankester, Interim Assistant Director, Regulation and Enforcement, indicated that it would be appropriate to brief Members in the private part of the meeting.

Mark Croxford, Head of Environmental Health, questions from Councillor Bruce Lines relating to the use of private bailiffs by private land owners. Paul Lankester, Interim Assistant Director, Regulation and Enforcement, indicated that officers would investigate the issue raised by Councillor Lines and respond via email.

Councillor Majid Mahmood sought clarification as to why travellers encamped in Balsall Heath had declined to use the transit site. He suggested that a transit site should be provided close to the Queen Elizabeth Hospital as he felt there was a need for such a facility.

1276

RESOLVED:-

- (i) That the report is noted and outstanding minute number 1231 be discharged.
- (ii) That Committee requests a further report to be brought in 3 months to update on the various work items contained within this report.

CONSULTATION ON STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS

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

(See Document No. 4)

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, and Mark Croxford, Head of Environmental Health, made introductory comments relating to the report. The Head of Environment Health responded to questions from Members relating to the impact on residents of unauthorised encampments, the needs of the travelling community and a City-wide injunction.

1277

RESOLVED:-

That the proposed responses to the consultation be considered by members and that officers be advised of any amendments that the committee wish to be made to the proposed responses.

**UPDATE ON CIVIL PARTNERSHIPS, MARRIAGES AND DEATHS
(REGISTRATION)**

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

(See Document No. 5)

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, made introductory comments relating to the report and Andrea Haines, Superintendent Registrar/Operations Manager responded to questions from Members.

Councillor Mike Leddy felt that a Committee visit should take place to the Registrar Office.

1278 **RESOLVED:-**

That the attached briefing is noted for information.

**OUTCOME OF APPEALS AGAINST SUB COMMITTEE DECISIONS:
DECEMBER 2019**

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

(See Document No. 6)

Sajeela Naseer, Head of Licensing, Markets and Registration, responded to a query from Councillor Majid Mahmood as to why the two cases that went to Magistrates' Court could not have been dealt with at the Licensing Sub-Committee.

1279 **RESOLVED:-**

That the report be noted.

PROSECUTIONS AND CAUTIONS – DECEMBER 2019

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

(See Document No. 7)

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, made introductory comments relating to the report during which he indicated that the Authority always sought to prosecute and were successful in in such matters.

Councillor Majid Mahmood referring to littering felt that the implications of littering should be promoted, and he suggested that roadside Digital Advertising Broads should be used particularly as they had a social responsibility element to them.

In respond to a query from Councillor Majid Mahmood, Sajeela Naseer, Head of Licensing, Markets and Registration, indicated that she would check the situation regarding Councillors providing character references and advise Members.

1280 **RESOLVED:-**

That the report be noted.

SCHEDULE OF OUTSTANDING MINUTES

The following schedule of Outstanding Minutes was submitted:-

(See Document No. 8)

1281 **RESOLVED:-**

That Outstanding minute No.1231 be discharged.

OTHER URGENT BUSINESS

1282 There was no other urgent business.

AUTHORITY TO CHAIR AND OFFICERS

1283 **RESOLVED:-**

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

EXCLUSION OF THE PUBLIC

1284 **RESOLVED:-**

That, in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-

Licensing and Public Protection Committee – 12 February 2020

<u>Agenda Item etc.</u>	<u>Relevant Paragraph of Exempt Information Under Revised Schedule 12A of the Local Government Act 1972</u>
Public Health Update	6
Tameside Drive Transit Site	2

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

30 SEPTEMBER 2020

ALL WARDS AFFECTED

The Anti-Social Behaviour, Crime and Policing Act 2014:

Proposals to extend and vary the Dog Related Public Space Protection Orders.

1. Summary

- 1.1 This report advises committee that the existing Public Space Protection Orders (PSPOs) will expire on 19th October 2020 and requests that committee considers the public consultation response.

2. Recommendation

- 2.1 Committee consider whether there is a necessity for the following proposed Public Space Protection Orders to be extended by the Cabinet Member - Social Inclusion, Community Safety & Equalities having had regard to the outcome of the consultation.
- a) Fouling of Land by Dogs
 - b) Dogs on Leads to be varied to exclude designated park land
 - c) Dogs on Lead by Direction
 - d) Dogs Exclusion
 - e) The Dogs (Specified Maximum)
- 2.2 If committee is so minded that the Cabinet Member - Social Inclusion, Community Safety & Equalities be requested to extend, for a period of 3 years, the PSPOs listed in a), c), d) and e) and the PSPO in b) amended as described,

Originating Officer: Vikki Allwood
Senior Animal Health and Welfare Officer

Contact Officer: Mark Croxford
Head of Environmental Health

Telephone: 0121-303 6350
Email: mark.croxford@birmingham.gov.uk

3.0 Background

- 3.1 In October 2014, 5 Dog Control Orders came into effect across the City, which were made under the Clean Neighbourhoods and Environment Act 2005, following a full public consultation. They have proved to be invaluable in tackling irresponsible dog owners who fail to control or clear up after their pets.
- 3.2 Due to changes imposed by the Anti-Social Behaviour Crime and Policing Act 2014, (ASBCPA) the Dog Control Orders ceased to be in effect in October 2017 and were replaced by 5 Public Space Protection Orders. There were no changes made to the legal requirements and a full further public consultation was carried out.
- 3.3 All PSPO last for 3 years and can then be extended and varied if the requirements set out in the ASBCPA are satisfied (appendix 2 s59, 60, 61 attached)

4.0 Public Space Protection Order

- 4.1 The current Orders in place will cease to be in effect on 20 October 2020 and it is proposed to extend the orders for 3 years, with a variation to one Order. The current orders are in appendix 1.1 to 1.5 for reference.
- 4.2 The variation applies only to the requirement for dogs to be held on a lead (Dogs on Leads Order) and it is proposed to exclude designated parks. The reason for this is that dogs which are permitted to run loose in parks, should technically be put on a lead whilst they are on the footpaths within parks – as these footpaths could be classed as roads. It is somewhat of an anomaly and we would like clarity.

5. Implications for Resources

- 5.1 The use of PSPO's has been the most efficient and effective way to control these matters. The continuation of these powers will be accommodated within the environmental Health budget.

6. Implications for Policy Priorities

- 6.1 Dealing with straying dogs, dogs which are not under control and indiscriminate dog fouling supports the City Council priorities in respect of staying safe in clean, green neighbourhoods. Dogs that stray onto school land or are deliberately taken into children's play areas pose a risk to all members of society, with children being particularly vulnerable. In 2019, the City Council received a total of 1,947 complaints in relation to stray dogs and dog fouling issues, officers sent out 227 warning letters and issued 10 Fixed Penalty

Notices for contraventions of the Orders. If the PSPO were not extended, officers would have no powers to deal with these issues.

7. Consultation

- 7.3 A full public consultation has been carried out in line with the guidelines provided by the ASBCPA. (appendix 3 see attached results).

8. Public Sector Equality Duty

- 8.1 This is a continuation of a regulatory work that has been previously assessed and is also under the committee's Enforcement Policy and does not require a new equality impact assessment.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:-

Birmingham City Council (in this Order known as “the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, hereby makes the following Order:

The Fouling of Land by Dogs Order 2017

1. This order comes into force on 0001 hours on the 20th day of October 2017 and replaces in its entirety The Fouling of Land by Dogs Order 2014 made under the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (SI 2006/1059).

2. This order applies to the land specified in the schedule below.

Offence

3. (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless-

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to a person who-

- (a) is registered as a blind person in a register compiled under section 29 of the national assistance Act 1948; or
- (b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purpose of this article-

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (d) each of the following is a “prescribed charity”-
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);

(iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON 19TH DAY OF OCTOBER 2020 AT 23:59 HRS.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 3rd day of October two thousand and seventeen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this Order in the presence of:

Authorised signatory

SCHEDULE

This Order applies to all land in the administrative area of Birmingham City Council that is open to the air and to which the public are entitled or permitted to have access (with or Without payment). For the purpose of this schedule, any land which is covered is to be treated as land which is "open to the air" if it is open to the air on at least one side.

Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:-

Birmingham City Council (in this Order known as “the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, hereby makes the following Order:

The Dogs on Leads Order 2017

1. This order comes into force on 0001 hours on the 20th day of October 2017 and replaces in its entirety The Dogs on Leads Order 2014 made under the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (SI 2006/1059).

2. This order applies to the land specified in the schedule below.

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this order applies he does not keep the dog on a lead, unless-

(a) he has reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) For the purpose of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON 19TH DAY OF OCTOBER 2020 AT 23:59 HRS.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 3rd day of October two thousand and seventeen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this Order in the presence of:

Authorised signatory

SCHEDULE

This Order applies to all public roads, adjoining footways and verges within the administrative area of Birmingham City Council

Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:-

Birmingham City Council (in this Order known as “the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, hereby makes the following Order:

The Dogs Exclusion Order 2017

1. This order comes into force on 0001 hours on the 20th day of October 2017 and replaces in its entirety The Dogs Exclusion Order 2014 made under the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (SI 2006/1059).

2. This order applies to the land specified in the schedule below.

Offence

3. (1) A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this Order applies unless-

- (a) he has reasonable excuse for doing so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

(2) Nothing in this article applies to a person who-

- (a) is registered as a blind person in a register compiled under section 29 of the national assistance Act 1948; or
- (b) is deaf, in respect of a dog trained by hearing Dogs for Deaf people (registered charity number 293358) and upon which he relies for assistance; or
- (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purpose of this article-

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and
- (b) each of the following is a “prescribed charity”-
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON 19TH DAY OF OCTOBER 2020 AT 23:59 HRS.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 3rd day of October two thousand and seventeen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this Order in the presence of:

Authorised signatory

SCHEDULE

This Order applies to the following areas within the administrative area of Birmingham City Council.

1. Any clearly demarcated children's play area; and
2. "School land" meaning land that is used for Education as defined by the Education act 1996, and land that is identified by the Academies Act 2010.

Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:-

Birmingham City Council (in this Order known as “the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, hereby makes the following Order:

The Dogs on Leads by Direction Order 2017

1. This order comes into force on 0001 hours on the 20th day of October 2017 and replaces in its entirety The Dogs on Leads by Direction Order 2014 made under the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (SI 2006/1059).

2. This order applies to the land specified in the schedule below.

3. In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this Order.

Offence

4. (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which the Order applies, he does not comply with the direction given him by an authorised officer of the Authority to put and keep the dog on a lead, unless-

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) For the purpose of this article-

- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog; at any time unless at that time some other person is in charge of the dog.
- (b) an authorised officer of the Authority may only give a direction under this order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person [on any land to which the order applies] or the worrying or disturbance of any animal or bird.

Penalty

5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON 19TH DAY OF OCTOBER 2020 AT 23:59 HRS.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 3rd day of October two thousand and seventeen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this Order in the presence of:

Authorised signatory**SCHEDULE**

This Order applies to all land in the administrative area of Birmingham City Council that is open to the air and to which the public are entitled or permitted to have access (with or Without payment). For the purpose of this schedule, any land which is covered is to be treated as land which is "open to the air" if it is open to the air on at least one side.

Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:-

Birmingham City Council (in this Order known as “the Authority”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, hereby makes the following Order:

The Dogs (Specified Maximum) Order 2017

1. This order comes into force on 0001 hours on the 20th day of October 2017 and replaces in its entirety The Dogs (Specified Maximum) Order 2014 made under the Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006 (SI 2006/1059).

2. This order applies to the land specified in the schedule below.

3. On land to which this Order applies, the maximum number of dogs which a person may take onto that land is four.

Offence

4. (1) A person in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land in respect of which this order applies more than the maximum number of dogs specified in article 3 of this order, unless-

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

(2) For the purpose of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THIS ORDER WILL BE IN FORCE FOR A PERIOD OF 3 YEARS AND WILL EXPIRE ON 19TH DAY OF OCTOBER 2020 AT 23:59 HRS.

GIVEN under the **COMMON SEAL** of **BIRMINGHAM CITY COUNCIL** the 3rd day of October two thousand and seventeen.

THE COMMON SEAL of **BIRMINGHAM CITY COUNCIL** was hereunto affixed to this Order in the presence of:

Authorised signatory

SCHEDULE

This Order applies to all land in the administrative area of Birmingham City Council that is open to the air and to which the public are entitled or permitted to have access (with or Without payment). For the purpose of this schedule, any land which is covered is to be treated as land which is “open to the air” if it is open to the air on at least one side.

59 Power to make orders

(1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.

(2) The first condition is that—

(a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or

(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

(3) The second condition is that the effect, or likely effect, of the activities—

(a) is, or is likely to be, of a persistent or continuing nature,

(b) is, or is likely to be, such as to make the activities unreasonable, and

(c) justifies the restrictions imposed by the notice.

(4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and—

(a) prohibits specified things being done in the restricted area,

(b) requires specified things to be done by persons carrying on specified activities in that area, or

(c) does both of those things.

(5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—

(a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

(6) A prohibition or requirement may be framed—

(a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;

(b) so as to apply at all times, or only at specified times, or at all times except those specified;

(c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

(7) A public spaces protection order must—

(a) identify the activities referred to in subsection (2);

(b) explain the effect of section 63 (where it applies) and section 67;

(c) specify the period for which the order has effect.

(8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

60 Duration of orders

(1) A public spaces protection order may not have effect for a period of more than 3 years, unless extended under this section.

(2) Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—

(a) occurrence or recurrence after that time of the activities identified in the order, or

(b) an increase in the frequency or seriousness of those activities after that time.

(3) An extension under this section—

(a) may not be for a period of more than 3 years;

(b) must be published in accordance with regulations made by the Secretary of State.

(4) A public spaces protection order may be extended under this section more than once

61 Variation and discharge of orders

(1) Where a public spaces protection order is in force, the local authority that made the order may vary it—

(a) by increasing or reducing the restricted area;

(b) by altering or removing a prohibition or requirement included in the order or adding a new one.

(2) A local authority may make a variation under subsection (1)(a) that results in the order applying to an area to which it did not previously apply only if the conditions in section 59(2) and (3) are met as regards activities in that area.

(3) A local authority may make a variation under subsection (1)(b) that makes a prohibition or requirement more extensive, or adds a new one, only if the prohibitions and requirements imposed by the order as varied are ones that section 59(5) allows to be imposed.

(4) A public spaces protection order may be discharged by the local authority that made it.

(5) Where an order is varied, the order as varied must be published in accordance with regulations made by the Secretary of State.

(6) Where an order is discharged, a notice identifying the order and stating the date when it ceases to have effect must be published in accordance with regulations made by the Secretary of State

Appendix 3

A public consultation was carried out between 03 August 2020 and 31 August 2020. Stakeholders were contacted directly; the consultation ran on the Birmingham Be Heard website, information was disseminated to numerous internal and external organisations and public sector equality representatives. Information was also widely publicised via social media, Birmingham Evening Mail and our website.

We received a total of 367 responses the results of which are tabled below. There was clear support for the proposals to retain the current provisions in 5 PSPOs. The area most contested was the Dogs (Specified Maximum) Order and proposals to continue the restriction on the number of dogs a person can take onto land, to a maximum of four dogs. Some suggested that some people could control more than 4 dogs or that some people could not control one dog, and some were of the view that the maximum number of dogs a person can take onto land should be reduced from four. There was still overwhelming support however with over 77% of respondents supporting this proposal.

Results of Public Consultation – Dog Related Public Space Protection Orders

PSPO TERMS	Support	Number	Object	Number	No Opinion	Number
Fouling of Land by Dogs	99.8%	364	0.54%	2	0.27%	1
Dogs on Leads	92.37%	339	6.81%	25	0.82%	3
Dogs on Lead by Direction	95.64%	351	4.36%	16	0%	0
Dogs Exclusion	90.46%	332	6.54%	24	3.00%	11
The Dogs (Specified Maximum)	77.38%	284	17.17%	63	5.45%	20

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020
ALL WARDS

**IMPACT OF THE CLEAN AIR ZONE (CAZ) ON THE PRIVATE HIRE AND
HACKNEY CARRIAGE TRADE**

1 Summary

- 1.1 In October 2017 your Committee approved a vehicle emissions policy for private hire vehicles and hackney carriages which will be effective from 1st January 2021. That policy sought to ensure Birmingham's licensed vehicles would be compliant with the emission standards required for vehicles entering a Clean Air Zone.
- 1.2 The emissions policy is only one part of a range of tools that the Council will use to improve poor air quality in the City. On 12th September 2017 Birmingham's Health and Social Care Overview and Scrutiny Report entitled 'The Impact of Poor Air Quality on Health' identified that, in Birmingham up to 900 deaths per year are linked to man-made air pollution.
- 1.3 The policy was revised in April 2019 such that only **newly** licensed vehicles would be required to be ULEV (Ultra-low Emission Vehicles) from 2021 rather than **all** vehicles being required to be ULEV by 2026.
- 1.4 As January 2021 approaches concerns have been raised and as a consequence officers have carried out a review of the suitable vehicles available and the roll out of charging points.

2. Recommendations

- 2.1 That the Committee considers the appropriateness of the existing policy requiring ULEV for both hackney carriage and private hire vehicles and adopts one of the following options:
- 2.2 Option 1 – Leave the policy unchanged -requiring newly licensed vehicles to be ULEV from 1st January 2021.
- 2.3 Option 2 – Remove the ULEV requirement completely.

- 2.4 Option 3 – Amend the requirement to require newly licensed vehicles be required to be ULEV from 1st January 2026. This option is recommended by officers
- 2.5 That minute 1153 point 2.3 *That the Committee requested that officers bring a report to a future meeting to consider the consequences of the policy for private hire drivers and owners as it relates to people carriers, and specifically the availability of ULEV people carriers and that exploration of the possibility of additional funding for tax drivers to assist them in the future from the charges received as a result of CAZ, can be discharged.*
- 2.5 A further review the availability of ULEV's in the summer of 2024 to ensure that option 3 is a viable option for the trade and to consider the availability of suitable vehicles and charging infrastructure, but only if that option is the recommendation of the committee.

