

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING AND PUBLIC PROTECTION COMMITTEE**

**WEDNESDAY, 13 JANUARY 2021 AT 10:30 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

*Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.*

### **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](http://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.

**3 - 18**

**4     LPPC 2020-21 QUARTER 2 BUDGET REPORT**

The report of the Interim Assistant Director of Regulation & Enforcement

**19 - 20**

**5     DELIVERY OF AN EU SETTLEMENT SCHEME CHECKING SERVICE BY BIRMINGHAM REGISTER OFFICE**

The report of Interim Assistant Director of Regulation & Enforcement

**21 - 40**

**6     IMLT UPDATE REPORT - DECEMBER 2020**

The report of Interim Assistant Director Regulation & Enforcement

**41 - 56**

7 **REGULATION & ENFORCEMENT ACTIVITY REPORT - OCT & NOV 2020**

The report of Interim Assistant Director of Regulation & Enforcement

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8 **PROSECUTIONS & CAUTIONS - SEPT & OCT 2020**

The report of Interim Assistant Director of Regulation & Enforcement

**91 - 94**

9 **CHAIRS AUTHORITY REPORT - OCT & NOV 2020**

The report of Interim Assistant Director of Regulation & Enforcement

10 **DATE AND TIME OF NEXT MEETING**

To agree a date and time.

11 **OTHER URGENT BUSINESS**

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.

12 **AUTHORITY TO CHAIRMAN AND OFFICERS**

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'.

13 **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 6

**P R I V A T E   A G E N D A**

1 **PUBLIC HEALTH UPDATE**

- 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.

<b>Report to:</b>	<b>LICENSING AND PUBLIC PROTECTION COMMITTEE</b>	
<b>Report of:</b>	<b>INTERIM ASSISTANT DIRECTOR REGULATION AND ENFORCEMENT AND INTERIM DIRECTOR FINANCE</b>	
<b>Date of Decision:</b>	<b>13 JANUARY 2021</b>	
<b>SUBJECT:</b>	<b>LICENSING AND PUBLIC PROTECTION BUDGET MONITORING 2020/21 - QUARTER 2</b>	

<b>1. Purpose of Report:</b>
<p>1.1 This report sets out the position on the Licensing and Public Protection Committee's Revenue and Capital Budgets at the end of September 2020 (Quarter 2) and the forecast position for the year end. It highlights any issues that have arisen and informs the Licensing and Public Protection Committee of any action being taken to contain spending within the approved cash limits.</p> <p>1.2 The report also details the latest performance within the Licensing and Public Protection Committee including progress against the approved Savings Programme for 2020/21.</p> <p>1.3 The report is in line with the current City Council established financial monitoring framework to ensure that expenditure is managed within cash limits.</p>

<b>2. Decision(s) Recommended:</b>
<p>The Licensing and Public Protection Committee is requested to :</p> <p>2.1 Note the latest Revenue budget position at the end of September 2020 (Quarter 2) including Forecast Outturn and COVID-19 response implications as detailed in Appendix 1.</p> <p>2.2 Note the analysis of both COVID-19 and Non-COVID-19 related pressures as set out in Appendix 2</p> <p>2.3 Note the position for the Savings Programme for 2020/21 as detailed in Appendix 3.</p> <p>2.4 Note the position on Capital projects, as detailed in Appendix 4.</p> <p>2.5 Note the position on reserves and balances, as detailed in Appendix 5.</p>

<b>Lead Contact Officer(s):</b>	<b>David Jones, Finance Manager – Services Finance</b>
<b>Telephone No:</b>	0121 675 0580
<b>E-mail address:</b>	<a href="mailto:david.jones@birmingham.gov.uk">david.jones@birmingham.gov.uk</a>

<b>3. Consultation</b>
<p data-bbox="121 197 323 235">3.1 <u>Internal</u></p> <p data-bbox="225 271 1500 376">The financial position on the revenue and capital budget is reported on a monthly basis to the Management Team and the Interim Assistant Director of Regulation and Enforcement is briefed on the major financial issues, as required in line with the Council's framework.</p> <p data-bbox="121 414 336 452">3.2 <u>External</u></p> <p data-bbox="213 488 1500 562">There are no additional issues beyond consultations carried out as part of the budget setting process for 2020/21.</p>
<b>4. Compliance Issues:</b>
<p data-bbox="121 784 1362 857">4.1 <u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p data-bbox="225 893 1500 967">The budget is integrated within the Council's Financial Plan 2020+, and resource allocation is directed towards policy priorities.</p> <p data-bbox="121 1005 1342 1079">4.2 <u>Financial Implications (Will decisions be carried out within existing finances and Resources?)</u></p> <p data-bbox="225 1115 1500 1189">The Licensing and Public Protection Budget Monitoring 2020/21 - Quarter 2 report provides details of monitoring of service delivery within available resources.</p> <p data-bbox="121 1227 474 1265">4.3 <u>Legal Implications</u></p> <p data-bbox="213 1301 1500 1554">Section 151 of the 1972 Local Government Act requires the Interim Director of Finance (as the responsible officer) to ensure proper administration of the City Council's financial affairs. Budgetary control, which includes the regular monitoring of and reporting on budgets, is an essential requirement placed on directorates and members of Corporate Management Team by the City Council in discharging the statutory responsibility. This report meets the City Council's requirements on budgetary control for the specified area of the City Council's Directorate activities.</p> <p data-bbox="121 1592 603 1630">4.4 <u>Public Sector Equality Duty</u></p> <p data-bbox="213 1666 1500 1809">There are no additional specific Equality Duty or Equality Analysis issues beyond any already assessed and detailed in the budget setting process and monitoring issues that have arisen in the year to date. Any specific assessments will be made by the Directorates in the management of their services.</p>

## 5. Relevant Background/Chronology of Key Events:

### **Revenue Budget 2020/21**

- 5.1 The City Council approved the overall budget on 25 February 2020. The Licensing and Public Protection Committee noted the original net revenue budget allocation of £6.471m (as detailed in Appendix 1) on 18 November 2020.
- 5.2 There were no adjustments in the first and second quarters.
- 5.3 The current approved budget for this Committee therefore remains at £6.471m.
- 5.4 The City Council has well-established arrangements for monitoring spending against the cash limited budgets allocated to Directorates and Committees.
- 5.5 Reports are presented to Cabinet on a quarterly basis on the overall city-wide financial position. The Licensing and Public Protection Committee will normally receive quarterly financial performance reports during the financial year. For the 2020/21, due to COVID-19 restrictions the Quarter 1 and Quarter 2 reports are being combined.