Contact Officer: Shawn Woodcock, Licensing Operations Manager
Telephone: 0121 303 9922
E-mail: shawn.woodcock@birmingham.gov.uk

3. Background

- 3.1 On 23 October 2017 your Committee approved a new vehicle emissions policy for licensed vehicles, namely: that Birmingham City Council would not license or permit the use of any vehicle as a hackney carriage or private hire vehicle after 31 December 2019 which does not meet the minimum emission standards of Euro 4 for petrol engines, Euro 6 for diesel engines or is Ultra Low Emission Vehicle (ULEV) or a Zero Emission Capable Vehicle.(ZEC)
- 3.2 That policy was further reviewed on 10th April 2019 to the current position requiring any **newly licensed** vehicle to be a ULEV from 1st January 2021.
- 3.3 Since then then the introduction of the Clean Air Zone has suffered delays. The matter is further exacerbated by the Covid pandemic. A current date for introduction of the Clean Air Zone has not been set.

4. The Issues

4.1 Availability of Suitable Vehicles:

Officers have looked at the range of ULEV vehicles currently available as options for both hackney carriage and private hire vehicles and have established most vehicles suitable in size and configuration, are not configured for rapid charging. This will mean drivers will be required to charge their vehicles for around six to eight hours after, in some cases, as little as 124 miles. It should be noted the maximum range quoted by the manufacturer is likely to have been achieved in conditions conducive to producing best results and without the employment of air conditioning, heating, headlamps and windscreen wipers. On a cold drizzly day in Birmingham, the usable range of an electric vehicle is likely to be somewhat less than the published maximum.

4.2 Lack of Charging Infrastructure

The roll out of the charging infrastructure has also been delayed and it is now proposed that 394 electric charging points will be installed across the City. It is proposed that the completion of the charging infrastructure will be completed within two years. It could be considered unreasonable to expect drivers to replace their vehicle without the necessary infrastructure in place to charge it as required.

4.3 Government Grant Scheme

As part of the Clean Air Zone mitigations package, the CAZ team bid for, and were awarded a significant amount of money to fund a grant scheme for those affected by the changes. Various grants are proposed, including a grant for the retrofitting of a 'cleaner' engine into a Hackney carriage (where appropriate) and a grant towards the purchase of a new ULEV or fully electric vehicle. Any alteration to the existing vehicle emissions policy may impact on the take-up of these grants as the need to upgrade to a ULEV will be less immediate. This may result in the full amount of funds awarded not being allocated. This would mean returning (or not receiving) the money.

4.4 Coronavirus

The COVID-19 pandemic has had a devastating effect on the hackney carriage and private hire trades which cannot be ignored. The closure of pubs and entertainment businesses led to a huge decrease in demand for journeys. Drivers themselves have been affected by their own illness or that of family members or friends. Many have been unable to work or have seen a huge drop in their income. Officers have been contacted by many who had fully intended to replace their vehicle on renewal but have found themselves unable to afford the additional expense.

5. The Current 'Fleet'

- 5.1 The stricter maximum age policy (not older than 15 years for hackney carriages and not older 12 years for private hire vehicles) is already producing a change in the age profile of the fleet, as drivers replace very old vehicles with newer, cleaner vehicles. Even though many of the newer vehicles are still diesel, they are much cleaner and less polluting than the vehicles they are replacing, and retention of the maximum age limit will continue to ensure regular turnover across the fleet.
- 5.2 The tables below show how the age profile of the fleet has changed in the last 18 months with a much younger age profile than previously i.e. since the introduction of the maximum age policy for vehicles.

Hackney carriage			
date	total	>15	<10
Jul-19	1102	363	296
Sep-20	938	156	372

Private Hire			
date	total	>12	<8
Jul-19	4431	447	2448
Sep-20	4455	235	2995

Total vehicles			
date	total	older	newer
Jul-19	5533	810	2744
Sep-20	5393	391	3367

6. The Options

- 6.1 There are three potential options for the Committee to consider, which will be explored in more detail below:
- Option 1 – Leave the policy unchanged -requiring newly licensed vehicles to be ULEV from 1st January 2021.
 - Option 2 – Remove the ULEV requirement completely.

- Option 3 – Amend the requirement to require newly licensed vehicles be required to be ULEV from 1st January 2026.

6.2 Option1- Leave the Policy unchanged

Having regard to the points made earlier within the report, officers consider that to do nothing (Option 1) would have seriously detrimental impact on the hackney carriage and private hire trade.

To leave the policy unchanged, despite the interruptions in the implementation of the Clean Air Zone would be unreasonable.

6.3 Option 2 - Remove the ULEV requirement completely

As can be seen in paragraph 5 above, the stricter stance on the age policy has already seen a marked improvement in the 'fleet' of vehicles currently licensed. As the years progress, the older, more polluting vehicles will be unlicensable owing to their age, and as such the fleet will replenish with cleaner vehicles. The age policy is clear, and easily explained and implemented. As it stands, there is no single definition of ULEV which causes concern for all involved.

A positive consequence of removing the strict ULEV requirement would be the ability to continue licensing hybrid vehicles. Under the current policy hybrids, will not meet the ULEV standard, and so will not be licensable. Unlike electric vehicles, hybrids are established, trusted technology and have been represented in the fleet for many years. Hybrids are cleaner and more environmentally friendly than equivalent petrol and diesel vehicles and more widely available on the secondhand market than pure electric vehicles, which remain a rarity.

Officers believe this would be the preferred option of the trade.

It should be noted, however, that such a decision would not have any impact on the CAZ itself - meaning any vehicle entering the CAZ area which did not meet the requirements would be liable to pay the charge. This is beyond the remit of your Committee.

6.4 Option 3 –Require newly licensed vehicles be required to be ULEV from 1st January 2026.

This option could be reasonably considered as the compromise between Options 1 and 2. It allows the fleet to improve incrementally with the requirement in the policy for newer vehicles but also identifies a long-term goal which is clear to drivers. If members were to decide on option 3 officers would be able to provide some assurances to the trade, albeit relatively short term. Further reports could be produced for Members on the availability, or lack thereof, of suitable vehicles in the interim period.

4. Consultation

- 4.1 Officers are aware that requests have been made to the Leader, the Chief Executive and the Cabinet Member for Transport and the Environment to reconsider the ULEV requirement from the 1st January 2021 particularly given the current climate.
- 4.2 Officers have received numerous communications from individual drivers, as well as representatives from the RMT and from those businesses who supply and maintain vehicles for the trade. These are asking for the ULEV requirement to be reconsidered.
- 4.3 It has not been possible to carry out consultation on these proposals, but they are intended to ease a problem and are made in response to trade requests. They do not place any additional burden onto the trade.

5. Implications for Resources

- 5.1 The cost of licensing a vehicle does not depend on the powertrain of a vehicle; however a removal or relaxation of the requirement for ULEV from January 2021 is likely to see more drivers remain in the trade due the availability of suitable vehicles.
- 5.2 It is not therefore expected to have any effect on income or expenditure.

6. Implications for Policy Priorities

- 6.1 The Council's Vision and Priorities 2017-2020 document identifies four priorities for Birmingham namely: Children, Housing, Jobs and Skills, and Health. The recommendations in this report support the Council's main priorities at the highest level, in particular those for Health, Children, and Jobs and Skills. These include 'Creating a healthier environment for Birmingham', creating 'an environment where our children have the best start in life', and developing 'a modern sustainable transport system that promotes and prioritises sustainable journeys'.

7. Public Sector Equality Duty

- 7.1 Under the Duty we must have regard to the need to:
- Eliminate unlawful discrimination, harassment, and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.

- 7.2 The recommendations contained in this report will not have any effect on any of our duties under the Equality Act 2010. It is more likely to provide greater opportunity to licence holders rather than to restrict them in their choice of vehicles and it will not affect owners of vehicles that are already licensed.
- 7.3 For the reasons set out in paragraphs 7.1 and 7.2, we have concluded that an initial Equality Analysis is not deemed appropriate or necessary.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers:

Hackney Carriage and Private Hire Licensing Policy 2019

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020
ALL WARDS

POSTPONING THE 2020 HACKNEY CARRIAGE UNMET DEMAND SURVEY

1. Summary

- 1.1 Birmingham City Council currently operates a moratorium on the issue of new hackney carriage vehicle licences. Decisions about the continuation or abandonment of the moratorium are strongly influenced by regular demand surveys
- 1.2 The most recent unmet demand survey was conducted in 2017 and a new survey would normally be required during 2020.
- 1.3 If a survey was to be conducted in current circumstances, it is highly unlikely the results would be a true reflection of the trade in Birmingham or of levels of demand for hackney carriage vehicles.

2. Recommendation

Members agree:

- 2.1 That the unmet demand survey is postponed until such a time as traffic levels return to normal levels.
- 2.2 That the moratorium on new hackney carriage vehicle licences continues until a review can be conducted that includes data from the unmet demand survey.

Contact Officer: Chris Arundel, Principal Licensing Officer
Telephone: 0121 464 8994
E-mail: chris.arundel@birmingham.gov.uk

3.0 Background

- 3.1 A moratorium on the issue of new hackney carriage vehicle licences was implemented in October 2008 and has been maintained ever since, following analysis of unmet demand surveys completed in 2010, 2014 and 2017, each of which confirmed there was no significant underlying unmet demand for hackney carriages in Birmingham.
- 3.2 Officers were in the process of arranging a new survey in accordance with the requirements of Section 16 of the Transport Act 1985 and the Department for Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance 2010 (Sections 45 to 51) when the Covid19 pandemic caused the country to go into lockdown. Subsequently it has been impossible to continue with those arrangements and implementation of a survey will necessarily be delayed.

4. Postponing the Unmet Demand Survey

- 4.1 Having discussed with officers, Emma Rohomon, Licensing Service Manager submitted an enquiry to the Department for Transport (DfT) and received the following response:

Section 16 of the Transport Act 1985 does not specify the frequency of the unmet demand assessment but the Department's Best Practice Guidance issued in 2010 suggested this is conducted every three years. Though the decision as to when an unmet demand survey is conducted remains that for a licensing authority, we are aware that we in a very unusual situation at present; while this continues it would seem highly unlikely that there would be significant unmet demand for taxis. We would expect unmet demand surveys would be conducted once travel levels return to more normal levels or if concerns are raised by the trade or public.

- 4.2 In light of the advice above and taking account of current circumstances where many people are working from home, shielding or simply changing their travel habits to assist with social distancing, it is likely any survey completed in the short to medium term would be of dubious value; with results skewed to show far lower demand than might reasonably be expected. Accordingly, the survey will of necessity be delayed, until such time as a more normal level of usage is apparent.

5. Consultation

- 5.1 No public consultation has taken place, however advice has been sought from DfT as detailed above.

6. Implications for Resources

6.1 None

7. Implications for Policy Priorities

7.1 This proposal supports the Regulation and Enforcement Division's mission statement to provide 'locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors'.

7.1 This proposal support the City Council's priority "Birmingham, an entrepreneurial city to learn, work and invest in"

8. Public Sector Equality Duty

8.1 No equality issues have been identified.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020

ALL WARDS AFFECTED

Coronavirus and Enforcement

1. Summary

- 1.1 This report provides an update on the work of the Environmental Health Team in tackling Coronavirus in Birmingham.

2. Recommendation

- 2.1 That the report be noted.

Contact Officer: Mark Croxford
Head of Environmental Health

Telephone: 0121-303 6350

Email: mark.croxford@birmingham.gov.uk

3. Background

- 3.1 On 31 December 2019, the World Health Organization (WHO) was informed of a cluster of cases of pneumonia of unknown cause detected in Wuhan City, Hubei Province, China.
- 3.2 On 12 January 2020, it was announced that a novel coronavirus had been identified in samples obtained from cases and that initial analysis of virus genetic sequences suggested that this was the cause of the outbreak. This virus is referred to as SARS-CoV-2, and the associated disease as COVID-19.
- 3.3 The European Centre for Disease Prevention and Control reports that as of 14 September 2020,
 - over 29 million cases have been diagnosed globally with more than 924,000 fatalities.
 - In the period 1st to 14th September, more than 3.8 million cases were reported.
- 3.4 Coronaviruses are a large family of viruses with some causing less severe disease, such as the common cold, and others causing more severe disease, such as Middle East respiratory syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS) coronaviruses.
- 3.5 Current evidence indicates the coronavirus is primarily transmitted between people through respiratory droplets and contact routes. It is also more likely to be spread indoors than outdoors however the risk is still present in both settings.

4. Response

- 4.1 The Government introduced a number of pieces of emergency legislation to reduce the transmission of Coronavirus. One of the critical decisions was that the new legislation would by and large direct the use of Health and Safety at Work powers and the use of Risk Assessments as a primary route of control. This has necessitated businesses undertaking these assessments based on the layout of their premises.
- 4.2 Nine officers were deployed to train a mix of just under 100 small residential and nursing homes in the proper use of personal protective equipment and improving risk assessments to include infection disease controls. This was undertaken through virtual 1 to1 training on behalf of the Director of Public Health.
- 4.3 Government has released a number of guidance documents through the .GOV web pages which by and large has worked really well. Your officers gave evidence to officials from government on the 22nd of August 2020 that guidance needs to be unequivocal and that the more exemptions brought into the guidance means that it is harder to enforce.

- 4.4 The Health Protection (Coronavirus, Restriction) (England) (No.3) Regulations 2020 have proven to be the most effective control. Under these regulations if 3 Conditions are met namely:
- (a) *that giving such a direction responds to a serious and imminent threat to public health,*
 - (b) *that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and*
 - (c) *that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose.*

The the Local Authority can serve a direction

- 1 For premises to:
 - (a) close the premises,
 - (b) restrict entry to the premises, or
 - (c) secure restrictions in relation to the location of persons in the premises.
- 2 To impose prohibitions, requirements or restrictions in relation to the holding of an event in its area.
- 3 To impose prohibitions, requirements or restrictions in relation to access to—
 - (a) a specified public outdoor place in its area, or
 - (b) public outdoor places in its area of a specified description.

The Police can enforce offences for breaches of the directions in 1,2 and 3, the council can enforce breaches for premises (1) only.

- 4.5 Proactive visits have been made following complaints to the Council's whistleblowing line. The Appendix to this report has a dashboard of complaints. In total there have been over 1,500 complaints to this line. A number of these complaints have related to matters where there is no legal requirements, such as social distancing not being observed. Others have related to matters enforced by the Police including gatherings in domestic premises and the lack of face coverings. A partnership has been set up with the Police to coordinate enforcement with your officers responding to complaints. The Police have set up Operation Reliant which consists of a number of Police officers attending large gatherings and dispersing them. This has also lead to a number of premises reviews.
- 4.6 Non-compliance has been resource intensive in that those that have been tackled have all the correct risk assessments however have then gone on to operate outside of the operational model. For example a licensed venue with supposedly table service was found to be full with standing room only. A beauty industry premises was found to be cutting hair with no masks or face coverings on the employees. At present we are giving one warning such as a letter, improvement notice or a direction. If repeated offences are noted then a direction to close will be considered. to close if the business operates outside of its risk assessments.

5. Implications for Resources

- 5.1 The Director of Public Health has provided resources for an additional 8 officers to carry out proactive inspections.
- 5.2 Following the national decision by the Food Standards Agency (FSA) to reduce the number of food inspections to a minimum in response to significant health risks a large proportion of that time has been redeployed into pandemic work as well as the increased Requests for Assistance during the lock down period. We will work with the FSA on a recovery plan once the impact is quantified.
- 5.3 A spending freeze has been in place since the beginning of the year as the pandemic is likely to affect the income to the Environmental Health budget.

6. Implications for Policy Priorities

- 6.1 Tackling the pandemic and keeping the levels of infection to a manageable number for the NHS and to secure jobs and the economy of Birmingham is a priority for the council.

7. Public Sector Equality Duty

- 7.1 The work of the team is primarily to protect health and those who are most vulnerable. In addition it is to reduce the most likely vectors for the spread of the infection.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Dashboard of Complaints from the whistleblowing Line 17/9/20

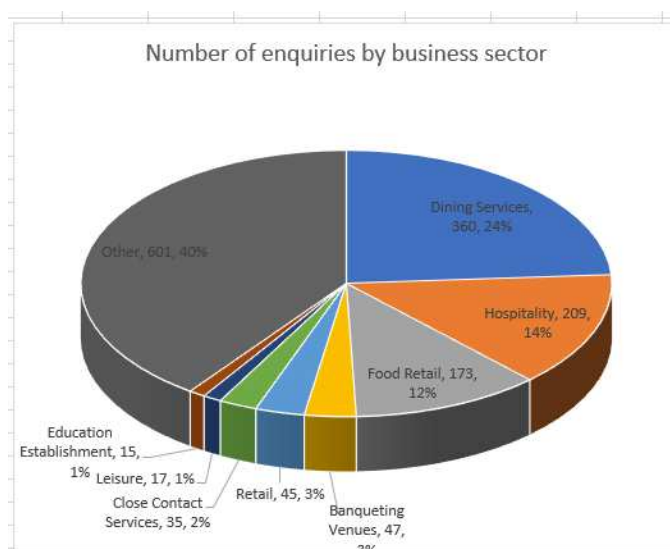
Number of complaints

The following table is the number of Requests for Assistance (RFAs) also called job sheets that have come into Environmental Health since February 2020.

Count of WORKID	Year	Quarter			
	2020			2020 Total	Grand Total
Premises Type	Q4	Q1	Q2		
(blank)	12	94	448	554	554
Dining Services	1	10	349	360	360
Hospitality	3	4	202	209	209
Food Retail	5	15	153	173	173
Banqueting Venues			47	47	47
Retail		10	35	45	45
Close Contact Services		9	26	35	35
Leisure	1	2	14	17	17
Education Establishment	1		14	15	15
Other	1	1	10	12	12
Accommodation Services		1	7	8	8
Building Supplies/Services		2	4	6	6
Manufacturing			5	5	5
Infrastructure Workers		1	3	4	4
Place of Worship		1	3	4	4
Offices			3	3	3
Money Services		1	1	2	2
Vehicle Repair/Services		1	1	2	2
Government Buildings/Services			1	1	1
Grand Total	24	152	1326	1502	1502
	Q4 = 2019/20				

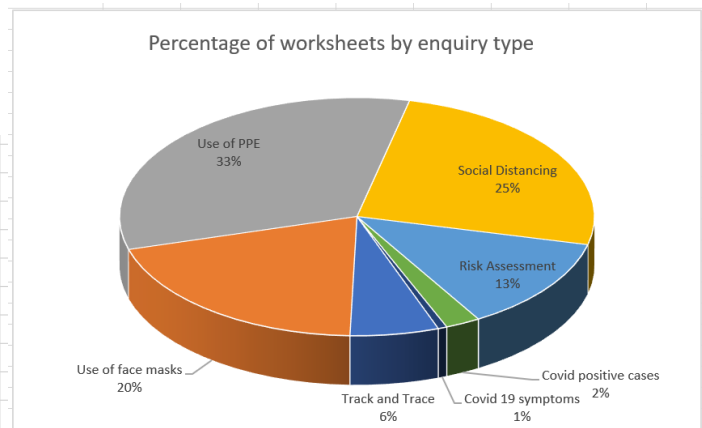
The blank premises will be businesses that Regulatory Services do not normally have an interaction with. (Non-food; non licenced activities... these could be small offices, haberdasheries, solicitors, iron mongers etc).

Count of WORKID	2020 Total
Premises Type	
Dining Services	360
Hospitality	209
Food Retail	173
Banqueting Venues	47
Retail	45
Close Contact Services	35
Leisure	17
Education Establishment	15
Other	601

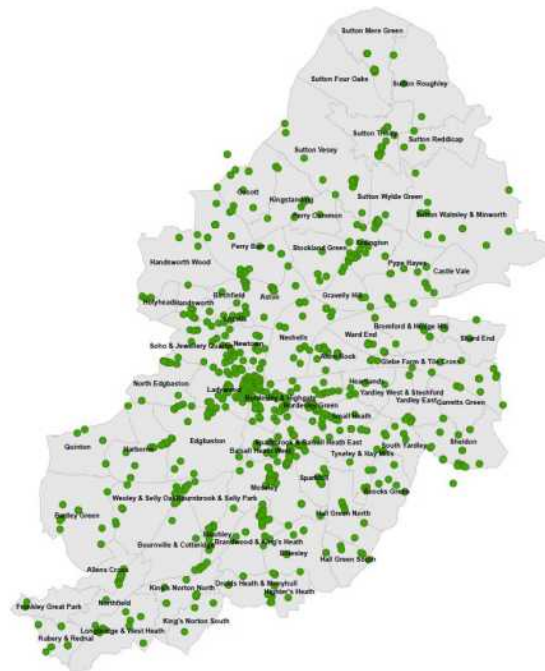
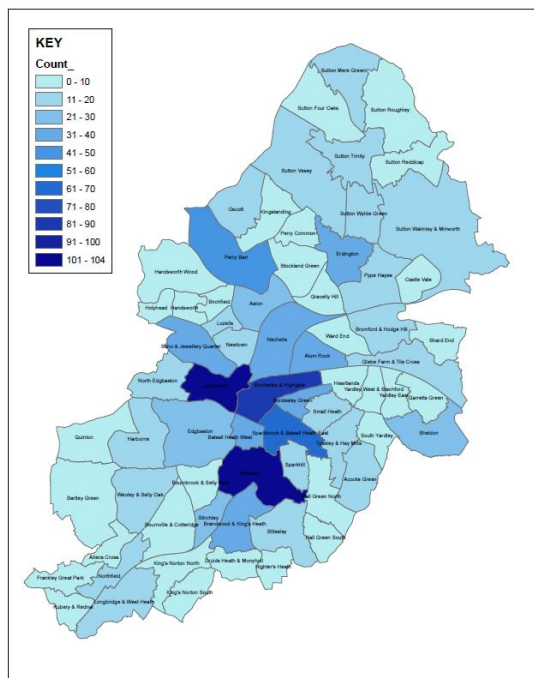


Type of Issue Mentioned

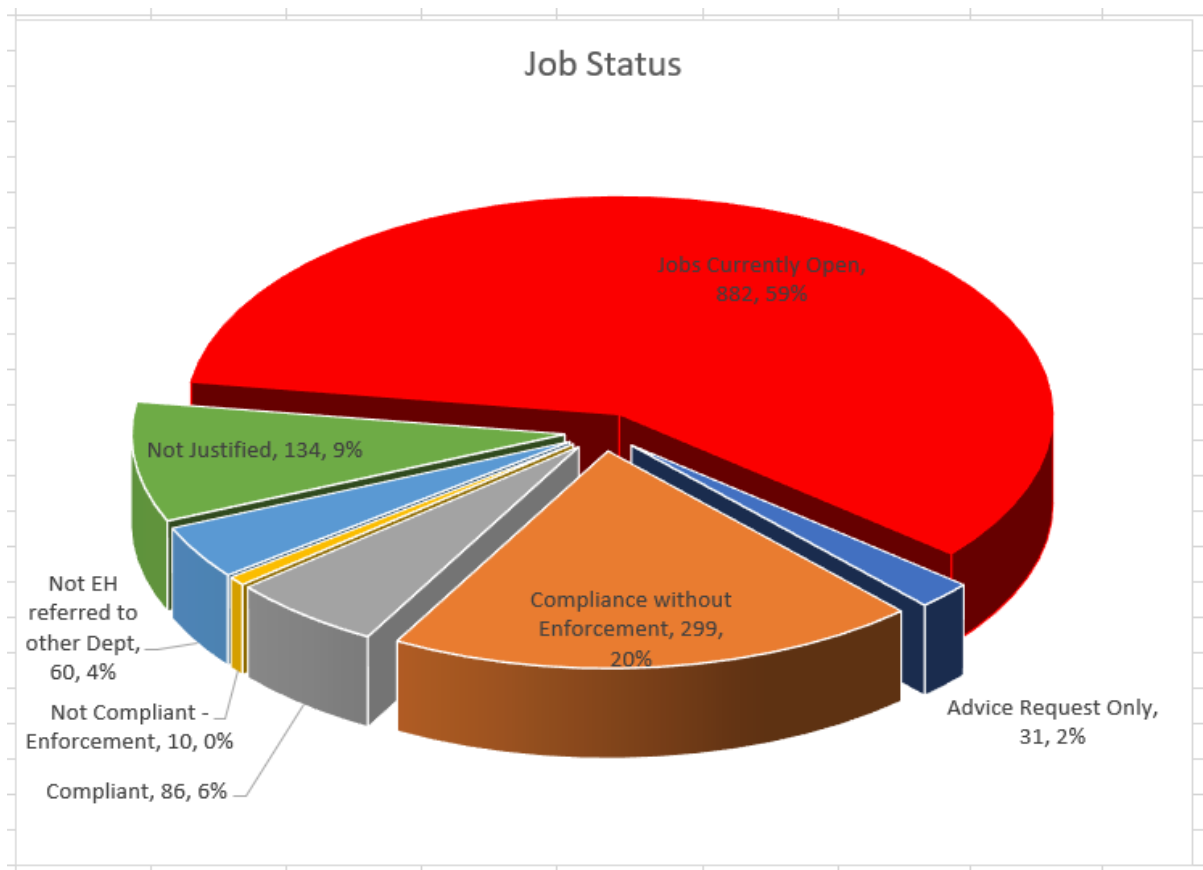
Enquiry type	Number of complaints
Track and Trace	79
Use of face masks	263
Use of PPE	433
Social Distancing	331
Risk Assessment	166
Covid positive cases	31
Covid 19 symptoms	8
Not defined	563



Distribution of complaints



Job Status



Time estimate

Over 50% of the jobs undertaken required a verbal warning or enforcement (this could be a direction or the Part 2A order)

40% were unjustified another section (inc WMP) or compliant)

Currently we are looking at time and outcomes but do not have the detail as the computer system was not set up for this type of rolling outbreak.

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020
ALL WARDS

Regulation and Enforcement Report to end August 2020

1. Summary
 - 1.1 Birmingham City Council's Regulation and Enforcement Division covers range of statutory functions including enforcement activities.
 - 1.2 The purpose of this report is to provide the Committee with information as to the scale and type of activities that have been ongoing in the current financial year. This period covers all activities since the national lockdown for the pandemic was effected in March 2020. While there is a separate report on the Agenda about detailed enforcement activities associated with the pandemic, this will be incorporated into future versions of this report.
2. Recommendation
 - 2.1 That the content of the report be noted.

Contact Officer: Paul Lankester, Interim Assistant Director Regulation & Enforcement
Telephone: 0121 675 2495
E-mail: paul.lankester@birmingham.gov.uk

3.0 Background

- 3.1 The range of functions exercised by officers on behalf of the City Council are varied and occur across all parts of the city. The overview of activities from April 2020 to August 2020 is set out in the Appendix to this report.

4. Consultation

- 4.1 No public consultation has taken place, as this is an information report.

5. Implications for Resources

- 5.1 None

6. Implications for Policy Priorities

- 6.1 None

7. Public Sector Equality Duty

- 7.1 No further equality issues have been identified, as all enforcement activities are carried in accordance with the adopted enforcement policy, which was the subject of a equalities impact assessment.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

REGULATION & ENFORCEMENT REPORT –AUGUST 2020

Introduction

The way the Council enforces its regulatory activities under the terms of the relevant legislation has altered significantly since the outbreak of Covid 19. Changes have been made to comply with national guidance and the introduction of new legislation. This report provides a snapshot of enforcement activity for the services in Regulation and Enforcement since lockdown. While services are seeking to enter the recovery phase, many services are reliant on changes to Government legislation and guidance.

As more data becomes available this report will be updated in future months- feedback is welcomed.

Detailed Action

The table below sets out the activities undertaken in Q1 (April, May, June accumulative) and July/August 2020.

Environmental Health, Licensing and Trading Standards

Activity	Env. Health			Licensing						Trading Standards		
	Q1	July	Aug	HCPH*			General			Q1	July	Aug
				Q1	Jul	Aug	Q1	Jul	Aug			
Prosecution agreed	57	43	33	8						7	4	3
Simple Cautions	4	1	3	16								
Statutory Notices served	26	15	19									
Coronavirus Enforcement	254	58	572	33								
Licence applications				195	158	173	196	161	103	126		
Licence sub-committees							15	9	11	17		
Licence renewals				343	501	389	9	6	9			
Requests for Actions Received	10,809	4,497	4,662	166	93	106				1,114		
Requests for Actions closed	7,963	2,420	2,353	287	89	74				1,251		

Environmental Health

The Environmental Health service had to withdraw many litter prosecutions due to the furloughing of the litter officers. As of August, two litter officers have been

returned to the city centre and are operating as usual. They are reporting less persons around and increased difficulty in obtaining identities. This is a direct result of the increase in fine levels that was implemented in April 2020.

The team have served seven directions under the Health Protection (Coronavirus, restriction) (England) (No. 3) Regulations 2020 to stop gatherings outside of government guidance, including the closure of the Stone Road Asylum centre. In addition, a Part 2A Order under the Public Health (Control of Disease) Act 1984. (A fuller explanation of the enforcement under emergency legislation is elsewhere on the Agenda.)

The team have delivered training to 100 small nursing and residential homes on proper use of PPE, and how to prevent the spread of Coronavirus in this type of setting. The opening of the Coronavirus whistleblowing line has seen complaints and requests for assistance increase exponentially in August and figures suggest this is likely to continue through the current quarter. Your officers are also investigating and assisting in approximately 10 Coronavirus outbreaks each day within the City.

Analysis of Requests for Assistance (RFA)

The analysis of the types of activity in Environmental Health is shown below.

	Q1	July		August		Q2
Work type	RFA Total	Total	PI Target met	Total	PI Target met	RFA Total
Accidents	92	31	31	33	33	64
Dogs	415	168	163	204	203	372
Infectious Disease	122	55	50	55	48	110
Pest Control	4,022	2,012	1,708	1,600	1,475	3,612
Request for Assistance	6,158	2,231	1,814	2,770	1,904	5,001
Total	10,809	4,497	3766	4,662	3,663	9,159

Currently it is predicted that the complaint rate will be 30% higher for the second quarter than the first.

Licensing

Activity in the Licensing Service has increased of late and the service is close to returning to 'business as usual', though lockdown restrictions do impact on this extensively. Activity in Licensing Sub Committees has markedly increased following the opening of the hospitality sector. This is expected to continue for the remainder of the year.

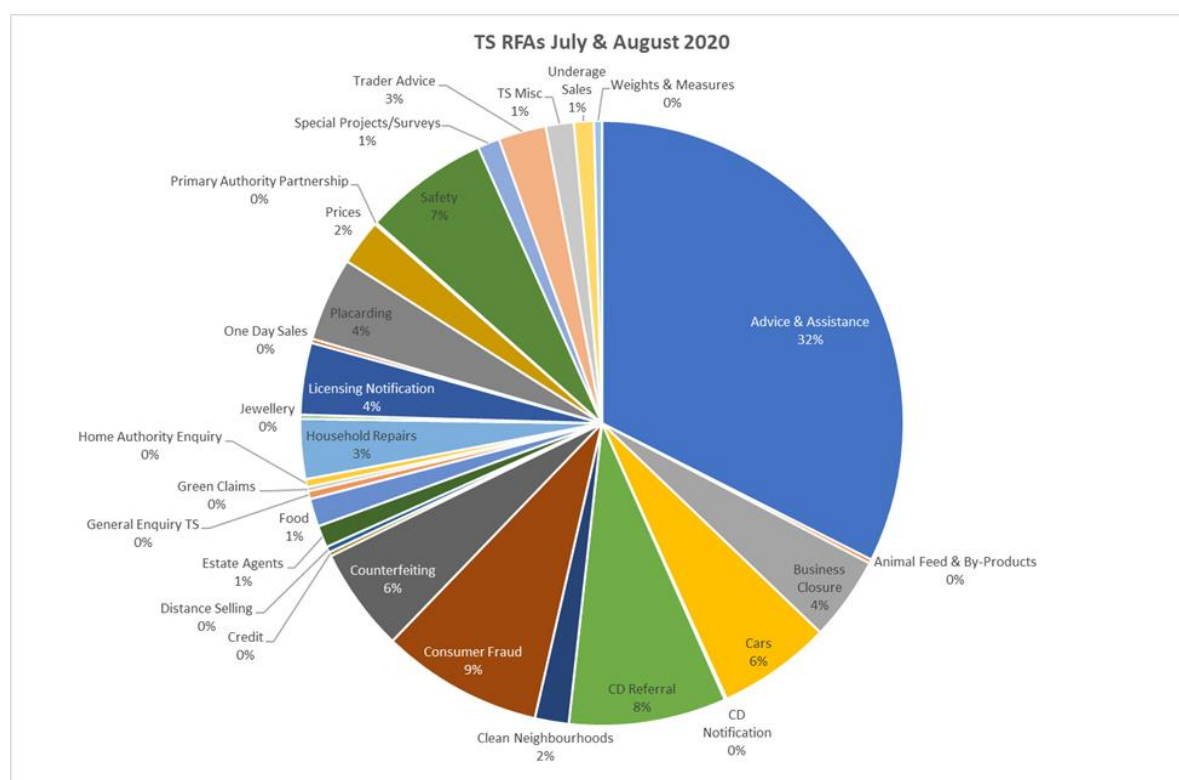
Analysis of RFAs

The breakdown of types of RFAs in Licensing is shown below.

	July		August	
	Received	Closed	Received	Closed
Total	93	89	106	74
Hackney Carriage	7	3	8	6
Private Hire	63	63	67	53
Licensing Act 2003	21	16	29	14
Gambling Act 2005	0	0	0	0
Scrap Metal Dealers	1	5	2	1
Sexual Entertainment Venues	0	0	0	0
Massage & Special Treatments	1	2	0	0

Trading Standards and the Regional Investigation Team (RIT)

The trading standards service is also continuing to have increased demand for its services. The chart below shows the make up of the types of activity.



Trading Standards received 554 Requests for Assistance from consumers in July and 383 in August, higher than average.

Coronavirus Related RFAs

Reports of businesses flouting Coronavirus restrictions in July remained constant from June 2020, including complaints about businesses not adhering to NHS Track & Trace measures, wearing of PPE and social distancing. This however reduced in August, with just 10 RFAs received. Of those, one related to a complaint about the

Eat Out Help Out scheme and the rest were related to social distancing and use of PPE.

Core TS Activities

The core Trading Standards activities – product safety, underage sales, rogue traders and fraud- continue to be reported. Complaints about used car sales have seen an increase, following the reopening of car forecourts have reopened. After an initial surge of requests for trader advice from residents looking to start their own businesses, numbers have now reduced.

Financial Investigation

In terms of COVID-19 related work, the two Financial Investigators (FIs) have moved away from assisting Finance, Procurement and Safety Services with the vetting of PPE and PPE suppliers to the City and are now focusing on potential fraudulent Coronavirus Business Grant applications. Whilst most of the applications have been genuine, there have been a small number of possible fraudulent applications which have seen individuals receive monies that were not entitled to them. In those cases, the FIs have assisted Birmingham Audit. In some instances, the funds have been repaid to their rightful owners, but where this is not the case, joint criminal investigations will be undertaken with Birmingham Audit to hopefully identify the suspects and bring them to justice.

Both FIs are also conducting work on behalf of Sandwell MBC and Wolverhampton CC, including recovering assets to compensate victims of a large-scale car clocking scam and tracing and funds stolen from a school by a rogue employee. Work also continues to assist the Birmingham based Regional Investigation Team with their investigations into counterfeit goods sellers under Operation Beorma.

In terms of outstanding Proceeds of Crime Confiscation cases, unfortunately lockdown has seen a significant backlog of court hearings, with only trials for the most serious offences being heard in Crown Court. This has meant that many cases that should have been heard by now, have been adjourned for many months ahead. The FIs have appeared via video link in some cases and applications for Court Orders continue to be made administratively to ensure any delays are kept to an absolute minimum.

Underage Sales

This issue is still a priority for the service with Project Guardian (Knife Crime). Officers recently worked with West Midlands Police to utilise young looking police officers to see if they were challenged about their age. Retailers have been advised to use the Challenge 25 scheme; in total 13 shops were visited that resulted in seven sales. On all occasions the retailer was then visited and advised that, although no offence had taken place, they should have asked for proof of age. They are also signed up to the responsible retailer scheme. Further exercises are imminent.