### **Revenue – Financial Review and Year End Projections (Appendix 1)**

- 5.6 An overall year end net pressure of £1.607m is being forecast formally.
- 5.7 Of this forecast pressure £1.460m is directly attributable to the COVID-19 responses of these service areas.
- 5.8 Mitigating action has been implemented in most service areas – including additional contract work that has been delivered by Pest Control. All COVID-19 pressures reported here are also included in the corporate reporting of the overall Council responses.
- 5.9 Budgets continue to be managed rigorously. Any changes will be reported in future reports.
- 5.10 The table below sets out a high-level summary of the projected year end overspend by service (details in Appendix 1) and how this is comprised of over the savings programme and base budget pressures.

<b>Forecast Year End Variations – Quarter 2</b>				
<b>Budget Head</b>	<b>Savings Programme £'m</b>	<b>COVID-19 Related Pressures £'m</b>	<b>Base Budget Pressures £'m</b>	<b>Total Pressure £'m</b>
Environmental Health	0.000	0.206	0.000	0.206
Pest Control	0.000	0.400	0.000	0.400
Register Office	0.000	0.854	0.000	0.854
Licensing	0.000	0.000	0.147	0.147
<b>TOTAL</b>	<b>0.000</b>	<b>1.460</b>	<b>0.147</b>	<b>1.607</b>

The key components of the projection include:

- **Environmental Health (£0.206 pressure)**

Environmental Health are under a net pressure of £0.200m due to restrictions on enforcement work on non-COVID-19 responsibilities. Plus, additional purchases of Personal Protective Equipment (PPE) for use by Directorate Staff.

- **Pest Control (£0.400m pressure)**

The Pest Control team were unable to deliver commercial contract work for most of the early part of 2020/21 and are currently expected to be without a significant source of income during that time. However mitigating activity is in progress and the forecast pressure is reviewed regularly.

However, the income derived from cleaning and remediation works at unauthorised encampment sites has now reduced due to the opening of the Proctor Street Travellers Transit site, as reported at Licensing and Public Protection committee in 2019/20. This will be more apparent in future years.

- **Registration Service (£0.854m pressure)**

The Registration Service has played a key role in COVID responses with death registrations continuing throughout the pandemic. Additional hours have had to be contracted from staff. Equipment and infrastructure have been installed to enable public access to the building.

In addition, the service has suffered a reduction in come from cancelled and re-configured weddings that would have been a major income source over the summer.

- **Licensing and Street Trading (£0.147m pressure)**

Licensing and Street Trading services operate as ring fenced accounts where income is only used to cover the reasonable costs of providing that specific service.

There are some minor structural budget issues that whilst not compromising this rule, would cause a reported variation at year end and this is being addressed as part of the budget process.

### **Savings Programme**

5.11 The Committees Savings Programme is £0.202m for 2020/21

- The savings targets have already been achieved at this point in the year.

### **Mitigations and Management Actions 2020/21**

- Managers of services reporting to this committee are involved in a number of actions this financial year to mitigate budget pressures for current and future financial years.
- Coroners - pressures relating to need to provide additional courtrooms has been mitigated following the conversion of council premises at Margaret Street.
- The service continues to progress with longer term property options seeking to accommodate the whole service in one location.

### **COVID-19 Compliance and Enforcement**

- Environmental Health are coordinating a council-wide compliance and enforcement programme including Business Improvement Districts, Parks, Universities and faith groups.
- The programme is funded through a specific ring-fenced grant of £0.889m which has been received in advance by the City council.

### **Capital (Appendix 4)**

- 5.12 The Capital programme for security and essential health and safety works in the mortuary including ventilation solutions is being reviewed and updated.
- 5.13 A short-term solution involving temporary air conditioning is in place and has been further extended whilst the longer-term structure and location of the Mortuary service is being reviewed.

## **6. Grant Funded Programmes**

- 6.1 Within Regulatory Services, there are two grant funded programmes: Illegal Money Lending and Regional Intelligence Team.

### **Illegal Money Lending**

- 6.2 The Illegal Money Lending Team (IMLT) England investigates and takes action against Illegal Money Lending or "Loan Shark" perpetrators across the whole of England.
- 6.3 The project is funded through specific grant from HM Treasury, with resources of up to £4.150m in 2020/21.
- 6.4 The expenditure at the end of September 2020 was £1.672m (40%) this is a reasonable level for half-way through the year - and it is anticipated that the programme will fully spend the grant allocated and has a good track record of achieving this.

### **Regional Intelligence Team**

- 6.5 The Regional Intelligence Team (Scambusters) investigates and takes action against fraudsters operating across council boundaries in the central region.
- 6.6 Funding has been confirmed at £0.485m for 2020/21. This includes three elements: Main Regional Intelligence Team Grant £0.303m, one-off £0.020m for 2020/21 only to fund the purchase of vehicles, and also £0.162m in relation to the separate Operation Beorma counterfeiting operations.
- 6.7 The expenditure at the end of September 2020 was £0.141m (30%) again, reasonable level for half-way through the year - and it is anticipated that the programme will fully spend the grant allocated and has a good track record of achieving this

### **7. Proceeds of Crime Act**

- 7.1 Regulatory Services secures funding through the Proceeds of Crime Act 2002 (PoCA) in response to financial investigations undertaken following sentencing by the courts.
- 7.2 PoCA monies are held by the Local Authority and ring-fenced for expenditure on community and crime prevention projects
- 7.3 Expenditure specifically recorded as planned PoCA items will be funded routinely through a combination of appropriations from PoCA reserves and income received during the year.
- 7.4 For Birmingham Trading Standards the balances brought forward were £0.470m. Expenditure at Quarter 2 is £0.086m, income received in year totals £0.027m. The current balance remaining is £0.411m
- 7.5 For England Illegal Money Lending the balances brought forward were £0.830m. Expenditure at Quarter 2 is £0.114m, income received in year totals £0.032m. The current balance remaining is £0.748m.

### **8. Balances and Reserves:**

- 8.1 The reserves at Quarter 2 are shown in Appendix 5. These currently total £1.290m and are ring-fenced.
- 8.2 All planned income and expenditure on reserves will be reported to this Committee.

### **Licensing Ring Fenced Reserves:**

- 8.3 The current balance for Hackney Carriage and Private Hire is deficit £0.317m and it is anticipated that at least 1/3<sup>rd</sup> of this value will be incorporated into the fees calculation for 2020/22



<b>9. Evaluation of Alternative Option(s):</b>	
9.1	During the year ahead the financial position will continue to be closely monitored and options identified to resolve budgetary pressures as necessary.

<b>10. Reasons for Decision(s):</b>	
10.1	The Report informs the Licensing and Public Protection Committee of the Revenue and Capital Budget for 2020/21, and the forecast outturn, including COVID-19 response financial implications for Quarters 1 and 2.
10.2	The latest position in respect of the Licensing and Public Protection Committee's use of reserves, Savings Programme and risks are also identified.

<b>Signatures</b>	
Paul Lankester Interim Assistant Director Regulation and Enforcement	.....
Rebecca Hellard Interim Director of Finance	.....
	Date .....

<b>List of Background Documents used to Compile this Report:</b>
Licensing & Public Protection - Revenue and Capital Budget 2020/21 – 18 November 2020

<b>List of Appendices accompanying this Report (if any):</b>			
Appendix 1 - Financial Performance, Forecast Outturn and comparison of Quarter 1 and 2 Appendix 2 - Details of COVID-19 and non-COVID-19 Financial pressures Appendix 3 - Savings Programme 2020/21 Appendix 4 - Capital Programme 2020/21 Appendix 5 - Ring-Fenced Balances and Reserves			
<b>Report Version</b>	3.0	<b>Dated</b>	22 December 2020



# Licensing and Public Protection - Financial Summary

Quarter 2

## Total Budget and Forecast Outturn per Service Area (divided COVID-19/Non-COVID-19)

Quarter 2						Quarter 1			Movement Quarter 1 to 2		
High Level Summary	A	B	C	D	E	F	G	H	I	J	K
Service	Current Budget £'000's	Forecast Outturn £'000's	COVID-19 Financial Impact Included £'000's	Over/(Undr) spend Non-COVID-19 costs £'000's	Total Over/(Undr) Spend £'000's	COVID-19 Financial Impact Included Quarter 1 £'000's	Over/(Under) spend Non-COVID-19 costs Quarter 1 £'000's	Total Over/(Under) Spend Quarter 1 £'000's	Movement in COVID-19 Costs from Quarter 1>2 £'000's	Movement in Non-COVID-19 Costs from Quarter 1>2 £'000's	Movement in Total Over/(Under) Spend from Quarter 1>2 £'000's
Environmental Health	3,169	3,375	206	0	206	200	0	200	6	0	6
Pest Control	280	680	400	0	400	480	0	480	(80)	0	(80)
Registration Service	733	1,587	854	0	854	1,058	0	1,058	(204)	0	(204)
Coroners Courts	1,537	1,537	0	0	0	0	0	0	0	0	0
Trading Standards	1,040	1,040	0	0	0	0	0	0	0	0	0
LPPC - NON RING FENCED	6,759	8,219	1,460	0	1,460	1,738	0	1,738	(278)	0	(278)
Licensing Hackney Carriage	(18)	0	0	18	18	0	18	18	0	0	0
Licensing Entertain/General	(75)	0	0	75	75	0	75	75	0	0	0
Licensing Street Trading	(148)	(94)	0	54	54	0	56	56	0	(2)	(2)
Illegal Money Lendin	2	2	0	0	0	0	0	0	0	0	0
Scambusters RIT	0	0	0	0	0	0	0	0	0	0	0
Proceeds of Crime Ac	0	0	0	0	0	0	0	0	0	0	0
LPPC - RING FENCED	(239)	(92)	0	147	147	0	149	149	0	(2)	(2)
Public Rights Of Way	49	49	0	0	0	0	0	0	0	0	0
Highway Licences	(42)	(42)	0	0	0	0	0	0	0	0	0
NRSAWA Licences	(56)	(56)	0	0	0	0	0	0	0	0	0
HIGHWAYS	(49)	(49)	0	0	0	0	0	0	0	0	0
Total LPPC	6,471	8,078	1,460	147	1,607	1,738	149	1,887	(278)	(2)	(280)
Financial Position as at Q1	6,471	8,358	1,738	149	1,887						
Movement from previous Q1	(0)	(280)	(278)	(2)	(280)						

APPENDIX

Movement from previous Q1%	0%	-3%	-16%	-1%	-15%						
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# APPENDIX 2