Operation Choke – over 40 premises were visited over two days at the end of August. The premises had been selected as complaints had been received about the sale of illegal tobacco. Advice packs and warning letters were given to all. This is in preparation for the Council's next tobacco inspection days.

Premises Licence reviews have been submitted, and one is currently going to an appeal hearing, which related to the sale of alcohol to underage persons.

Placarding

Trading Standards conducted a follow up exercise to one carried out in July tackling illegal placarding. In the first exercise 120 placards were removed and 35 business contacted and advised of the legislation. The second exercise conducted in early September to similar locations across the city resulted in 40 placards being removed and further businesses will be contacted. Of the businesses contacted previously the vast majority had ceased this type of advertising, a few that are still placarding will be contacted again with the possibility of enforcement action if they do not comply. In some locations where the placards had been removed, new signs for different businesses appeared who will now also be contacted and advised.

Other Activity

In August Trading Standards and the Regional Intelligence Team seized approximately 768 counterfeit trainers/footwear. The trainers/footwear had an estimated retail value of £50,000 and would have been supplied at an outdoor market.

Trading Standards continues to advise importers and wholesalers of face masks and hand sanitizers to ensure they are compliant with current legislation.

RIT

Trio sentenced to more than nine years for home improvement scam

Three scammers have been sentenced to a combined total of 9¼ years (111 months) at Birmingham Crown Court for their part in running a fraudulent home improvement company in Stourport on Severn, Worcestershire. The three defendants were found guilty of 34 offences under the Companies Act 2006, The Consumer Protection from Unfair Trading Regulations 2008 and the Proceeds of Crime Act 2002.

During the trial, the court had heard how the defendants all played their part in conning members of the public into paying for overpriced, ineffective or unnecessary home improvement work. The work was often mis-sold, of no benefit or simply never carried out at all. The work focused on wall and roof coatings and solar panel batteries with claims that they would improve energy efficiency and reduce bills. These claims were dismissed by expert witnesses in the trial.

The defendants also refused to refund customers' money when they cancelled within their cancellation period or because the work was never started. The Court heard from over 45 witnesses who had paid around £208,000 but had never had the work completed or their money returned.

The victims targeted by the perpetrators were predominantly older people or people living in vulnerable situations, with a significant number aged in their 80s and 90s. Most victims were in the Midlands, including Birmingham, Worcestershire and Shropshire, although a number were from wider afield including Gloucestershire, Wiltshire and the Isle of Wight.

England Illegal Money Lending Team (IMLT)

During July and August, the IMLT received 50 reports of illegal money lending (IML). 26 of these reports can be directly linked to the work carried out by LIAISE officers, and 22 new illegal lenders were identified. Enforcement activity during July and August saw the IMLT execute warrants for six Operations. These were at addresses located in Sunderland, The Wirral, Plymouth, Oldham, Keighley and Doncaster. This saw 12 individuals arrested, 10 of these have been released under investigation to allow for further enquiries, whilst two have received police cautions.

There has been one hearing during this time where two males were convicted for IML in the South West as part of the IMLT operation Corsica. Mahli Binmore was sentenced to 20 months imprisonment, suspended for 18 months and to complete 150 hours unpaid work. Simon Saunders received an eight-month prison sentence suspended for 18 months and ordered to complete 150 hours unpaid work.

LIAISE work has continued through July and August with online virtual training being made available for partner agencies. Other LIAISE highlights have been weekly live Q & A Facebook sessions, production of a 5-part Podcast series entitled "Your money and your life". The roll out of a new "live chat" function for victims visiting our website to chat anonymously with specially trained IMLT officer. This year's POCA funding application process has been advertised for community groups to bid for funding for localised stop loan shark projects.

Registration Service

Deaths

The service is processing death registrations in line with the Coronavirus Act and the direction of the General Register Office, GRO. In late March 2020 a new process for registering was enacted and the service implemented this and honed the processes to improve performance. The table below shows the level of death registration compared to 2019.

Deaths	2019	2020	% change
April	819	2261	+176.1
May	863	993	+15.1
June	762	767	+0.65
July	802	798	-0.5
August	793	708	-10.75
Running Total	4,039	5,527	+36.8%

Births

The Government reintroduced the registration of births, with a revised process. The procedure still requires face to face meetings, the service was fully operational from mid-June. As at 31 August there was a backlog of birth registrations of 4,983, 2,659

of which were over 42 days. The table below shows the level of birth registrations for June through to August compared to 2019, when the service recommenced.

Birth Registrations	2019	2020	% change
June	1,819	543	-70.15
July	1,880	2,820	+50.9
August	1,647	2,045	+24.2
Running Total	5,346	5,408	+1.2%

Ceremonies

The Government announced that marriage and civil partnership notices of marriage and civil partnerships and ceremonies could recommence from July, provided the venue is COVID 19 secure. Following this announcement and in line with the guidance issued in late June by the GRO, Birmingham Register Office implemented measures to enable ceremonies to take place from 4 July. The tables below show the level of ceremonies and notices for July and August compared to 2019.

Ceremonies	2019	2020	% change
July	186	62	-66.75
August	219	130	-40.5
Running Total	405	192	-52.5%

Notice of Marriage and Civil Partnership	2019	2020	% change
July	610	430	-29.95
August	522	365	-30.1
Running Total	1,132	795	-29.75%

Citizenship Ceremonies	2019	2020	% change
July	268	156	-41.75
August	199	264	+33.2
Running Total	467	420	-10.1%

City Centre Operations - Temporary Pavement Licences

The City Centre Team process pavement licences in the city centre only, with new legal provisions enacted in August 2020. An on-line application process was launched on 30 July 2020. The table below shows the activity that has taken place.

	July 2020	August 2020
Received	3	34
Approved	2	29
Refused/Returned/Withdrawn	1	5

Paul Lankester
Interim Assistant Director Regulation and Enforcement

15 September 2020

BIRMINGHAM CITY COUNCIL

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

SEPTEMBER 2020

ALL WARDS AFFECTED

**Birmingham City Council hosted
National Trading Standards Regional Investigations Team (Central England)**

1. Summary

- 1.1 This report provides an update on the work of the National Trading Standards Regional Investigations Team (Central England) (RIT), hosted by Birmingham City Council's, Regulation and Enforcement Division.

2. Recommendation

- 2.1 That the report be noted.

Contact Officer: Paul Lankester, Interim Assistant Director, Regulation and Enforcement

Telephone: 0121-303 9611

Email: Paul.Lankester@birmingham.gov.uk

Originating Officer: Phillip Page, Team Leader (RIT)

3. Background

- 3.1 The grant funded project was initially piloted in 2006. At that pilot stage there were 3 teams, one based within Central England (CEnTSA), one in the North East (NETSA) and the third team covering London, the South East and East Anglia (TRS). The CEnTSA Team was hosted at that time by Solihull MBC on behalf of the Region.
- 3.2 The Teams were introduced following a Government White Paper on consumer protection in which it was identified that Regional Investigation Teams (RIT's) might be better placed to tackle certain offending. The rationale was to ensure cross border operations could be undertaken without hindrance and perpetrators operating across boundaries could be brought to justice under one investigation.
- 3.3 The three Teams were set up to run a 2 year pilot project. At the end of that trial period, and following the success of the 3 Teams, funding was made available to extend the project across all Regions, including Scotland, from 2008 for a 3 year period.
- 3.4 Since 2011, funding has been on an annual cycle, and has varied from between £250,000 and £320,000 per year. The amount expected for 2020-21 is £300,000.
- 3.5 Since May 2013, the CEnTSA RIT has been hosted by Birmingham City Council.
- 3.5 The CEnTSA RIT operates across the Region using legislative powers under The Consumer Rights Act 2015.
- 3.6 The RIT work on behalf of both the National Trading Standards (NTS) and the 14 local authorities that make up CEnTSA. The RIT receive their work via a formal tasking process, introduced as part of the Intelligence Operating Model (IOM). Whilst work can be tasked down by NTS, the vast majority of work is tasked to the Team by one or more of the 14 local authorities within CEnTSA
- 3.7 Within CEnTSA, the RIT take on the case and then submit any prosecution files that may follow through Birmingham City Council. This is paid for through the annual grant. For this reason, a significant amount of the annual funding is allocated to, and used up on, legal costs.
- 3.8 The RIT currently comprises only 3 'core' members of staff but with those numbers bolstered on an 'as needs' basis with experienced investigators employed through agency.
- 3.9 Cases are referred to the Team because intelligence shows that a trader is having a negative impact upon consumers within the Region. In most cases, the trader will also be based within CEnTSA but also, in most cases, consumers affected will be from much further afield than just the CEnTSA area.

- 3.10 Most of the intelligence used to identify 'problem' traders comes from access to the Citizens Advice complaints database. Citizens Advice now act as the 'front line' for providing consumer advice and for flagging issues of concern to Trading Standards through the Citizens Advice Consumer Service (CACS) reporting line (0808 223 1133).
- 3.11 Trading Standards have access to the CACS portal and can run a variety of reports to assist in identifying potentially problem traders.
- 3.12 The Regional Intelligence Analyst (RIA) based in Warwickshire Trading Standards produces a Tactical Assessment (TA) every 6 weeks. This TA will, amongst other things, highlight traders of possible concern to the Region as well as potential emerging threats.
- 3.13 The 'core' offences considered by the RIT are typically contained within the Consumer Protection from Unfair Trading Regulations 2008, but there are, in addition, a host of other potential offences that are regularly included within case files, including offences under the Fraud Act 2006, Companies Act 2006, Proceeds of Crime Act 2002 and the Trade Marks Act 1994.

4. Some examples of recent cases include:-

- **Operation Coffee** – a case referred to the Team by Warwickshire Trading Standards and relating to a business operating in both Henley-in-Arden and Stirling in Scotland. Consumers were complaining about being put under intense pressure during a sales pitch being conducted by a business known as Eze Group. The accounts, in summary, were:-
 - Consumers were (in the vast majority of cases) an existing timeshare owner
 - They had responded to an unsolicited approach from a previously unknown business, inviting them to take up a free UK mini-break but on the proviso that they attend a short presentation 'for a couple of hours, either in the morning or afternoon of one of the days'.
 - A large number of consumers accepted the offer. Most believed that the presentation was going to be some kind of timeshare pitch. Nobody knew, at that stage, who it was that was going to be 'pitching' to them.
 - Consumers are picked up from their 'mini break' hotel and taken to the offices of Eze Group in Henley in Arden or Stirling.
 - The consumers are then subjected to a sales pitch of what Eze Group can offer to them, namely a very expensive 'lifestyle concierge service' which will enable them to get discounted goods and services across a whole range of things, from theatre tickets to white goods to holidays.
 - The sales pitch, however, concentrated heavily on generating fear and uncertainty in the consumer over their financial liability concerning their existing timeshare. Consumers were left believing that they would never be able to exit their timeshares, leaving an ever escalating debt to their children once they had died.

- However, by joining the 'concierge service', one benefit (for an additional cost) was that the consumer could be put in contact who could deal with the timeshare on their behalf.
- Many consumers reported being effectively held there for up to 8 hours. None had their own vehicle with them and many did not really know exactly where they were.
- Many felt that the only way to 'escape' would be to sign up and then cancel. Many signed the initial deposit on this basis.
- Consumers who tried to cancel afterwards were met with a strong response, denying them the ability to cancel and threatening legal action if they failed to make the final payment.
- In fact, under the particular circumstances of the case, the consumers were entitled to cancel the agreements and get their money back.
- Many of the statements made during the sales pitches were false or misleading, designed to get them to sign up to the contract.
- The contracts varied in price, with a range between £4000 to £46,000.

In legal terms, Eze Group actually did not exist. It was simply a brand name being used by the originator of the scheme, Dominic O'Reilly, the CEO of the Eze Group. A number of connected UK and Spanish companies operated under the umbrella name of the Eze Group, all playing a part in the operation. Dominic O'Reilly was assisted in this by his step-daughter, Stephanie O'Reilly, who was also the managing director of one of the UK linked companies, Eze Europe Ltd, a company with its registered office in Birmingham city centre.

Dominic O'Reilly lived over in Tenerife, but was born and grew up in Yardley in Birmingham.

Stephanie O'Reilly lived in Dickens Heath in Solihull.

Eze Group had previously been the main shirt and stand sponsor of Birmingham City Football Club. They had also obtained sponsorship deals with assorted professional darts players and were also looking at an arrangement with Celtic Football Club.

Dominic O'Reilly was sentenced to 28 months imprisonment. Stephanie O'Reilly was sentenced to 18 months imprisonment (suspended for 2 years).

The two defendants were also ordered (February 2020) to pay back £424,560 as part of a POCA confiscation order, with a default sentence of up to 2 years if they do not do so.

- **Operation Swarm** – a case referred to us by Worcestershire Trading Standards and relating to the activities of two Worcestershire based companies, Ecoshield (UK) Ltd and Energenie Shield UK Ltd as well as connected persons Adrian Hillman, his wife Rebecca Hillman and associate, Philip Farrington. The investigation related to complaints that:-
 - The companies were falsely selling wall and roof treatments that would not provide the benefits claimed for them (typically that the work would significantly reduce heating bills), and

- That in a significant number of cases, no work at all was being done (generally related to the retro fit of solar batteries to existing solar panels), and
- That the company were not returning deposits and other monies paid in cases where the consumer cancelled within their statutory cancellation period, or cancelled simply because of non-performance of the contract by the company.

Evidence was obtained from 51 affected consumers. Most of these consumers were based within CEnTSA, but a number were based further afield, including in Gloucestershire, Wiltshire and even one on the Isle of Wight.

A significant number of affected consumers were aged in their 80s and 90s.

A trial ran against all three individuals as well as against Energenie Shield UK Ltd, with an indictment containing 34 counts. After an 8 week trial, the jury returned guilty verdicts on all counts.

Sentencing is recorded in this months LPPC update report. A Proceeds of Crime case is now under way.

- **Operation Field** – tasked to us by Coventry Trading Standards but relating to two connected businesses, one in Birmingham and one in Worcestershire. A computer repairs ‘scam’ where 2 brothers were operating linked businesses in the two separate local authority areas. The modus operandi was
 - The brothers had swamped the Yellow Pages and Thomson Local directories across the country with hundreds of adverts for apparently different computer repair businesses. Those adverts contained hundreds of different business names, different telephone numbers and different addresses.
 - Each advert was designed to give the impression that the business was local to the area of that particular publication
 - In reality, the brothers were based in Hall Green and Bromsgrove and it is there that consumers would be calling via telephone redirection
 - An ‘engineer’ would be dispatched to wherever the consumer was based. In reality, no diagnostic work would be performed on site and the intention was always for the computer to be taken away.
 - Once in their possession, the brothers would determine how much the consumer was willing to pay. In an attempt to justify the prices demanded, the brothers would offer to install new software. Such software was often counterfeit.
 - If consumers refused to pay the prices being demanded, the brothers would simply not return the devices. Many consumers visited the business addresses quoted in the advert, only to find, of course, that the business was not, and never had been, there.
 - Evidence was obtained from nearly 100 affected consumers from across the UK

The two brothers were sentenced to a total of 4 ½ years imprisonment and, in a subsequent POCA investigation, ordered to pay back £100,000 as a result of a confiscation order.

- **Operation Orange** – A case referred to us by Dudley Trading Standards and relating to the activities of a group of 4 males operating a scam ‘home improvement’ business targeting elderly and vulnerable consumers. The four men were based in Birmingham and Solihull and, in the one incident, systematically targeted one vulnerable Sandwell consumer, taking approximately £130,000 from him over a 5 year period for shoddy and unnecessary work to his house. Other victims were identified in Dudley.

The four men were given combined prison sentences totalling 11 years and 9 months and the ring leader subsequently ordered to pay nearly £95,000 to compensate his victims.

5. Implications for Resources

- 5.1 The RIT is grant funded and therefore all costs for the service are recovered through this provision.

6. Implications for Policy Priorities

- 6.1 Enforcement action taken against dishonest traders protects not only affected consumers and potential future victims but also can help to protect legitimate traders.
- 6.2 Often our victims are members of the most vulnerable groups and therefore enforcement action helps to protect many that often cannot help themselves.
- 6.3 Prosecution of dishonest traders protects consumers and opens opportunities for honest traders.

7. Public Sector Equality Duty

- 7.1 It is often the case that the traders subject to investigation by the RIT prey on the most vulnerable members of society. Certain traders target people who may be extremely vulnerable, either through age or infirmity or for other reason. Taking robust enforcement action in these circumstances helps to protect not only those consumers but also the wider public.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020
ALL WARDS

PROSECUTIONS AND CAUTIONS – FEBRUARY 2020

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of February 2020.
2. Recommendation
 - 2.1 That the report be noted.

Contact Officer: Paul Lankester
Interim Assistant Director, Regulation and Enforcement
Neighbourhoods Directorate
Telephone: 0121 675 2495
E-Mail: **Paul.Lankester@birmingham.gov.uk**

3. Results

3.1 During the month of February 2020, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 78 Environmental Health cases were finalised resulting in fines of £36,242. Prosecution costs of £19,249 were awarded. No simple cautions were administered as set out in Appendix 1.
- Two Licensing cases were finalised resulting in fines of £940 and 12 penalty points issued. Prosecution costs of £800 were awarded. No simple cautions were administered as set out in Appendix 2.
- No Trading Standards cases were finalised. Four simple cautions were administered as set out in Appendix 3.
- Nine Waste Enforcement cases were finalised resulting in fines of £9,670 and 6 penalty points were issued. Prosecution costs in the sum of £7,296 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district in February 2020 and cases finalised by district April 2019 – February 2020.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2019 to February 2020.
- Appendix 7 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City since April 2019. Please note this does not include other parking tickets issued anywhere else in the City.

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 2019 to February 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£263,524 has been requested with 214,226 being awarded (81%).

Licensing

£19,521 has been requested with £10,752 being awarded (55%)

Trading Standards

£43,539 had been requested with £23,201 being awarded (53%).

- 5.3 For the month of February 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£33,580 has been requested with £26,545 being awarded (79%).

Licensing

£1,193 has been requested with £800 being awarded (67%)

Trading Standards

No costs were requested or awarded

- 5.4 The following income has been received so far from the courts in 2019/20.