## Licensing and Public Protection - Financial Summary

### Analysis of Non-COVID-19 pressure faced by each service area

Service	Non Delivery of Savings £'000's	Expenditure Variations £'000's	Income Variations £'000's	one-off Mitigations £'000's	Non-COVID19 Financial Impact Included £'000's
Environmental Health	0	0	0	0	0
Pest Control	0	0	0	0	0
Registration Service	0	0	0	0	0
Coroners Courts	0	0	0	0	0
Trading Standards	0	0	0	0	0
LPPC - NON RING FENCED	0	0	0	0	0
Licensing Hackney Carriage	0	0	93	0	93
Licensing Entertain/General	0	0	0	0	0
Licensing Street Trading	0	0	54	0	54
Illegal Money Lending	0	0	0	0	0
Scambusters RIT	0	0	0	0	0
Proceeds of Crime Account	0	0	0	0	0
LPPC - RING FENCED	0	0	147	0	147
Public Rights Of Way	0	0	0	0	0
Highway Licences	0	0	0	0	0
NRSWA Licences	0	0	0	0	0
HIGHWAYS	0	0	0	0	0
Total LPPC	0	0	147	0	147

### Analysis of COVID-19 pressure faced by each service area

Service	Non Delivery of Savings £'000's	Expenditure Variations £'000's	Income Variations £'000's	one-off Mitigations £'000's	COVID19 Financial Impact Included £'000's
Environmental Health	0	6	200	0	206
Pest Control	0	0	400	0	400
Registration Service	0	151	703	0	854
Coroners Courts	0	0	0	0	0
Trading Standards	0	0	0	0	0
LPPC - NON RING FENCED	0	157	1,303	0	1,460
Licensing Hackney Carriage	0	0	0	0	0
Licensing Entertain/General	0	0	0	0	0
Licensing Street Trading	0	0	0	0	0
Illegal Money Lending	0	0	0	0	0
Scambusters RIT	0	0	0	0	0
Proceeds of Crime Account	0	0	0	0	0
LPPC - RING FENCED	0	0	0	0	0
Public Rights Of Way	0	0	0	0	0
Highway Licences	0	0	0	0	0

NRSA Licences	0	0	0	0	0
HIGHWAYS	0	0	0	0	0
Total LPPC	0	157	1,303	0	1,460

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## Licensing and Public Protection - Savings

Quarter 2

			2020/21				
Savings Reference	Sponsor/saving owner	Savings Description	Budgeted Saving	Blue	Green	Amber	Red
			£'000	£'000	£'000	£'000	£'000
PL126d 19+	Paul Lankester	Review of managerial arrangements across Regulation & Enforcement (LPPC element)	(102)	(102)	0	0	0
WOC1d	Paul Lankester	Allocation of Workforce Savings across Regulation & Enforcement (LPPC element)	(100)	(100)	0	0	0
Total Savings			(202)	(202)	0	0	0

### Colour Coding / Categorisations:

Blue	Fully Delivered
Green	On Track
Amber	AT Risk
Red	Non Delivery

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## Licensing and Public Protection Committee

### Capital Programme 2020/21

	2020/21 Quarter 2			
	Budget at Start of Year	Budget at Quarter 2	Actual Outturn	Variance
	£'000	£'000	£'000	£'000
Mortuary/Coroners	235	234	41	(193)
Net Expenditure	235	234	41	(193)

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## Reserves 2020/21

Balances & Reserves	Licensing		External Grant Funded Services		Proceeds of Crime Act 2002			Total Ringfenced Reserves
	Entertain - ment & General	Hackney Carriage & Private Hire	Illegal Money Lending	RIT Scambusters	Trading Standards	RIT Scambusters	Illegal Money Lending	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Reserves at 01 April 2020	-	317	(284)	(22)	(470)	(1)	(830)	(1,290)
Use of Reserves Apr-Sep 2020	-	-	-	-	86	-	114	200
Additional Contributions to Reserves Apr-Sep	-	-	-	-	(27)	-	(32)	(59)
<b>Reserves at 30 September 2020</b>	<b>-</b>	<b>317</b>	<b>(284)</b>	<b>(22)</b>	<b>(411)</b>	<b>(1)</b>	<b>(748)</b>	<b>(1,149)</b>
Estimated Use of Reserves during 2020/21	-	(110)	-	22	101	-	198	211
Estimated Reserves at 31 March 2021	-	207	(284)	-	(310)	(1)	(550)	(938)

Notes

Reserves are strictly ringfenced to the service areas to which they relate.

Proceeds of Crime Act reserves can only be used at a local level to support crime fighting services and community projects.



**BIRMINGHAM CITY COUNCIL**

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

**13 JANUARY 2021**  
**ALL WARDS**

**DELIVERY OF AN E U SETTLEMENT SCHEME CHECKING SERVICE BY  
BIRMINGHAM REGISTER OFFICE**

1. Summary

- 1.1 Due to the UK leaving the European Union, if EEA or Swiss citizens who wish to live, work or study in the UK after 30 June 2021 (or after 31 December 2020 if there is a no deal exit) will need to apply to the settlement scheme to gain settled or pre-settled status.
- 1.2 Birmingham Register Office will offer an identification verification service to support EEA or Swiss citizens who need assistance to apply to the settlement scheme.
- 1.3 The service will be offered in partnership with European and International Affairs Birmingham City Council, for which grant funding has been awarded.

2. Recommendations

- 2.1 That the delivery of the identification verification service by Birmingham Register Office to support EEA or Swiss citizens who need assistance to apply to the settlement scheme be approved to take effect from January 2021.

Contact officer: Andrea Haines, Superintendent Registrar/ Registration Services Manager  
Telephone: 0121 303 0200  
Email: [andrea.haines@birmingham.gov.uk](mailto:andrea.haines@birmingham.gov.uk)

### 3. Background

- 3.1 If EEA or Swiss nationals and their family members wish to remain in the UK to live, work and study after the UK leaves the EU they will need to obtain settlement status.
- 3.2 Applicants will need to have their identify verified and there are various means by which a verification service is available, one of which is via local registration services.

### 4. Proposals

- 4.1 The Birmingham Register Office will provide an identification scanning service for those citizens who are vulnerable or hard to reach and would benefit from a face to face service.
- 4.2 The service is time limited and will run from January 2021 to 30 June 2021.

### 5. Implications for Resources

- 5.1 The Home Office have issued a grant to European and International Affairs, to cover delivery costs.
- 5.2 Delivery of the service by Birmingham Register Office will be covered by grant funding

### 6. Implications for Policy Priorities

- 6.1 The recommendations are in accordance with Policy to support eligible citizens through Brexit.
- 6.2 The issues addressed in this report underpin the City Council Vision, Birmingham is an entrepreneurial city to learn, work and invest in, Birmingham is an aspirational city to grow up in, Birmingham is a great city to live, Birmingham is a fulfilling city to age well in.
- 6.3 They also support the Regulation and Enforcement Mission Statement: Locally accountable and responsive fair regulation for all – achieving a safe, clean, green and fair trading city for residents, business and visitors.

### 7. Public Sector Equality Duty

- 7.1 The service is only available to all EEA and Swiss nationals who qualify under the scheme and consequently an Equalities Assessment has not been undertaken.

**PAUL LANKESTER**  
**INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

**BIRMINGHAM CITY COUNCIL**

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

**DECEMBER 2020**

**13 JANUARY 2020**  
**ALL WARDS AFFECTED**

**Birmingham City Council hosted  
ENGLAND ILLEGAL MONEY LENDING TEAM**

**1. Summary**

- 1.1 This report provides an update on the work of the England Illegal Money Lending Team (IMLT) hosted by Birmingham City Council's, Regulation and Enforcement Division at 30 November 2020

**2. Recommendation**

- 2.1 That the report be noted.

Contact Officer: Paul Lankester, Interim Assistant Director, Regulation and Enforcement  
Telephone: 0121 675 2495  
Email: Paul.Lankester@birmingham.gov.uk

Originating Officer: Tony Quigley, Head of Service

### **3. Background**

- 3.1 The grant funded project was initially piloted in 2004 with teams from Birmingham and Glasgow operating across a specific region. The purpose was to identify if illegal money lending was in operation and, if so, investigate and institute proceedings against those involved. The project was commissioned for an initial period of two years. It was further extended year to year following a number of high profile successful investigations.
- 3.2 There is also a national team covering Scotland, Wales and teams covering Northern Ireland. All of the teams regularly hold meeting, currently virtual, to share best practice and current initiatives.
- 3.3 The IMLT operates across the country using legislative powers under the Consumer Rights Act 2015.
- 3.4 The brief of the IMLT, from its inception, has been to investigate and prosecute illegal money lenders and to provide support to victims and communities under the control of illegal money lenders and by working with partner agencies to deliver this support. From an initial team of seven officers, the team has grown in size and now employs 55 staff in a variety of roles, with a future structure including three apprentices.
- 3.5 Initially officers gather and develop intelligence by working with local services with the aim of corroborating information, warrants are executed and, where appropriate, cases taken into the court process. Another branch of the team (LIAISE officers) support loan shark victims throughout the process and raise awareness, with local, regional and national services, regarding the work of the team.
- 3.6 Since its inception the team has secured over 400 prosecutions for illegal money lending and related activity, leading to 586 years' worth of custodial sentences. They have written off £83 million worth of illegal debt and helped over 30,000 people.
- 3.7 The primary legislation governing the consumer credit industry is the Financial Services and Markets Act 2000 (FSMA), previously the Consumer Credit Act 1974. The Trading Standards Service has a duty to enforce this legislation within its area.
- 3.8 The Financial Services Act 2012 amended the legislation to move the authorisation process under FSMA and retained the enforcement provisions in respect of unauthorised business for local weights and measures authorities (trading Standards). The Financial Services Act also made provision for trading standards to operate nationally in this regard in order to make the administration process easier for the EIMLT.
- 3.9 A fundamental requirement of FSMA is that all potential providers of credit must possess appropriate authority issued by the Financial Conduct Authority. To operate a credit business without authority is a criminal offence which carries a maximum penalty of a £5,000 fine and/or up to two years in prison.

- 3.10 Illegal money lenders, or “loan sharks” as they are more commonly known, have long been recognised as the most unacceptable part of the illegitimate consumer credit industry. Targeting vulnerable communities and individuals, charging exorbitant rates of interest and using whatever means including, at times, fear and intimidation to recover monies ‘owed’. Controlling lives and the community are common traits that illegal money lenders will exhibit during their operations.
- 3.11 When the team was initially set up in 2004 there was little knowledge about the scale of illegal money lending, either in the number of individuals involved or the number of possible victims across the country. Illegal money lenders were rarely, if ever, prosecuted due to victims being reluctant to come forward. Birmingham City Council has now prosecuted over 400 individuals and disrupted many more illegal lenders, stopping the pernicious enterprise.
- 3.12 As well as the work of the team, the government commissioned Independent research by Bristol University (POLICIS) in 2010 which has shown that around 310,000 households across the UK were indebted to illegal money lenders. Work carried out by the team indicates that each person borrowing from an illegal money lender typically has an average loan of £350 each time and pays back double the amount. Roll over loans are typical and this means that a person will have 3 ½ loans annually from the illegal lender. This equates to £1225 borrowed paying back £2450.
- 3.13 Typically illegal money lenders:-
- Start out being friendly – they are often heard of via friends. It is only when repayments are missed their behaviour changes.
  - Offer little or no paperwork.
  - Increase the debt or add additional amounts.
  - Refuse to tell the borrower the interest rate, how much they still owe or how long they will be paying back. (We have seen APR’s as high as 4.5 million %).
  - Take items as security - this may include passports, driving licences or even bank or post office cards with the PIN to withdraw directly from borrower’s accounts.
  - Sometimes resort to intimidation, threats or violence.