Environmental Heath

£59,251 has been received including Waste Enforcement cases.

Licensing

£2,242 has been received.

Trading Standards

£6,060 has been received.

(Total £67,553).

- 5.5 This will not directly correlate to the values awarded in the same time period as individual cases are often cleared in instalments with the associated fines and court costs taking precedence over the settling of BCC legal costs. Therefore, income received may relate to cases from the previous financial year or earlier.

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.

DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

ENVIRONMENTAL HEALTH CASES**APPENDIX 1****FOOD HYGIENE OFFENCES**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	6/2/20	Nuurto Mohammed Birmingham	<p>Food Safety and Hygiene (England) Regulations 2013</p> <p>Pleaded guilty to three offences relating to conditions found at Sweet Dream Catering, 119 Great Hampton Row, Birmingham. There was evidence of mouse activity throughout the premises. The premises were not kept clean and maintained in good repair and condition, mouse droppings were found inside the toilet, food equipment was covered in grease and food debris. Mouse droppings and smear marks were found on a ledge behind the refrigeration unit. Articles, fittings and equipment were not clean, mouse droppings were found on the food draining board, next to a coffee machine, inside a box of cling film and behind a juice machine.</p>	<p>£400 – offence 1</p> <p>No separate penalty for remaining offences</p> <p>£300 costs (£1,302 requested)</p>	Birchfield	Newtown

2	6/2/20	Mybodega Ltd 16 Melstock Road Birmingham B14 7ND	<p>Food Safety and Hygiene (England) Regulations 2013</p> <p>Pleaded guilty to four offences, relating to conditions at Bodega Bar and Cantina, 12 Bennetts Hill, Birmingham. Live and dead cockroaches were found in the basement kitchen, bar, pot wash, drinks store, corridor and ground floor bar. The premises was not kept clean, equipment and fittings in the basement were dirty due to the presence of cockroaches, a cardboard box storing coffee was dirty due to a dead cockroach on its surface, pipework and a cable in the drinks store were dirty due to a cockroach crawling across them. The ground floor bar floor/wall junction, pipework and cabling were dirty. There was water accumulating beneath the sink unit in the ground floor. There was grease on the kitchen extraction canopy. There were gaps around pipework going into the basement corridor ceiling which could permit the ingress of cockroaches. There was a gap behind the kitchen wall cladding which could permit the ingress of cockroaches. There was a dirty tea towel/cloth on the surface of a chest freezer in the basement corridor. There was dirt and grease behind the grill of the polar table refrigeration unit. There was a build up of grease on top of the fryer.</p>	<p>£8,000 (£2,000 x 4)</p> <p>£2,000 costs (£2,913 requested)</p>	Brandwood & Kings Heath	Ladywood
---	--------	---	--	---	----------------------------	----------

3	20/2/20	Tasty Naan Ltd Unit 11 Alexandra Trading Estate Alexandra Road Birmingham B21 0PD	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to six offences relating to conditions at Tasty Bakery, Unit 11 Alexandra Trading Estate, Alexandra Road, Birmingham. There was a dead mouse in the main manufacturing/storage area. There were mouse droppings throughout the main manufacturing/storage area, the baklava manufacturing area, the changing room floors, shelving, walls, packaging, labelling and equipment. Walls in the baklava manufacturing area were dirty and mouldy. There was a hole in a wall above a socket, which a dead mouse was found under. There were gaps around pipework going through the ceiling which could permit the ingress of mice. There were dirty containers storing food, including contamination by mouse droppings. In the main manufacturing/storage area a dough machine was dirty with mouse droppings. There were mouse droppings inside a plastic baklava packaging dish and on cling film stored in the main manufacturing/storage area.	£12,000 £2,535 costs (£2,535 requested)	Soho & Jewellery Quarter	Soho & Jewellery Quarter
---	---------	---	---	---	-----------------------------	-----------------------------

LITTER OFFENCES – SJP

	Date Case Heard	Name	Fine/Penalty & Costs	Ward of defendant
4	25/2/20	Mohammed Abusubih Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
5	25/2/20	Asad Addrrees Stoke on Trent Proved in Absence	£220 £175 costs (£175 requested)	Out of area
6	25/2/20	Nitin Aggarwal Chesham Proved in Absence	£220 £175 costs (£175 requested)	Out of area
7	25/2/20	Khaled Ahmed Coventry Proved in Absence	£220 £175 costs (£175 requested)	Out of area
8	25/2/20	Hassain Ali Smethwick Proved in Absence	£220 £175 costs (£175 requested)	Out of area
9	25/2/20	Abdul Alim West Bromwich Proved in Absence	£220 £175 costs (£175 requested)	Out of area
10	25/2/20	Mohammed Almutari Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood

11	25/2/20	Michael Amair Wolverhampton Proved in Absence	£220 £175 costs (£175 requested)	Out of area
12	25/2/20	Diane Carol Angell Oldbury Proved in Absence	£220 £175 costs (£175 requested)	Out of area
13	25/2/20	Diane Aspinall Witney Proved in Absence	£220 £175 costs (£175 requested)	Out of area
14	25/2/20	Jsimon Avezzano Birmingham Proved in Absence	£220 £175 costs (£175 requested)	North Edgbaston
15	25/2/20	Jodie Best Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Erdington
16	25/2/20	John Bickford Wolverhampton Proved in Absence	£220 £175 costs (£175 requested)	Out of area
17	25/2/20	Bogdan Stefan Biria West Bromwich Proved in Absence	£220 £175 costs (£175 requested)	Out of area
18	25/2/20	Gheorghe Brandibur Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Lozells

19	25/2/20	Bobbie Lee Breeze Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Edgbaston
20	25/2/20	Clarice Lilly Brown Crewe Proved in Absence	£220 £175 costs (£175 requested)	Out of area
21	25/2/20	Paula Burton Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Oscott
22	25/2/20	Dean Butlin Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Pype Hayes
23	25/2/20	Nidt Caweewat Dagenham Proved in Absence	£220 £175 costs (£175 requested)	Out of area
24	25/2/20	Amy Clarke Redditch Proved in Absence	£220 £175 costs (£175 requested)	Out of area
25	25/2/20	Anne Deakin Leeds Proved in Absence	£220 £175 costs (£175 requested)	Out of area
26	25/2/20	Coco Deutsch Durham Proved in Absence	£220 £175 costs (£175 requested)	Out of area

27	25/2/20	Tony Dibbens Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Brandwood & Kings Heath
28	25/2/20	Anthony Droughton St Helens Proved in Absence	£220 £175 costs (£175 requested)	Out of area
29	25/2/20	Megan Dunks Sheffield Guilty plea	£40 £175 costs (£175 requested)	Out of area
30	25/2/20	Charlotte Fleming Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Perry Common
31	25/2/20	Jemma Froggitt Nottingham Proved in Absence	£220 £175 costs (£175 requested)	Out of area
32	25/2/20	Khan Ghesma Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Quinton
33	25/2/20	Timothy Gill Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Stirchley
34	25/2/20	Gary Gough Northampton Guilty plea	£146 £175 costs (£175 requested)	Out of area

35	25/2/20	Sean Rose Hardy Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Hall Green North
36	25/2/20	Colin Hickey Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Brandwood & Kings Heath
37	25/2/20	Daniel Jackson Lichfield Proved in Absence	£220 £175 costs (£175 requested)	Out of area
38	25/2/20	Harley Johnson Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Yardley East
39	25/2/20	Jessica Jonas Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Bartley Green
40	25/2/20	Anthony Jones Taunton Guilty plea	£40 £175 costs (£175 requested)	Out of area
41	25/2/20	Warwick Spencer Jones Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Rubery & Rednal
42	25/2/20	Craig Kesterton Wednesbury Proved in Absence	£220 £175 costs (£175 requested)	Out of area

43	25/2/20	Dean Landers London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
44	25/2/20	Rayman Lee London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
45	25/2/20	Adil Mahmood Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ward End
46	25/2/20	Mark Mahon Stoke-on-Trent Proved in Absence	£220 £175 costs (£175 requested)	Out of area
47	25/2/20	Darren Matthews Newcastle Upon Tyne Proved in Absence	£220 £175 costs (£175 requested)	Out of area
48	25/2/20	Kathleen McCandish Reading Proved in Absence	£220 £175 costs (£175 requested)	Out of area
49	25/2/20	Mark Mooney Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Holyhead
50	25/2/20	Paul Murrow Atherstone Proved in Absence	£220 £175 costs (£175 requested)	Out of area

51	25/2/20	Samantha Nash St Leonards on Sea Proved in Absence	£220 £175 costs (£175 requested)	Out of area
52	25/2/20	Sarfaraz Nawaz Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Sparkhill
53	25/2/20	John Andrew Olive Rugby Proved in Absence	£220 £175 costs (£175 requested)	Out of area
54	25/2/20	Anna Poradzinska London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
55	25/2/20	Gary Porter Hull Proved in Absence	£220 £175 costs (£175 requested)	Out of area
56	25/2/20	Marcel Puzkeiwc Ashby de la Zouch Proved in Absence	£220 £175 costs (£175 requested)	Out of area
57	25/2/20	Bo Qi Leicester Proved in Absence	£220 £175 costs (£175 requested)	Out of area
58	25/2/20	Dwayne Keemi Rana Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Glebe Farm & Tile Cross

59	25/2/20	Tasawar Riaz Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Small Heath
60	25/2/20	David Riley South Shields Proved in Absence	£220 £175 costs (£175 requested)	Out of area
61	25/2/20	Lin Bao Rui Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Bournbrook & Selly Park
62	25/2/20	Aleksander Rupental Tipton Proved in Absence	£220 £175 costs (£175 requested)	Out of area
63	25/2/20	Zeshan Saeed Smethwick Proved in Absence	£220 £175 costs (£175 requested)	Out of area
64	25/2/20	James Salter Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Stockland Green
65	25/2/20	Sophie Seabright Solihull Proved in Absence	£220 £175 costs (£175 requested)	Out of area
66	25/2/20	Zahir Shah London Proved in Absence	£220 £175 costs (£175 requested)	Out of area

67	25/2/20	Jason Sherriff Rugby Proved in Absence	£220 £175 costs (£175 requested)	Out of area
68	25/2/20	Harmanpreet Singh Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Soho & Jewellery Quarter
69	25/2/20	Casaba Solyom Walsall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
70	25/2/20	Stuart Spence Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Acocks Green
71	25/2/20	Dongyan Tong Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood
72	25/2/20	Luke Walton Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Bournbrook & Selly Park
73	25/2/20	Alan Watson Liverpool Proved in Absence	£220 £175 costs (£175 requested)	Out of area
74	25/2/20	Toni Welch Cradley Heath Proved in Absence	£220 £175 costs (£175 requested)	Out of area

75	25/2/20	Darren Wherton West Bromwich Proved in Absence	£220 £175 costs (£175 requested)	Out of area
76	25/2/20	Julianne Williams Coventry Proved in Absence	£220 £175 costs (£175 requested)	Out of area
77	25/2/20	Sarah Louise Woodward Rugeley Guilty plea	£166 £175 costs (£175 requested)	Out of area

LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE

Date Cases Heard	Total Number of Cases	Total Fines imposed	Total Costs awarded	Total Costs requested
25/2/20	74	£15,792	£12,950	£12,950

PEST OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
78	10/2/20	Grand Regency Ltd 683-687 Stratford Road Sparkhill Birmingham B11 4DX	Prevention of Damage by Pests Act 1949 Found guilty in their absence of one offence of failing to comply with a notice requiring they eradicate all pests and remove all accumulations of rubbish from the land behind 408-422 Stratford Road, Sparkhill, Birmingham within 21 days.	£50 £1,464 costs (£1,464 requested)	Sparkhill	Sparkhill

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During the period of February 2020 no simple cautions were administered.

LICENSING CASES**APPENDIX 2**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
79	20/2/20	MD Uzzol Chowdhury Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on Bennetts Hill, Birmingham and one of consequently having invalid insurance.	£240 (£120 x 2) + 6 penalty points £200 costs (£566 requested)	Newtown	Ladywood
80	20/2/20	Muhammed Altaf Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on Broad Street, Birmingham and one of consequently having invalid insurance.	£700 (£350 x 2) + 6 penalty points £600 costs (£627 requested)	Bordesley & Highgate	Ladywood

LICENSING SIMPLE CAUTIONS

During February 2020 no simple cautions were administered

There were no Trading Standards prosecutions finalised in February 2020.

TRADING STANDARDS SIMPLE CAUTIONS

During February 2020 four simple cautions were administered.

Tobacco & Related Products Regulations 2016**Standardised Packaging of Tobacco Products Regulations 2015**

Two cautions were issued for supplying packets of cigarettes of various brands and hand rolling tobacco which did not carry the required health warnings and the external packaging of which was in breach of the regulations.

Trade Marks Act 1994

Two cautions were issued for having in possession custody or control in the course of a business goods which bore a sign identical to or likely to be mistaken for registered trademarks.

WASTE ENFORCEMENT CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
81	5/2/20	Adnan Qazi Solihull	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of knowingly causing controlled waste, namely wooden doors, carpets, rugs, mattresses, empty plastic plant pots, a chair, cardboard boxes, bed bases and a headboard, general domestic waste and a fridge, to be deposited on land on Scribes Lane, Hall Green, Birmingham. Found guilty after trial.	£2,769 £2,709 costs (£3,069 requested)	Out of area	Hall Green South
82	12/2/20	Sandeep Singh Birmingham	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of failing to comply with a notice requiring written information of how waste from 1 st Properties UK, 839 Stratford Road, Birmingham was disposed of within 7 days. Found guilty after trial.	£300 No costs awarded (£1,045 requested)	Weoley & Selly Oak	Sparkhill
83	13/2/20	Marian Ivan Smethwick	Environmental Protection Act 1990 Pleaded guilty to two offences of causing controlled waste, namely black bags of household waste, to be deposited from a vehicle onto Abberley Street, Winson Green, Birmingham on two separate dates.	£500 (£250 x 2) £500 costs (£1,309 requested)	Out of area	Soho & Jewellery Quarter

84	19/2/20	Idi Ali Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of knowingly causing controlled waste, namely black bags of green and household waste, cardboard, wood, a wicker basket and small pieces of furniture, to be deposited from a vehicle on to land at Priory Road, Aston, Birmingham.	£70 £650 costs (£1,290 requested)	Gravelly Hill	Nechells
85	20/2/20	Sydney McKoy Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of depositing controlled waste, namely a settee and single mattress, on land on Cranby Street, Alum Rock, Birmingham.	£240 £1,000 costs (£1,514 requested)	Aston	Alum Rock
86	20/2/20	Simon Grandison Birmingham	Environmental Protection Act 1990 Pleaded guilty to seven offences; six offences of depositing controlled waste, namely mattresses, a door, gas canister, pieces of board/wood, 12 full bin bags, one builders sack and insulation foam, from a motor vehicle in and around residential bins at the rear of Churchill Parade, Birchfield Road, Birmingham on four separate dates, three deposits were at different times on the same day and one offence of using the vehicle without having valid insurance.	£680 (£560 offences 1-6 £120 no insurance) + 6 penalty points £900 costs (£912 requested)	Aston	Aston
87	20/2/20	Ravinder Kaur Solihull	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Riya Nails and Beauty, 1504 Stratford Road, Birmingham was disposed of within 7 days.	£150 £300 costs (£614 requested)	Out of area	Hall Green North

88	24/2/20	TP&G Specialists Ltd Ascot House 246 Court Oak Road Birmingham B32 2EG	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to supply details of the person in charge of a vehicle involved in depositing controlled waste on land at 33 Merton Road, Birmingham.	£4,500 £737 costs (£737 requested)	Harborne	Moseley
89	26/2/20	O'Neil Simpson Dudley	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to two offences; one of knowingly causing or permitting the deposit of controlled waste, namely a carpet and rug, from a vehicle under his control, being the registered keeper, on land at Heath Street South, Birmingham and one alternative offence of depositing the waste himself. Found guilty after trial of the first offence.	£461 £500 costs (£1,926 requested)	Out of area	Northfield

WASTE ENFORCEMENT SIMPLE CAUTIONS

No simple cautions were administered during February 2020.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – FEBRUARY 2020

	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	0	0	0	74	0	0	2	0	0	0	74
Environmental Health (including WEU)	0	0	5	1	6	1	0	0	0	0	0	13
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – FEBRUARY 2020

	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	1	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	3	4	3	3	5	1	3	4	0	2	46	74
Environmental Health (including WEU)	1	1	1	0	3	0	1	2	0	0	4	13
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-FEBRUARY 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	1	1	0	15	0	0	0	3	0	0	23
Environmental Health (FPNs) Not paid and prosecuted	0	1	0	0	625	0	0	2	0	0	0	628
Environmental Health (including WEU)	2	8	22	24	40	4	9	6	3	5	0	123
Trading Standards	0	0	0	2	4	1	5	0	2	3	0	17

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL-FEBRUARY 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	2	1	2	7	0	4	0	0	1	4	23
Environmental Health (FPNs) Not paid and prosecuted	37	31	29	36	71	19	39	25	4	23	314	628
Environmental Health (including WEU)	2	13	20	21	27	0	10	6	1	5	18	123
Trading Standards	0	0	1	2	2	1	5	1	1	3	1	17

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2019 – MARCH 2020

Waste Investigation Outcomes													
	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	64	97	93	94	92	83	127	123	26	86	84		969
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	37	59	64	51	45	50	76	60	12	51	60		565
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	7	9	39	37	10	36	39	25	9	25	19		255
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences(£80)	0	0	0	0		0	0	0	0	0	0		0
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	4	7	4	7	4	10	6	8	4	6	4		64
Prosecutions													
Number of prosecution files submitted to legal services, (number produced quarterly.	13	10	35	9	9	7	13	11	4	7	6		124