- 3.14 Throughout its life the project has been funded by central government. This funding was always on a yearly basis and subject to annual submissions which meant the team's grant was never secure long term. However, in 2016 it was announced that a levy would be applied to credit businesses (as part of the fee they already pay to operate legitimately). This funding commenced on 1 April 2017 and has secured the work of investigating illegal lenders. The current budget for the teams activities is £4,150,249

#### **4. Operating the Illegal Money Lending Team**

- 4.1 The success of the team can be attributed to a number of factors, the quality of the intelligence gathered, the hotline and dedicated website, social media, partner engagement and partner participation. These relationships are developed and grown by the Liaise Officers (Leads in Awareness, Intelligence, Support and Education).
- 4.2 The Stop Loan Sharks brand was first introduced back in 2004 and has continued to be developed since its inception. The team has a social media presence including Facebook, Youtube, Instagram, snapchat and twitter accounts, as well as its own website and twitter accounts
- 4.3 The team takes a fully agile and flexible approach to tackling this type of criminality, recognising that "one hat size does not fit all" circumstances. The Legislation changes under the Consumer Rights Act provide authorisation for Birmingham City Council to operate across England and Wales in respect of offences under the Financial Services and Markets Act 2000 (FSMA), changes that were introduced to lighten the administrative burden on the team and allow them to fully function in all geographical areas.
- 4.4 The Head of Service and Operational Managers within the team have the delegated authority to proffer charges at police stations, institute proceedings through the report process and make decisions regarding the outcome of investigations throughout the process. This authority speeds up the court process, allowing, in some cases, suspects to be arrested, interviewed and charged the same day. In some instances the defendant has been brought before the courts within 24 hours.
- 4.5 Recognising the importance of communication in all aspects of the teams work has also been a key priority. The hotline is 24/7 and staffed by the team members. This promotes reassurance and allows for information to be fed directly to lead investigating officers in respect of the actions of the suspected illegal money lenders. The IMLT have launched a new Live Chat service on their website, enabling victims to access support discreetly and talk online with a Stop Loan Sharks Support Officer, safely and in confidence. Live Chat provides a valuable route to support and has allowed people who are isolating and don't want their partner to know about the debts to engage with IMLT. A new smartphone app has also been launched to help loan shark victims. The Stop Loan Sharks App offers support and information for anyone who may be involved with a loan shark, or those concerned about someone they know.



The App has had over 430 downloads and the IMLT have the functionality to send push notifications about loan shark arrests and court cases based on the user's location.

### **Facebook Ad Campaign**

The IMLT delivered a Facebook Ad campaign at the start of lockdown to increase brand awareness and website traffic. The campaign specifically targeted people in areas where there was known loan shark activity. The Ads included a call-to-action button which sent people straight to the Stop Loan Sharks website for help. The campaign successfully reached over one million people and generated numerous new intelligence reports.

### **App featured in MoneySavingExpert's Money Tips Email**

The Stop Loan Sharks App was featured as 'Campaign of the Week' in Martin Lewis' Money Saving Expert's Money Tips Email and sent to 12 million MSE subscribers. Simon Read, Consumer Finance Journalist and Social Media Influencer also tweeted about the SLS App and shared the download links with his 15.6K followers.

- 4.6 The investigations by the team have resulted in a number of high profile court cases that have included serious criminal offences, investigated and prosecuted by Birmingham City Council. The strategy to prosecute for all matters has resulted in the prosecution of offences that may not normally be associated with a Trading Standards Service. The decisions to prosecute offences such as rape, blackmail, kidnapping wounding and assault were made after careful consideration and in consultation with Legal Services. It was recognised that these offences were directly linked with illegal money lending and occurred as a direct result of the involvement with this activity.
- 4.7 Raising awareness of the team with the public, but also with other interested parties has been critical for gathering the right intelligence. The involvement of the police and support furnished by them throughout the operations has been extremely beneficial, and the embedded Police Officers (first introduced by the Birmingham project) have given the team an added dimension to its investigatory powers.
- 4.8 Some examples of recent cases include:-
  - OPERATION NATTERJACK (CENTSA region) – On 1<sup>st</sup> August 2019, Colin DEVEREUX was sentenced to 22 months imprisonment at Warwick Crown Court. DEVEREUX had operated as a loan shark for seven years, he charged 40% interest on loans. He was also given three months to pay a Confiscation Order in the sum of £100,000.00 or face a further 12 months imprisonment under the Proceeds of Crime Act.

- OPERATION DOWNES (Greater London region) – on 13<sup>th</sup> February 2020, brother and sister, John MULVEY aged 54 and Mary WILDING aged 68, were sentenced at Isleworth Crown Court for offences of illegal money lending and money laundering. Wilding had previously worked for a legitimate loans company before setting up the illegal business with her brother. Between 2013 and 2017 they loaned out £334k, over 404 loans, to 53 regular borrowers, charging 25% interest. They were sentenced to 12 months suspended for two years respectively. Proceeds of Crime Act confiscation proceedings are ongoing.
- OPERATION CORSICA (South West region) – On 14th July 2020, at Exeter Crown Court, Mahli BINMORE and Simon SAUNDERS, were both sentenced for illegal money lending and money laundering offences. The prosecution said that BINMORE knowingly allowed the use of her bank account for victims to make payments to her partner who was also involved in the business. The court heard SAUNDERS had delivered loans and collected repayments from other loan victims in the Brixham area. BINMORE was sentenced to 20 months imprisonment, suspended for 18 months and 150 hours unpaid work. SAUNDERS received an 8-month prison sentence, suspended for 18 months and was ordered to complete 150 hours unpaid work.
- OPERATION THREE RIVERS (EETSA region)– On 3<sup>rd</sup> September 2020, at St Albans Crown Court Mr BARRERA pleaded guilty in respect of illegal money lending offences. He was sentenced to 12 months custody on each to be served concurrently. In respect of a Proceeds of Crime Act offence, Mr BARRERA was sentenced to 2 months custody to be served consecutively. A total of 14 months. The sentence was suspended for 18 months. A contribution to costs was ordered in the sum of £400, which Mr BARRERA has 2 months to pay.

4.9 Between July 2019 and October 2020 the team conducted 54 operations resulting in 60 arrests, However, the team like all agencies have been hindered by the current pandemic.

## **5. Victim Contacts**

- 5.1 There were 476 contacts with victims in 2019-20. A lot of these were to offer emotional support and safety advice, but there were also referrals to credit unions, housing, debt advice and mental health services.
- 5.2 The team dealt with £1,465,321 of new victim debt in 2019-20.

## **6. Victim Profile:**

6.1 The gender split of borrowers was 51% female and 49% male. 44% of victims supported were parents with an average of two children per family.

6.2

- 46% of clients with long term health conditions.
- 14% said they had a physical illness.
- 21% had mental health issues.
- A further 11% said they suffered from both mental and physical illness.
- 9% of borrowers said they acted as a carer for someone over 18.
- 25% of victims said that they had considered suicide during their lifetime including 6% who had attempted suicide. 18% said this was during the time of their involvement with the loan shark.
- 79% of borrowers said that they were in a state of worry, stress, depression or severe anxiety because of their involvement with a loan shark (a rise of 4% on 2018) and 44% told us that they had been abused verbally and/or threatened with physical harm (or actually harmed) by the loan shark – an increase of 6% on the year before.
- 75% of respondents paid rent for their home, either to a social landlord or private property owner.
- 39% of respondents said that they had visited a debt advisor; this is 9% more than in 2018.
- 49% of those who had accessed debt advice said they had told the debt advisor about the loan shark; Comments made by victims who said they hadn't mentioned the lender included "I was too scared", I didn't think they could help" or "the advisor didn't ask about loan shark debt".
- 59% had heard of the term "Credit Union". Whilst having heard of the credit unions, 25% of clients didn't know what one is. 37% did know what a credit union is, including 3% who were already members. The remainder had never heard of a Credit Union.
- 97% of respondents had bank accounts. This number has risen gradually from 82% in 2011 reflecting the need for accounts for benefit transfer or wage payments.
- 62% of victims were claiming benefits. 23% of respondents claiming benefits were on Universal Credit – a rise of 10% on 2018.

- 21% had requested welfare help from local councils – an increase of 7% compared to 2018.
- 24% had visited food banks within the last year – a rise of 7% compared to 2018.
- 73% of respondents didn't have home contents insurance.
- 44% had pre-payment meters installed for fuel supplies whilst 36% paid by direct debit or standing order through their bank.
- 2% had SMART meters installed.
- 7% had fuel costs included in their rent payments.
- The remainder of clients paid via the post office or via top-ups by phone, or reported being homeless.

6.3 69% of victims interviewed owed money to legal creditors, an increase of 10% compared to 2018, for:

- Loan repayments and/or credit card bills to banks.
- Council tax arrears.
- Door-step loans.
- Student loans.
- Utility bills.
- Overdue phone bills.
- Hire purchase companies or catalogues.
- Pay-day and sub-prime loans.
- Rent or mortgage arrears.
- Benefit overpayment.

The average amount owed was £12,749.26 - a rise of more than £5,000 on 2018.

6.4 40% of clients told us that they had priority debts including rent, mortgage or council tax arrears.

## 7. Victim Statistics

- 7.1 31% of those supported during 2019 were unemployed – a decrease of 6% on the previous year. 53% were in work – either full or part time whilst the remainder were retired, home carers or students.
- 7.2 65% of victims supported during 2019 were told about the loan shark by friends or family members.
- 7.3 22% got to know them within their local community including support groups and social groups. Illegal money lenders will appear friendly at first until repayments are missed.
- 7.4 12% met the lender at work.
- 7.5 71% had borrowed from the loan shark more than once.
- 7.6 64% of borrowers believed the loan shark was their friend at the point of borrowing (a rise of 16% on the year before).
- 7.7 Whilst 22% of victims had been paying their loan back for less than a year at point of contact, some had been repaying for up to 15 years.
- 7.8 46% went without food, fuel or missed rent or mortgage payments in order to repay the loan shark.

Reason for borrowing	%	Reason for borrowing	%
Baby expenses	2	Health care or funeral costs	6
Benefits sanction/late wage payment	2	Holiday	8
Business costs	8	Home improvements	2
Celebration event	5	Household bills & everyday living expenses	25
Childcare	1	Legal costs	3
Clothing	1	Moving costs	2
Council tax arrears	1	Rent & Deposit	2
Debt consolidation	1	Rent arrears	2
Drug or Alcohol addiction	4	Tax bill	1
Education costs	3	To help out family members	8
Furniture or electrical goods	4	Vehicle Purchase or repair	5
Gambling addiction	4	Vets fees	1

The lowest amount borrowed from a loan shark was £60 for new baby expenses.

One person who borrowed £75 paid back over £13,000 over eighteen months and still had an outstanding balance of £600.