PENALTY CHARGE NOTICES ISSUED FOR PARKING ON TAXI RANKS
APRIL 2019 – FEBRUARY 2020

Monthly Parking Pcns Issue for Current Financial Year (excludes voids)	Processing	Monthly Parking Pcns Issue for Current Financial Year (excludes voids)	Processing	Monthly Parking Pcns Issue for Current Financial Year (excludes voids)	Processing
April 2019	201	May 2019	224	June 2019	223
Aberdeen Street Winson Green	1	Aberdeen Street Winson Green	24	Aberdeen Street Winson Green	21
Alcester Street Digbeth	8	Alcester Street Digbeth	2	Alcester Street Digbeth	5
Aston Street	3	Aston Street	6	Aston Street	3
Bennetts Hill City Centre	36	Bennetts Hill City Centre	22	Bennetts Hill City Centre	22
Berkley Street City Centre	1	Berkley Street City Centre	1	Birmingham Road, Sutton Coldfield	1
Bishopsgate Street City Centre	23	Bishopsgate Street City Centre	12	Bishopsgate Street City Centre	36
Bradford Street Sparkbrook	1	Bridge Street City Centre	8	Bridge Street City Centre	7
Bridge Street City Centre	6	Broad Street City Centre	1	Cambridge Street City Centre	2
Bull Street City Centre	1	Cambridge Street City Centre	1	Colmore Row City Centre	1
Colmore Circus Queensway City Centre	1	Colmore Row City Centre	3	Corporation Street City Centre	4
Colmore Row City Centre	2	Corporation Street City Centre	1	Coventry Road Yardley	1
Corporation Street City Centre	2	Dale End City Centre	8	Dale End City Centre	5
Coventry Road Yardley	2	Digbeth Digbeth	3	Digbeth Digbeth	2
Dale End City Centre	5	Dudley Street City Centre	1	Dudley Street City Centre	1
Dalton Street	1	Edgbaston Street City Centre	8	Edgbaston Street City Centre	5
Digbeth Digbeth	4	Edmund Street City Centre	1	Granville Street City Centre	1
Edgbaston Street City Centre	12	Granville Street City Centre	5	Great Colmore Street	1
Edmund Street City Centre	4	High Street Erdington	1	Great Colmore Street City Centre	6
Gas Street, City Centre	4	Hill St City Centre	9	Hill St City Centre	6
Granville Street City Centre	2	Hinckley Street City Centre	5	Hinckley Street City Centre	1
Great Colmore Street	1	Institute Road Kings Heath	8	Holt Street	1
Great Colmore Street City Centre	4	King Edwards Road City Centre	2	Hurst Street City Centre	1
High Street City Centre	1	Mill Street Sutton Coldfield	1	Institute Road Kings Heath	12
Hill St City Centre	2	Pebble Mill Road Edgbaston	5	Mill Street Nechells	1
Hinckley Street City Centre	1	Rochester Road	3	Mill Street Sutton Coldfield	1

Hurst Street City Centre	1	Smallbrook Queensway	6	New Street City Centre	1
Institute Road Kings Heath	3	St Marys Row Moseley	2	Pebble Mill Road Edgbaston	6
Oozells Street City Centre	1	St Pauls Square City Centre	2	Rochester Road	3
Pebble Mill Road Edgbaston	1	Station Street City Centre	5	Royal Mail Street City Centre	2
Rochester Road	5	Steelhouse Lane City Centre	10	Smallbrook Queensway	7
Royal Mail Street City Centre	1	Summer Row City Centre	10	St Marys Row Moseley	5
Smallbrook Queensway	5	Temple Row City Centre	7	St Pauls Square City Centre	1
St Marys Row Moseley	3	Temple Row West City Centre	1	Station Street City Centre	5
St Pauls Square City Centre	2	Theatre Approach City Centre	25	Steelhouse Lane City Centre	4
Station Street City Centre	6	Thorp Street City Centre	12	Summer Row City Centre	7
Steelhouse Lane City Centre	13	Waterloo Street City Centre	1	Temple Row City Centre	4
Summer Row City Centre	2	Woodcock Street City Centre	2	Theatre Approach City Centre	23
Temple Row City Centre	1			Thorp Street City Centre	6
Theatre Approach City Centre	20			Warstone Lane	2
Thorp Street City Centre	4				
Warstone Lane	2				
Waterloo Street City Centre	3				
July 2019	210	August 2019	260	September 2019	200
Aberdeen Street Winson Green	24	Aberdeen Street Winson Green	11	Aberdeen Street Winson Green	27
Alcester Street Digbeth	1	Alcester Street Digbeth	14	Alcester Street Digbeth	4
Aston Street	2	Aston Street	1	Bennetts Hill City Centre	30
Bennetts Hill City Centre	19	Bennetts Hill City Centre	25	Berkley Street City Centre	2
Berkley Street City Centre	1	Berkley Street City Centre	10	Bishopsgate Street City Centre	14
Bishopsgate Street City Centre	27	Bishopsgate Street City Centre	25	Bridge Street City Centre	1
Bridge Street City Centre	8	Bradford Street Sparkbrook	1	Cambridge Street City Centre	2
Cambridge Street City Centre	1	Bridge Street City Centre	5	Colmore Circus Queensway City Centre	1
Colmore Row City Centre	2	Cambridge Street City Centre	1	Colmore Row City Centre	4
Corporation Square City Centre	1	Colmore Row City Centre	3	Corporation Street City Centre	8
Corporation Street City Centre	4	Corporation Square City Centre	1	Dale End City Centre	6
Dale End City Centre	2	Corporation Street City Centre	3	Dalton Street	1
Dalton Street	1	Dale End City Centre	4	Digbeth Digbeth	3
Digbeth Digbeth	2	Digbeth Digbeth	1	Dudley Street City Centre	1
Edgbaston Street City Centre	4	Dudley Street City Centre	1	Edgbaston Street City Centre	10

Edmund Street City Centre	4	Edgbaston Street City Centre	9	Edmund Street City Centre	2
Great Colmore Street City Centre	3	Edmund Street City Centre	1	Gas Street, City Centre	1
Hill St City Centre	3	Granville Street City Centre	6	Gloucester Street, City Centre	1
Hinckley Street City Centre	1	Great Colmore Street City Centre	6	Granville Street City Centre	3
Institute Road Kings Heath	6	High Street City Centre	1	Great Colmore Street City Centre	4
Pebble Mill Road Edgbaston	10	High Street Erdington	1	High Street Erdington	1
Smallbrook Queensway	6	Hill St City Centre	9	Hurst Street City Centre	1
St Pauls Square City Centre	6	Hinckley Street City Centre	5	Institute Road Kings Heath	7
Station Street City Centre	11	Horse Fair City Centre	1	Mill Street Sutton Coldfield	1
Steelhouse Lane City Centre	6	Institute Road Kings Heath	6	Pebble Mill Road Edgbaston	2
Summer Row City Centre	3	King Edwards Road City Centre	1	Rochester Road	3
Temple Row City Centre	9	Livery Street Jewellery Quarter	1	Smallbrook Queensway	7
Theatre Approach City Centre	30	Pebble Mill Road Edgbaston	11	St Marys Row Moseley	4
Thorp Street City Centre	11	Rochester Road	4	St Pauls Square City Centre	1
Warstone Lane	1	Smallbrook Queensway	9	Station Street City Centre	5
Woodcock Street City Centre	1	St Mary's Row	1	Steelhouse Lane City Centre	2
		St Marys Row City Centre	1	Summer Row City Centre	1
		St Marys Row Moseley	6	Temple Row City Centre	9
		St Pauls Square City Centre	3	Temple Street City Centre	1
		Station Street City Centre	6	Theatre Approach City Centre	20
		Steelhouse Lane City Centre	2	Thorp Street City Centre	6
		Summer Row City Centre	3	Warstone Lane	1
		Temple Row City Centre	4	Waterloo Street City Centre	2
		Theatre Approach City Centre	41	Woodcock Street City Centre	1
		Thorp Street City Centre	9		
		Warstone Lane	3		
		Waterloo Street City Centre	3		
		Woodcock Street City Centre	1		
October 2019	328	November 2019	273	December 2019	259
Aberdeen Street Winson Green	29	Aberdeen Street Winson Green	22	Aberdeen Street Winson Green	38
Alcester Street Digbeth	4	Alcester Street Digbeth	3	Alcester Street Digbeth	2
Aston Street	7	Aston Street	1	Bennetts Hill City Centre	6
Bennetts Hill City Centre	47	Bennetts Hill City Centre	1	Berkley Street City Centre	8

Berkley Street City Centre	5	Berkley Street City Centre	7	Bishopsgate Street City Centre	26
Bishopsgate Street City Centre	25	Bishopsgate Street City Centre	18	Bridge Street City Centre	7
Bradford Street Sparkbrook	1	Bridge Street City Centre	3	Cambridge Street City Centre	2
Bridge Street City Centre	4	Brindley Drive City Centre	1	Colmore Row City Centre	2
Bull Street City Centre	1	Cambridge Street City Centre	3	Corporation Street City Centre	5
Cambridge Street City Centre	3	Colmore Row City Centre	3	Dale End City Centre	1
Colmore Row City Centre	5	Corporation Street City Centre	12	Digbeth Digbeth	3
Corporation Street City Centre	11	Coventry Road Yardley	1	Edgbaston Street City Centre	13
Dale End City Centre	9	Dale End City Centre	8	Edmund Street City Centre	1
Digbeth Digbeth	3	Digbeth Digbeth	3	Gas Street, City Centre	3
Edgbaston Street City Centre	5	Dudley Street City Centre	2	Granville Street City Centre	7
Edmund Street City Centre	2	Edgbaston Street City Centre	8	Great Colmore Street City Centre	2
Gas Street, City Centre	1	Edmund Street City Centre	2	High Street Erdington	1
Granville Street City Centre	9	Granville Street City Centre	11	Hill St City Centre	4
Great Colmore Street	1	Great Colmore Street	2	Hinckley Street City Centre	4
Great Colmore Street City Centre	13	Great Colmore Street City Centre	8	Horse Fair City Centre	1
High Street Erdington	1	High Street City Centre	1	Hurst Street City Centre	1
Hill St City Centre	2	High Street Erdington	1	Institute Road Kings Heath	13
Hinckley Street City Centre	3	High Street, Digbeth	1	Kettlehouse Road Great Barr	1
Institute Road Kings Heath	9	Hill St City Centre	4	King Edwards Road City Centre	2
Lower Essex Street City Centre	1	Hinckley Street City Centre	2	Mill Street Sutton Coldfield	2
Moor Street Queensway	1	Institute Road Kings Heath	15	Oozells Street City Centre	1
Navigation Street City Centre	3	Institute Road Moseley	3	Pebble Mill Road Edgbaston	5
Parade Sutton Coldfield	3	King Edwards Road City Centre	1	Queen Street Sutton Coldfield	1
Pebble Mill Road Edgbaston	3	Mill Street Sutton Coldfield	2	Rochester Road	5
Rochester Road	1	Parade Sutton Coldfield	1	Smallbrook Queensway	15
Royal Mail Street City Centre	1	Pebble Mill Road Edgbaston	7	St Marys Row Moseley	2
Smallbrook Queensway	11	Rochester Road	7	St Pauls Square City Centre	5
St Marys Row Moseley	2	Royal Mail Street City Centre	1	Station Street City Centre	7
St Pauls Square City Centre	6	Smallbrook Queensway	10	Steelhouse Lane City Centre	15
Station Street City Centre	8	St Marys Row Moseley	5	Summer Row City Centre	16
Steelhouse Lane City Centre	12	St Pauls Square City Centre	7	Temple Row City Centre	6
Suffolk Street Queensway Ladywood	1	Station Street City Centre	3	Theatre Approach City Centre	18
Summer Row City Centre	8	Steelhouse Lane City Centre	11	Thorp Street City Centre	2
Temple Row City Centre	13	Summer Row City Centre	25	Waterloo Street City Centre	1

Temple Row West City Centre	1	Temple Row City Centre	12	Woodcock Street City Centre	5
Theatre Approach City Centre	37	Theatre Approach City Centre	25		
Thorp Street City Centre	8	Thorp Street City Centre	6		
Warstone Lane	2	Warstone Lane	3		
Woodcock Street City Centre	6	Woodcock Street City Centre	1		
January 2020	316	February 2020	333		
Aberdeen Street Winson Green	25	Aberdeen Street Winson Green	34		
Aston Street	3	Aston Street	2		
Bennetts Hill City Centre	35	Barwick Street City Centre	1		
Berkley Street City Centre	5	Bennetts Hill City Centre	33		
Bishop Street, Ladywood	2	Berkley Street City Centre	9		
Bishopsgate Street City Centre	29	Bishopsgate Street City Centre	59		
Bridge Street City Centre	9	Bridge Street City Centre	6		
Cambridge Street City Centre	2	Cambridge Street City Centre	2		
Cliveland Street Newtown	1	Colmore Row City Centre	3		
Colmore Row City Centre	2	Corporation Street City Centre	12		
Corporation Street City Centre	12	Dale End City Centre	7		
Dale End City Centre	5	Dalton Street	1		
Digbeth Digbeth	6	Digbeth Digbeth	1		
Dudley Street City Centre	2	Dudley Street City Centre	2		
Edgbaston Street City Centre	9	Edgbaston Street City Centre	2		
Gas Street, City Centre	5	Edmund Street City Centre	4		
Granville Street City Centre	7	Gas Street, City Centre	3		
Great Colmore Street City Centre	1	Great Colmore Street City Centre	2		
High Street City Centre	1	High Street City Centre	1		
Hill St City Centre	6	Hill St City Centre	7		
Hinckley Street City Centre	2	Hinckley Street City Centre	4		
Horse Fair City Centre	4	Horse Fair City Centre	1		
Hurst Street City Centre	2	Hurst Street City Centre	3		
Institute Road Kings Heath	20	Institute Road Kings Heath	6		
Kettlehouse Road Great Barr	1	Lionel Street (Jewellery Quarter)	1		
King Edwards Road City Centre	1	Navigation Street City Centre	2		
Livery Street Jewellery Quarter	1	Oozells Street City Centre	1		

Lower Essex Street City Centre	2	Pebble Mill Road Edgbaston	1
Mill Street Sutton Coldfield	1	Rochester Road	1
Navigation Street City Centre	2	Royal Mail Street City Centre	1
New Street City Centre	1	Smallbrook Queensway	13
Parade Sutton Coldfield	1	St Mary's Row	1
Pebble Mill Road Edgbaston	2	St Marys Row Moseley	3
Rochester Road	1	St Pauls Square City Centre	10
Smallbrook Queensway	10	Station Street City Centre	8
St Marys Row Moseley	3	Steelhouse Lane City Centre	13
St Pauls Square City Centre	3	Summer Row City Centre	11
Station Street City Centre	6	Temple Row City Centre	1
Steelhouse Lane City Centre	14	Theatre Approach City Centre	38
Summer Row City Centre	4	Thorp Street City Centre	20
Temple Row City Centre	15	Warstone Lane	1
Theatre Approach City Centre	35	Waterloo Street City Centre	1
Thorp Street City Centre	15	Woodcock Street City Centre	1
Waterloo Street City Centre	2		
Woodcock Street City Centre	1		

Total 1st April 2019 – 29th February 2020 - 2,827

BIRMINGHAM CITY COUNCIL

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

30 SEPTEMBER 2020
ALL WARDS

PROSECUTIONS AND CAUTIONS – MARCH 2020

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of March 2020.
2. Recommendation
 - 2.1 That the report be noted.

Contact Officer: Paul Lankester
Interim Assistant Director, Regulation and Enforcement
Neighbourhoods Directorate
Telephone: 0121 675 2495
E-Mail: **Paul.Lankester@birmingham.gov.uk**

3. Results

3.1 During the month of March 2020, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 52 Environmental Health cases were finalised resulting in fines of £29,643. Prosecution costs of £11,118 were awarded. No simple cautions were administered as set out in Appendix 1.
- Four Licensing cases were finalised resulting in fines of £640 and a six month conditional discharge. 16 penalty points were issued. Prosecution costs of £2,200 were awarded together with compensation in the sum of £300. No simple cautions were administered as set out in Appendix 2.
- No Trading Standards cases were finalised. One simple caution was administered as set out in Appendix 3.
- Eight Waste Enforcement cases were finalised resulting in fines of £6,026 and a 6 month conditional discharge. Prosecution costs in the sum of £5,316 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district in March 2020 and cases finalised by district April 2019 – March 2020.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April 2019 to March 2020.
- Appendix 7 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City April 2019 to March 2020. Please note this does not include other parking tickets issued anywhere else in the City.

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 2019 to March 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£283,158 has been requested with £230,660 being awarded (81%).

Licensing

£26,132 has been requested with £12,772 being awarded (49%)

Trading Standards

£43,539 had been requested with £23,201 being awarded (53%).

- 5.3 For the month of March 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£19,634 has been requested with £16,434 being awarded (84%).

Licensing

£6,611 has been requested with £2,200 being awarded (33%)

Trading Standards

No costs were requested or awarded

- 5.4 The following income has been received so far from the courts in 2019/20.

Environmental Heath

£104,845 has been received including Waste Enforcement cases.

Licensing

£6,334 has been received.

Trading Standards

£13,343 has been received.

(Total £124,522).

- 5.5 This will not directly correlate to the values awarded in the same time period as individual cases are often cleared in instalments with the associated fines and court costs taking precedence over the settling of BCC legal costs. Therefore, income received may relate to cases from the previous financial year or earlier.

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.

DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

FOOD HYGIENE OFFENCES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
1	5/3/20	NV Market Ltd 631 Washwood Heath Road Birmingham B8 2HJ	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to five offences relating to conditions found at Mini Market Magazin Alimentar Casa Romanesca, 631 Washwood Heath Road, Birmingham. Mouse droppings were found in the storeroom, on the shop floor and on shelving. Packets of food had been gnawed by mice. The premises were not kept clean, there was an accumulation of dirt, grease and droppings. A cat was found in the storeroom and had defecated on a box of food. There were no procedures based on HACCP. There were no records that food handlers had received any food hygiene training.	£4,000 – offence 1 No separate penalty for remaining offences. £1,185 costs (£1,185 requested)	Ward End	Ward End
2	5/3/20	Rafiq Ayaz Smethwick	Food Safety and Hygiene (England) Regulations 2013 Pleaded guilty to five offences; relating to conditions at Lazzat Bakery, 415 Bordesley Green, Birmingham. There was evidence of mouse activity throughout the premises. Packets of ready to eat food items which were on display for sale had been damaged by pests. The premises were not kept clean. Articles, fittings and equipment were not effectively cleaned or disinfected. Mouse droppings were found on shelves used to store food items, on cleaning cloths and on a food tray used for bread dough preparation. gaps and holes were found in the structure of the premises which could allow access to pests.	£500 – offence 1 No separate penalty for remaining offences £1,000 costs (£1,547 requested)	Out of area	Bordesley Green

3	6/3/20	Sarah Healy Retail Limited Cosy Cottage The Street Shimpling Bury St Edmunds IP29 4HS	Food Safety and Hygiene (England) Regulations 2013 Found guilty in their absence of three offences relating to conditions found at Baguette Du Monde, Unit Su 746, St Martins Walk, Upper Mall East, The Bullring, Birmingham. There was evidence of mouse activity throughout the premises, mouse droppings were found on surfaces where food packaging was kept, on food equipment and in the customer seating area. The premises were not kept clean, mouse droppings were found at floor/wall junctions around the perimeter of the business, debris and accumulations of dust were found on the floor and under the serving counter. Articles, fittings and equipment were not effectively cleaned or disinfected.	£15,000 £1,233 costs (£1,233 requested)	Out of area	Ladywood
---	--------	--	--	---	-------------	----------

LITTER OFFENCES – SJP

	Date Case Heard	Name	Fine/Penalty & Costs	Ward of defendant
4	10/3/20	Sohail Ali Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Tyseley & Hay Mills
5	10/3/20	Shiak Aziz Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Alum Rock
6	10/3/20	Laurentiu Marian Barbu Walsall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
7	10/3/20	Rhyeem Bembridge West Bromwich Guilty Plea	£40 £40 costs (£175 requested)	Out of area
8	10/3/20	Chen Jin Bing Walsall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
9	10/3/20	Peter Bryant Romford Proved in Absence	£220 £175 costs (£175 requested)	Out of area

10	10/3/20	Stuart Cappell Telford Proved in Absence	£220 £175 costs (£175 requested)	Out of area
11	10/3/20	Lindsay Clifton Norwich Guilty Plea	£238 £175 costs (£175 requested)	Out of area
12	10/3/20	Cristian Coverga Oldbury Proved in Absence	£220 £175 costs (£175 requested)	Out of area
13	10/3/20	Jorge Cuibell Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Bordesley & Highgate
14	10/3/20	Paul Deeley Coventry Proved in Absence	£220 £175 costs (£175 requested)	Out of area
15	10/3/20	David James Dunn Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Shard End
16	10/3/20	Danielle Dutton Walsall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
17	10/3/20	Cezara Diana Ferencz Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Bordesley & Highgate

18	10/3/20	Ayyub Ibrahim Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Druids Heath & Monyhull
19	10/3/20	Karzan Ibrihim London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
20	10/3/20	Riwan Al Jabri Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood
21	10/3/20	Lloyd Kalari London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
22	10/3/20	Robert Kesterton Redditch Proved in Absence	£220 £175 costs (£175 requested)	Out of area
23	10/3/20	Konrad Kozlowski Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Billesley
24	10/3/20	Daniel Lowe Smethwick Proved in Absence	£220 £175 costs (£175 requested)	Out of area
25	10/3/20	Bartloniej Ludwik Oldbury Proved in Absence	£220 £175 costs (£175 requested)	Out of area

26	10/3/20	Fayaz Mehri Walsall Guilty Plea	£146 £75 costs (£175 requested)	Out of area
27	10/3/20	Sergejs Morozs Birmingham Proved in Absence	£220 £175 costs (£175 requested)	North Edgbaston
28	10/3/20	Ali Mousa Birmingham Proved in Absence	£220 £175 costs (£175 requested)	South Yardley
29	10/3/20	Taha Mouzugh London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
30	10/3/20	Christian Mulveagh Cheltenham Guilty Plea	£153 £175 costs (£175 requested)	Out of area
31	10/3/20	Zahra Najimi Walsall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
32	10/3/20	Marian Nechifor Meriden Proved in Absence	£220 £175 costs (£175 requested)	Out of area
33	10/3/20	Alim Nemciuc Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Heartlands

34	10/3/20	Viorel Nita Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Sparkhill
35	10/3/20	Lynne Norledge Birmingham Guilty Plea	£146 £175 costs (£175 requested)	Weoley & Selly Oak
36	10/3/20	Lewis Oldham Meriden Guilty Plea	£40 £40 costs (£175 requested)	Out of area
37	10/3/20	Suchita Patel London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
38	10/3/20	Hannah Pearce Halesowen Proved in Absence	£220 £175 costs (£175 requested)	Out of area
39	10/3/20	Sarah Jane Preston Warwick Guilty Plea	£40 £40 costs (£175 requested)	Out of area
40	10/3/20	Paul Gonzalez Proctor Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood
41	10/3/20	Osu Rostas Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Stockland Green

42	10/3/20	Danielle Schofield Bedworth Proved in Absence	£220 £175 costs (£175 requested)	Out of area
43	10/3/20	Shahin Seifian London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
44	10/3/20	Jantar Singh Southall Proved in Absence	£220 £175 costs (£175 requested)	Out of area
45	10/3/20	Melanie Smith Bedworth Proved in Absence	£220 £175 costs (£175 requested)	Out of area
46	10/3/20	Tia Twilley London Proved in Absence	£220 £175 costs (£175 requested)	Out of area
47	10/3/20	Abdul Wahid Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Sparkhill
48	10/3/20	Li Jia Wei Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood
49	10/3/20	Daniel Woodcock Scunthorpe Proved in Absence	£220 £175 costs (£175 requested)	Out of area

50	10/3/20	Jianting Yao Birmingham Proved in Absence	£220 £175 costs (£175 requested)	Ladywood
51	10/3/20	Taufan Pratama Zasya Coventry Proved in Absence	£220 £175 costs (£175 requested)	Out of area

LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE

Date Cases Heard	Total Number of Cases	Total Fines imposed	Total Costs awarded	Total Costs requested
10/3/20	48	£10,043	£7,620	£8,400

LITTERING OFFENCES – NON SINGLE JUSTICE PROCEDURE

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
52	6/3/20	Edward Royall London	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to one offence of dropping litter outside New Street Station on Stephenson Street, Birmingham. Found guilty after trial	£100 £80 costs (£579 requested)	Out of area	Ladywood

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During the period of March 2020 no simple cautions were administered.

LICENSING CASES**APPENDIX 2**

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
53	4/3/20	Aftab Hamid Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988 Pleaded guilty to two offences; one of plying for hire on Smallbrook Queensway, Birmingham and one of consequently having invalid insurance.	£240 – no insurance 8 penalty points No separate penalty for plying £600 costs (£1,213 requested)	Brandwood & Kings Heath	Ladywood
54	5/3/20	Mohammed Azmat Khan Birmingham	Local Government (Miscellaneous Provisions) Act 1976 Pleaded guilty to one offence of being a licensed operator and failing to comply with a condition of his operator's licence in respect of Falcon Harborne Amber Cars in that a nominated manager was not left in charge of the premises at 211 Monument Road, Birmingham and documentation in respect of private hire vehicles operated by the company could not be produced to licensing officers during their inspection.	£300 £300 costs (£580 requested)	Stockland Green	Ladywood
55	9/3/20	Mohammed Afzal Ghouse Birmingham	Criminal Justice and Public Order Act 1994 Pleaded guilty to one offence of soliciting people to hire a vehicle outside Dirty Martinis in Bennetts Hill, Birmingham.	6 month conditional discharge £1,200 costs (£2,521 requested)	Sparkhill	Ladywood

56	16/3/20	Muhammed Zubair Birmingham	<p>Town Police Clauses Act 1847 Road Traffic Act 1988 Local Government (Miscellaneous Provisions) Act 1976 Public Order Act 1986</p> <p>Pleaded <u>not guilty</u> to four offences; one of plying for hire on Hurst Street, Birmingham, one of consequently having invalid insurance, one of failing to disclose a previous conviction on an application form for a private hire drivers' licence and one of using insulting words and behaviour towards two passengers causing them harassment, alarm and distress.</p> <p>Found guilty after trial.</p>	<p>£100 – plying + 8 penalty points – no insurance offence</p> <p>No separate penalty for LGMPA offence</p> <p>£300 compensation to complainants for Public Order offence.</p> <p>£100 costs (£2,297 requested)</p>	Sparkhill	Ladywood
----	---------	-------------------------------	---	---	-----------	----------

LICENSING SIMPLE CAUTIONS

During March 2020 no simple cautions were administered

There were no Trading Standards prosecutions finalised in March 2020.

TRADING STANDARDS SIMPLE CAUTIONS

During March 2020 one simple caution was administered.

Trade Marks Act 1994

One caution was issued for having in possession custody or control in the course of a business goods which bore a sign identical to or likely to be mistaken for registered trademarks.

WASTE ENFORCEMENT CASES

	Date Case Heard	Name & Address	Offence details (including Legislation)	Fine/Penalty & Costs	Ward of defendant	Ward - Offence committed
57	5/3/20	Dennis Moloney Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from More 4 Less, 177 Church Road, South Yardley, Birmingham was disposed of within 7 days.	6 month conditional discharge £150 costs (£338 requested)	Yardley East	Yardley East
58	5/3/20	NVision Ltd 4 Bargate Drive Wolverhampton WV6 0QW	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to comply with a notice requiring written information of how waste from NVision Opticians, 205 Birchfield Road, Perry Barr, Birmingham was disposed of within 7 days.	£400 £679 costs (£679 requested)	Out of area	Aston
59	5/3/20	PLTT Traders Ltd Bridge House 9-13 Holbrook Lane Coventry CV6 4AD	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to comply with a notice requiring written information of how waste from Weoley Castle Costcutter, 159 Weoley Castle Road, Birmingham was disposed of within 7 days.	£600 £503 costs (£503 requested)	Out of area	Weoley & Selly Oak
60	5/3/20	UK Zabka (Erdington) Ltd 270 High Street Birmingham B23 6SN	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to comply with a notice requiring written information of how waste from UK Zabka, 270 High Street, Erdington, Birmingham was disposed of within 7 days.	£600 £644 costs (£644 requested)	Erdington	Erdington

61	6/3/20	Shade E Vaping Ltd 183 Church Road Birmingham B25 8UR	Environmental Protection Act 1990 Found guilty in their absence of one offence of failing to prevent controlled waste being deposited next to a street litter bin on Church Road, Birmingham, in that three full refuse sacks containing business waste from Shade E Vaping, 183 Church Road were found on Church Road, Birmingham.	£1,600 £876 costs (£876 requested)	Yardley East	Yardley East
62	6/3/20	Deon Luke Dixon Birmingham	Environmental Protection Act 1990 Pleaded <u>not guilty</u> to two offences; one offence of knowingly causing controlled waste, namely a large fridge freezer and a laundry type bag full of garden waste, to be deposited from a vehicle onto land on Priory Road, Aston, Birmingham and one offence of failing to comply with a notice requiring the details of the person in control of the vehicle on the date of offence. Found guilty after trial.	£200 £160 clean-up costs (£1,346 requested)	Garretts Green	Nechells
63	9/3/20	Parvez Arshad Birmingham	Environmental Protection Act 1990 Pleaded guilty to one offence of failing to comply with a notice requiring written information of how waste from Madina Halal Meat, 800 Stratford Road, Sparkhill, Birmingham was disposed of within 7 days. Originally listed for trial.	£626 £550 costs (£550 requested)	South Yardley	Sparkhill

64	20/3/20	Inspire Jewellers Ltd 92 Vyse Street Birmingham B18 6JZ	<p>Environmental Protection Act 1990</p> <p>Found guilty in their absence of two offences; one of depositing or knowingly causing controlled waste, namely two bags containing paper cups, plastic drink bottles, food packaging and documents, to be deposited on Vyse Street, Birmingham and one of failing to comply with a notice requiring written information of how waste from the business was disposed of within 7 days.</p> <p>Originally listed for trial.</p>	<p>£2,000 On 1st offence</p> <p>No separate penalty on 2nd offence</p> <p>£1,754 costs (£1,754 requested)</p>	Soho & Jewellery Quarter	Soho & Jewellery Quarter
----	---------	--	---	---	-----------------------------	-----------------------------

WASTE ENFORCEMENT SIMPLE CAUTIONS

No simple cautions were administered during March 2020.

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – MARCH 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	4	0	0	0	0	0	0	4
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	1	48	0	0	0	0	0	0	49
Environmental Health (including WEU)	0	1	1	2	4	1	0	0	0	2	0	11
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – MARCH 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	1	2	0	0	0	0	1	0	0	0	4
Environmental Health (FPNs) Not paid and prosecuted	0	1	2	3	7	1	0	2	0	2	31	49
Environmental Health (including WEU)	0	1	0	1	1	0	0	0	0	4	4	11
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-MARCH 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	1	1	0	19	0	0	0	3	0	0	27
Environmental Health (FPNs) Not paid and prosecuted	0	1	0	1	673	0	0	2	0	0	0	677
Environmental Health (including WEU)	2	9	23	26	44	5	9	6	3	7	0	134
Trading Standards	0	0	0	2	4	1	5	0	2	3	0	17

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL-MARCH 2020

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	2	3	3	2	7	0	4	1	0	1	4	27
Environmental Health (FPNs) Not paid and prosecuted	37	32	31	39	78	20	39	27	4	25	345	677
Environmental Health (including WEU)	2	14	20	22	28	0	10	6	1	9	22	134
Trading Standards	0	0	1	2	2	1	5	1	1	3	1	17

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL 2019 – MARCH 2020

Waste Investigation Outcomes													
	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	64	97	93	94	92	83	127	123	26	86	84	44	1013
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	37	59	64	51	45	50	76	60	12	51	60	24	589
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	7	9	39	37	10	36	39	25	9	25	19	13	268
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences(£80)	0	0	0	0		0	0	0	0	0	0	0	0
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	4	7	4	7	4	10	6	8	4	6	4	5	69
Prosecutions													
Number of prosecution files submitted to legal services, (number produced quarterly.	13	10	35	9	9	7	13	11	4	7	6	5	129

PENALTY CHARGE NOTICES ISSUED FOR PARKING ON TAXI RANKS
APRIL 2019 – MARCH 2020

Monthly Parking Pcn's Issue for Current Financial Year (excludes voids)	Processing	Monthly Parking Pcn's Issue for Current Financial Year (excludes voids)	Processing	Monthly Parking Pcn's Issue for Current Financial Year (excludes voids)	Processing
April 2019	201	May 2019	224	June 2019	223
Aberdeen Street Winson Green	1	Aberdeen Street Winson Green	24	Aberdeen Street Winson Green	21
Alcester Street Digbeth	8	Alcester Street Digbeth	2	Alcester Street Digbeth	5
Aston Street	3	Aston Street	6	Aston Street	3
Bennetts Hill City Centre	36	Bennetts Hill City Centre	22	Bennetts Hill City Centre	22
Berkley Street City Centre	1	Berkley Street City Centre	1	Birmingham Road, Sutton Coldfield	1
Bishopsgate Street City Centre	23	Bishopsgate Street City Centre	12	Bishopsgate Street City Centre	36
Bradford Street Sparkbrook	1	Bridge Street City Centre	8	Bridge Street City Centre	7
Bridge Street City Centre	6	Broad Street City Centre	1	Cambridge Street City Centre	2
Bull Street City Centre	1	Cambridge Street City Centre	1	Colmore Row City Centre	1
Colmore Circus Queensway City Centre	1	Colmore Row City Centre	3	Corporation Street City Centre	4
Colmore Row City Centre	2	Corporation Street City Centre	1	Coventry Road Yardley	1
Corporation Street City Centre	2	Dale End City Centre	8	Dale End City Centre	5
Coventry Road Yardley	2	Digbeth Digbeth	3	Digbeth Digbeth	2
Dale End City Centre	5	Dudley Street City Centre	1	Dudley Street City Centre	1
Dalton Street	1	Edgbaston Street City Centre	8	Edgbaston Street City Centre	5
Digbeth Digbeth	4	Edmund Street City Centre	1	Granville Street City Centre	1
Edgbaston Street City Centre	12	Granville Street City Centre	5	Great Colmore Street	1
Edmund Street City Centre	4	High Street Erdington	1	Great Colmore Street City Centre	6
Gas Street, City Centre	4	Hill St City Centre	9	Hill St City Centre	6
Granville Street City Centre	2	Hinckley Street City Centre	5	Hinckley Street City Centre	1
Great Colmore Street	1	Institute Road Kings Heath	8	Holt Street	1
Great Colmore Street City Centre	4	King Edwards Road City Centre	2	Hurst Street City Centre	1

High Street City Centre	1	Mill Street Sutton Coldfield	1	Institute Road Kings Heath	12
Hill St City Centre	2	Pebble Mill Road Edgbaston	5	Mill Street Nechells	1
Hinckley Street City Centre	1	Rochester Road	3	Mill Street Sutton Coldfield	1
Hurst Street City Centre	1	Smallbrook Queensway	6	New Street City Centre	1
Institute Road Kings Heath	3	St Marys Row Moseley	2	Pebble Mill Road Edgbaston	6
Oozells Street City Centre	1	St Pauls Square City Centre	2	Rochester Road	3
Pebble Mill Road Edgbaston	1	Station Street City Centre	5	Royal Mail Street City Centre	2
Rochester Road	5	Steelhouse Lane City Centre	10	Smallbrook Queensway	7
Royal Mail Street City Centre	1	Summer Row City Centre	10	St Marys Row Moseley	5
Smallbrook Queensway	5	Temple Row City Centre	7	St Pauls Square City Centre	1
St Marys Row Moseley	3	Temple Row West City Centre	1	Station Street City Centre	5
St Pauls Square City Centre	2	Theatre Approach City Centre	25	Steelhouse Lane City Centre	4
Station Street City Centre	6	Thorp Street City Centre	12	Summer Row City Centre	7
Steelhouse Lane City Centre	13	Waterloo Street City Centre	1	Temple Row City Centre	4
Summer Row City Centre	2	Woodcock Street City Centre	2	Theatre Approach City Centre	23
Temple Row City Centre	1			Thorp Street City Centre	6
Theatre Approach City Centre	20			Warstone Lane	2
Thorp Street City Centre	4				
Warstone Lane	2				
Waterloo Street City Centre	3				
July 2019	210	August 2019	260	September 2019	200
Aberdeen Street Winson Green	24	Aberdeen Street Winson Green	11	Aberdeen Street Winson Green	27
Alcester Street Digbeth	1	Alcester Street Digbeth	14	Alcester Street Digbeth	4
Aston Street	2	Aston Street	1	Bennetts Hill City Centre	30
Bennetts Hill City Centre	19	Bennetts Hill City Centre	25	Berkley Street City Centre	2
Berkley Street City Centre	1	Berkley Street City Centre	10	Bishopsgate Street City Centre	14
Bishopsgate Street City Centre	27	Bishopsgate Street City Centre	25	Bridge Street City Centre	1
Bridge Street City Centre	8	Bradford Street Sparkbrook	1	Cambridge Street City Centre	2
Cambridge Street City Centre	1	Bridge Street City Centre	5	Colmore Circus Queensway City Centre	1
Colmore Row City Centre	2	Cambridge Street City Centre	1	Colmore Row City Centre	4
Corporation Square City Centre	1	Colmore Row City Centre	3	Corporation Street City Centre	8
Corporation Street City Centre	4	Corporation Square City Centre	1	Dale End City Centre	6
Dale End City Centre	2	Corporation Street City Centre	3	Dalton Street	1

Dalton Street	1	Dale End City Centre	4	Digbeth Digbeth	3
Digbeth Digbeth	2	Digbeth Digbeth	1	Dudley Street City Centre	1
Edgbaston Street City Centre	4	Dudley Street City Centre	1	Edgbaston Street City Centre	10
Edmund Street City Centre	4	Edgbaston Street City Centre	9	Edmund Street City Centre	2
Great Colmore Street City Centre	3	Edmund Street City Centre	1	Gas Street, City Centre	1
Hill St City Centre	3	Granville Street City Centre	6	Gloucester Street, City Centre	1
Hinckley Street City Centre	1	Great Colmore Street City Centre	6	Granville Street City Centre	3
Institute Road Kings Heath	6	High Street City Centre	1	Great Colmore Street City Centre	4
Pebble Mill Road Edgbaston	10	High Street Erdington	1	High Street Erdington	1
Smallbrook Queensway	6	Hill St City Centre	9	Hurst Street City Centre	1
St Pauls Square City Centre	6	Hinckley Street City Centre	5	Institute Road Kings Heath	7
Station Street City Centre	11	Horse Fair City Centre	1	Mill Street Sutton Coldfield	1
Steelhouse Lane City Centre	6	Institute Road Kings Heath	6	Pebble Mill Road Edgbaston	2
Summer Row City Centre	3	King Edwards Road City Centre	1	Rochester Road	3
Temple Row City Centre	9	Livery Street Jewellery Quarter	1	Smallbrook Queensway	7
Theatre Approach City Centre	30	Pebble Mill Road Edgbaston	11	St Marys Row Moseley	4
Thorp Street City Centre	11	Rochester Road	4	St Pauls Square City Centre	1
Warstone Lane	1	Smallbrook Queensway	9	Station Street City Centre	5
Woodcock Street City Centre	1	St Mary's Row	1	Steelhouse Lane City Centre	2
		St Marys Row City Centre	1	Summer Row City Centre	1
		St Marys Row Moseley	6	Temple Row City Centre	9
		St Pauls Square City Centre	3	Temple Street City Centre	1
		Station Street City Centre	6	Theatre Approach City Centre	20
		Steelhouse Lane City Centre	2	Thorp Street City Centre	6
		Summer Row City Centre	3	Warstone Lane	1
		Temple Row City Centre	4	Waterloo Street City Centre	2
		Theatre Approach City Centre	41	Woodcock Street City Centre	1
		Thorp Street City Centre	9		
		Warstone Lane	3		
		Waterloo Street City Centre	3		
		Woodcock Street City Centre	1		

October 2019	328	November 2019	273	December 2019	259
Aberdeen Street Winson Green	29	Aberdeen Street Winson Green	22	Aberdeen Street Winson Green	38
Alcester Street Digbeth	4	Alcester Street Digbeth	3	Alcester Street Digbeth	2
Aston Street	7	Aston Street	1	Bennetts Hill City Centre	6
Bennetts Hill City Centre	47	Bennetts Hill City Centre	1	Berkley Street City Centre	8
Berkley Street City Centre	5	Berkley Street City Centre	7	Bishopsgate Street City Centre	26
Bishopsgate Street City Centre	25	Bishopsgate Street City Centre	18	Bridge Street City Centre	7
Bradford Street Sparkbrook	1	Bridge Street City Centre	3	Cambridge Street City Centre	2
Bridge Street City Centre	4	Brindley Drive City Centre	1	Colmore Row City Centre	2
Bull Street City Centre	1	Cambridge Street City Centre	3	Corporation Street City Centre	5
Cambridge Street City Centre	3	Colmore Row City Centre	3	Dale End City Centre	1
Colmore Row City Centre	5	Corporation Street City Centre	12	Digbeth Digbeth	3
Corporation Street City Centre	11	Coventry Road Yardley	1	Edgbaston Street City Centre	13
Dale End City Centre	9	Dale End City Centre	8	Edmund Street City Centre	1
Digbeth Digbeth	3	Digbeth Digbeth	3	Gas Street, City Centre	3
Edgbaston Street City Centre	5	Dudley Street City Centre	2	Granville Street City Centre	7
Edmund Street City Centre	2	Edgbaston Street City Centre	8	Great Colmore Street City Centre	2
Gas Street, City Centre	1	Edmund Street City Centre	2	High Street Erdington	1
Granville Street City Centre	9	Granville Street City Centre	11	Hill St City Centre	4
Great Colmore Street	1	Great Colmore Street	2	Hinckley Street City Centre	4
Great Colmore Street City Centre	13	Great Colmore Street City Centre	8	Horse Fair City Centre	1
High Street Erdington	1	High Street City Centre	1	Hurst Street City Centre	1
Hill St City Centre	2	High Street Erdington	1	Institute Road Kings Heath	13
Hinckley Street City Centre	3	High Street, Digbeth	1	Kettlehouse Road Great Barr	1
Institute Road Kings Heath	9	Hill St City Centre	4	King Edwards Road City Centre	2
Lower Essex Street City Centre	1	Hinckley Street City Centre	2	Mill Street Sutton Coldfield	2
Moor Street Queensway	1	Institute Road Kings Heath	15	Oozells Street City Centre	1
Navigation Street City Centre	3	Institute Road Moseley	3	Pebble Mill Road Edgbaston	5
Parade Sutton Coldfield	3	King Edwards Road City Centre	1	Queen Street Sutton Coldfield	1
Pebble Mill Road Edgbaston	3	Mill Street Sutton Coldfield	2	Rochester Road	5
Rochester Road	1	Parade Sutton Coldfield	1	Smallbrook Queensway	15
Royal Mail Street City Centre	1	Pebble Mill Road Edgbaston	7	St Marys Row Moseley	2
Smallbrook Queensway	11	Rochester Road	7	St Pauls Square City Centre	5
St Marys Row Moseley	2	Royal Mail Street City Centre	1	Station Street City Centre	7

St Pauls Square City Centre	6	Smallbrook Queensway	10	Steelhouse Lane City Centre	15
Station Street City Centre	8	St Marys Row Moseley	5	Summer Row City Centre	16
Steelhouse Lane City Centre	12	St Pauls Square City Centre	7	Temple Row City Centre	6
Suffolk Street Queensway Ladywood	1	Station Street City Centre	3	Theatre Approach City Centre	18
Summer Row City Centre	8	Steelhouse Lane City Centre	11	Thorp Street City Centre	2
Temple Row City Centre	13	Summer Row City Centre	25	Waterloo Street City Centre	1
Temple Row West City Centre	1	Temple Row City Centre	12	Woodcock Street City Centre	5
Theatre Approach City Centre	37	Theatre Approach City Centre	25		
Thorp Street City Centre	8	Thorp Street City Centre	6		
Warstone Lane	2	Warstone Lane	3		
Woodcock Street City Centre	6	Woodcock Street City Centre	1		
January 2020	316	February 2020	333	March 2020	183
Aberdeen Street Winson Green	25	Aberdeen Street Winson Green	34	Aberdeen Street Winson Green	14
Aston Street	3	Aston Street	2	Bennetts Hill City Centre	8
Bennetts Hill City Centre	35	Barwick Street City Centre	1	Berkley Street City Centre	4
Berkley Street City Centre	5	Bennetts Hill City Centre	33	Bishopsgate Street City Centre	33
Bishop Street, Ladywood	2	Berkley Street City Centre	9	Bridge Street City Centre	5
Bishopsgate Street City Centre	29	Bishopsgate Street City Centre	59	Colmore Row City Centre	7
Bridge Street City Centre	9	Bridge Street City Centre	6	Corporation Street City Centre	8
Cambridge Street City Centre	2	Cambridge Street City Centre	2	Coventry Road Yardley	1
Cliveland Street Newtown	1	Colmore Row City Centre	3	Dale End City Centre	1
Colmore Row City Centre	2	Corporation Street City Centre	12	Digbeth Digbeth	1
Corporation Street City Centre	12	Dale End City Centre	7	Edgbaston Street City Centre	8
Dale End City Centre	5	Dalton Street	1	Fleet Street City Centre	1
Digbeth Digbeth	6	Digbeth Digbeth	1	Gas Street, City Centre	1

Dudley Street City Centre	2	Dudley Street City Centre	2	Granville Street City Centre	1
Edgbaston Street City Centre	9	Edgbaston Street City Centre	2	Great Colmore Street City Centre	2
Gas Street, City Centre	5	Edmund Street City Centre	4	High Street Erdington	1
Granville Street City Centre	7	Gas Street, City Centre	3	Hill St City Centre	2
Great Colmore Street City Centre	1	Great Colmore Street City Centre	2	Hinckley Street City Centre	2
High Street City Centre	1	High Street City Centre	1	Horse Fair City Centre	1
Hill St City Centre	6	Hill St City Centre	7	Institute Road Kings Heath	9
Hinckley Street City Centre	2	Hinckley Street City Centre	4	Livery Street Jewellery Quarter	1
Horse Fair City Centre	4	Horse Fair City Centre	1	Rochester Road	3
Hurst Street City Centre	2	Hurst Street City Centre	3	Smallbrook Queensway	9
Institute Road Kings Heath	20	Institute Road Kings Heath	6	St Mary's Row	1
Kettlehouse Road Great Barr	1	Lionel Street (Jewellery Quarter)	1	St Marys Row Moseley	1
King Edwards Road City Centre	1	Navigation Street City Centre	2	St Pauls Square City Centre	6
Livery Street Jewellery Quarter	1	Oozells Street City Centre	1	Station Street City Centre	3
Lower Essex Street City Centre	2	Pebble Mill Road Edgbaston	1	Station Street Sutton Coldfield	1
Mill Street Sutton Coldfield	1	Rochester Road	1	Steelhouse Lane City Centre	6
Navigation Street City Centre	2	Royal Mail Street City Centre	1	Summer Row City Centre	7
New Street City Centre	1	Smallbrook Queensway	13	Temple Row City Centre	7
Parade Sutton Coldfield	1	St Mary's Row	1	Tennant Street City Centre	1
Pebble Mill Road Edgbaston	2	St Marys Row Moseley	3	Theatre Approach City Centre	15
Rochester Road	1	St Pauls Square City Centre	10	Thorp Street City Centre	8
Smallbrook Queensway	10	Station Street City Centre	8	Waterloo Street City Centre	1

St Marys Row Moseley	3	Steelhouse Lane City Centre	13	Woodcock Street City Centre	3
St Pauls Square City Centre	3	Summer Row City Centre	11		
Station Street City Centre	6	Temple Row City Centre	1		
Steelhouse Lane City Centre	14	Theatre Approach City Centre	38		
Summer Row City Centre	4	Thorp Street City Centre	20		
Temple Row City Centre	15	Warstone Lane	1		
Theatre Approach City Centre	35	Waterloo Street City Centre	1		
Thorp Street City Centre	15	Woodcock Street City Centre	1		
Waterloo Street City Centre	2				
Woodcock Street City Centre	1				

Total 1st April 2019 – 31st March 2020 – 3,010

BIRMINGHAM CITY COUNCIL

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

30 September 2020
ALL WARDS

**ACTION TAKEN BY THE CHAIR OF THE LICENSING
& PUBLIC PROTECTION COMMITTEE:**
January to August 2020

1. Summary
 - 1.1 This report advises the Committee of action taken by the Chair under authority from the Licensing & Public Protection Committee, together with an explanation as to why this authority was used.
2. Recommendation
 - 2.1 That the report be noted.

Contact Officer: Sajeela Naseer, Head of Licensing and Markets
Telephone: 0121 303 6112
E-mail: sajeela.naseer@birmingham.gov.uk

3. Background Information

- 3.1 On 16 March 2007 Section 52 of the Road Safety Act 2006 came into force. This has had the effect of enabling a licensing authority to suspend or revoke a hackney carriage or private hire driver's licence with immediate effect – meaning that the suspension or revocation takes effect immediately once notice of the authority's decision has been given to the driver – where this decision is considered necessary in the interests of public safety.

4. Summary of Action Taken for January to August 2020 – Immediate Suspension/Revocations

- 4.1 On 26 February 2020 authority was sought to suspend with immediate effect the private hire driver licence held by driver reference 107497. On 26 February 2020 the Licensing Section received information from West Midlands Police that the driver was under investigation for an offence of rape.
- 4.2 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 26 February 2020 notice was hand delivered personally to driver 107497's last known address, advising that his private hire driver licence was suspended with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 4.3 On 10 March 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 99321. On 10 March 2020 the Licensing Enforcement Section received information to the effect that the driver has been arrested for an allegation of assault.
- 4.4 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 28 October 2019 notice was hand delivered personally to driver 63728's last known address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 4.5 On 17 April 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 81033. On 17 April 2020 the Licensing Enforcement Section received information to the effect that the driver has been arrested for an allegation of assault.
- 4.6 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 8 November 2019 notice was hand delivered personally to driver 105265's last known address, advising that his private hire driver licence was suspended with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

- 4.7 On 26 April 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 5919. On 26 April 2020 the Licensing Enforcement Section received information to the effect that the driver has been arrested for an allegation of harassment and distributing sexual images.
- 4.8 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 26 April 2020 notice was hand delivered personally to driver 5919's last known address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 4.9 On 07 May 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 19285. On 26 April 2020 the Licensing Enforcement Section received information to the effect that the driver has been arrested for an allegation of serious sexual offences.
- 4.10 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 11 May 2020 notice was hand delivered personally to driver 19285's last known address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 4.11 On 07 August 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 6713. On 07 August 2020 the Licensing Enforcement Section received information to the effect that the driver has been arrested for an allegation of serious sexual offences.
- 4.12 The interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 07 August 2020 notice was hand delivered personally to driver 6731's last known address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
5. Summary of Action Taken for January to August 2020 – COVID-19
- 5.1 On 9 April 2020 authority was given for changes to the Licensing Policy in response to the COVID-19 pandemic. Appendix 1
- 5.2 On 10 June 2020 authority was given for further changes to the Licensing Policy in response to the COVID-19 pandemic. This report was presented to informal Licensing and Public Protection Committee on the same date. Appendix 1.

6. Implications for Resources

- 6.1 No specific implications have been identified; however, drivers retain the right to appeal through a Magistrates' Court, which may result in the imposition of costs either to or against the City Council.

7. Implications for Policy Priorities

- 7.1 The contents of the report contribute to the City Council's Licensing Policy priority of improving the standards of licensed vehicles, people and premises in the City.
- 7.2 The issues addressed in this report relate to the City Council priorities of: Birmingham is an entrepreneurial city to learn, work and invest in, and Birmingham is a great city to live in.

8. Public Sector Equality Duty

- 8.1 The actions identified in this report were taken in accordance with the Regulatory and Enforcement's enforcement policy, which ensures that equality issues have been addressed.

INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT

Amendments in response to COVID-19.

A. Agreed Amendments

Service Area	Amendment	Status
HCPH	Where a driver or vehicle licence due for renewal during this period of imposed restrictions ('lockdown') expires, the licence holder will, once the lockdown has ended, be permitted to apply for a 'late renewal'. Once the lockdown is over, and trade begins to recover, licence holders will then be able to submit an application to, to all intents and purposes, resurrect their previous licence without undertaking additional tests. They WILL still be required to fulfil any suitability requirements as to MOT's, medicals and DBS checks where appropriate.	Agreed April 2020 Temporary
	<i>For clarification, this should have also stated that such a transaction would be carried out at the standard renewal fee and will not be required to be put before a committee for determination.</i>	For decision Temporary
	Where a hackney carriage vehicle licence expires as a result of the circumstances detailed above, the licence holder will be permitted to 'renew' the licence unimpeded by the moratorium. There will be no effective increase in the number of vehicles in operation, and so the moratorium should not be applied in these circumstances.	Agreed April 2020 Temporary
<p>See also existing policies MitEx1-7:</p> <p>A limited exemption from the moratorium on the issue of new hackney carriage vehicle licences can be allowed for proprietors of hackney carriage vehicles who surrender or allow their vehicle licence to expire between 1 January 2019 and 1 January 2021, to the effect they may apply for the grant of a new hackney carriage vehicle licence irrespective of any moratorium requirement, so long as the applicant meets all of the qualifying criteria. The vehicle must be of a suitable type and all licensing prerequisites applicable at the time of licensing must be complied with.</p>		
General Licensing (all)	Applications for licences administered by the General Licensing team are to be submitted electronically, either using the EGov platform, or by email.	Agreed April 2020
General Licensing (LA2003)	Details of new Licence Applications (LA2003) are to be circulated to elected members and posted onto the website in acknowledgement of the potential impact of lockdown arrangements on the efficacy of the 'blue notice' process.	Agreed April 2020 Temporary

BIRMINGHAM CITY COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE

12 FEBRUARY 2020

SCHEDULE OF OUTSTANDING MINUTES

MINUTE NO./DATE	SUBJECT MATTER	COMMENTS
1231 23/10/2019	<u>Update Report On Unauthorised Encampments</u> – The Assistant Director of Regulation and Enforcement be requested to report further in three months' time to update on the various work items contained within the report.	See agenda Item No. 7 To be discharged