Another borrower received £300 from the loan shark. After repaying £15,000 over two years, the lender was demanding a further £170.

## **8. Training – Partners**

8.1 In 2019-20 the team trained over 15,000 frontline staff.

8.2 Since the start of the initial lockdown in March 2020 the majority of this training has moved online. The team have expanded the number of sessions delivered to include one on the victim's journey, a specialist session for Police, and a session looking at the importance of credit unions. Over 7000 professionals have been trained this way, with new sessions coming online all the time.

## **9. National Partnerships**

9.1 The National Housing Federation promoted the IMLT in their newsletter and gave the Team the opportunity to present to the Directors of Finance from social landlords across England as part of their regional meetings.

9.2 LIAISE are working with William Hill Bookmakers via their Director Of Sustainability to do some form of IMLT promotion across their betting shops. We are working towards a national pilot as part of their CSR work.

9.3 The team is working closely with the Money Advice and Pensions Service (MaPS) team of Regional Partnership Officers – looking at joint work to target employers, Chambers of Commerce and third sector organisations across the country.

9.4 LIAISE targeted the Association of Mortgage Lenders, after the victim statistics showed that 1 in 5 people who the team supported in 2019 were home owners. A presentation was done to representatives from the main mortgage providers and ongoing work is being done looking at messaging in this area.

## **10. Localised Partnerships**

10.1 Thirteen Housing Services ran a 12 month Stop Loan Sharks Campaign. All frontline staff received training sessions. 16 Tool Box Talk sessions were delivered to the Repairs and Maintenance Teams. A project using Proceeds Of Crime funding (POCA), money confiscated from illegal money lenders, targeting primary schools was successful, as was a credit union incentive. Thirteen Housing engaged in targeted door knocks, loan shark proofed their policies and agreed a single point of contact to act between the social landlord and the IMLT.

10.2 For Birmingham Money Week, LIAISE worked with the city's Financial Inclusion Partnership, focusing on schools and parents. Sid the shark delivered a range of school assemblies and the IMLT lesson plans were promoted as part of this. The week long event also targeted partners via a social media campaign.

10.3 Operation Grippped, Cheshire –

After a successful campaign last year, another £20,000 has been awarded to this operation from B and M Bargains community fund for awareness raising activities. With the funding from B&M, Op Grippped has been able to deliver Stop Loan Sharks Lego animation workshops with Sandymoor Secondary School which resulted in an educational film being produced. A Halloween disco was paid for in Runcorn during which there were greenscreens to take scary pictures of partygoers.

These were then inserted into keyrings which included the Stop Loan Sharks hotline number and given to participants to take home.

Workshops continue to be delivered in secondary schools across Runcorn with students learning about the dangers of knife crime, county lines and illegal money lenders. Materials for Runcorn Rocks were also paid for with the B&M grant.

10.4 LIAISE worked on a proposal with partners and secured £100,000 of the Money Advice Service funding to promote savings in the credit unions in Birmingham.

10.5 An assembly was delivered to St. Barnabus Primary School, Warrington to KS2 children along with a poster competition. All 120 students completed a poster and prizes were given (Amazon vouchers) funded with POCA. A meeting has been arranged with the Police's Schools Engagement Officer with the aim of PCSOs to deliver the IMLT assembly to schools in their areas. We are hoping to showcase the schools work centrally in Warrington along with a "Where's Sharky?" Warrington campaign.

10.6 LIAISE met with Halton Council regarding a "Sharks and Ladders" style board-game as a permanent feature in a local park. The Council are fully on board and have offered space outside the café seating area in Phoenix Park for the Sharks and Ladders to be situated. This is being replicated in a park in Birmingham.

10.7 A Stop Loan Sharks Blackburn Charter event was held in January 2020. The first mixed agency training session has been delivered in Blackburn and has generated lots of interest. A primary headteacher at the training spoke to LIAISE and said:

*"I wasn't really sure why I attended your session as I wasn't really sure whether it was relevant or what to expect. I'm so glad I did it was a real eye opener please will you come and work with my school"*



Partners sign a Stop Loan Sharks Charter in Sandwell

## 11. Credit Union Incentives

11.1 Over 1050 incentivised credit union accounts were opened during 2019-20.

11.2 The incentive scheme was examined for its effectiveness. This information refers to 2017-19 so is pre-Covid.

- Savings from active accounts opened throughout England as part of the Stop Loan Sharks savings incentive scheme equates to £1.49 million (the cost of the saving incentive was £165,000).
- This equates to an average of £225 saved per person – enough to provide some financial resilience for the things we see people going to illegal money lenders for (everyday expenses, broken white goods, school uniform).
- From the active accounts 1/3 people had gone on to get a credit union loan.

## 12. Other Credit Union Work

12.1 Black Country Credit Unions (Wolverhampton, Walsall, Dudley, Sandwell) are working with the Church of England to try and encourage more people to sign up as members. The local Chamber Of Commerce has agreed to work alongside the group and to target increasing payroll deduction amongst the businesses that are members of the Chamber of Commerce. They will:

- Be looking at the current IMLT employer's pack which was piloted with Citysave Credit Union in Birmingham with a view to adapting it to suit a black country offer.



- Utilise the working relationship with the Chamber Of Commerce and see if they will help in getting the message out across the individual areas to interested employers via any mailing lists, events etc.
  - Look at a suitable launch event to promote the offer black country wide.
  - Utilise the IMLT's Press Officer and Black Country Chamber Of Commerce's media/marketing personnel to establish a social media campaign around the launch.
  - Provide a blog/magazine article covering key things for employers to look out for in relation to employees using illegal money lenders. They are considering getting the Chamber's management team to sign one of the IMLT "zero tolerance to loan sharks" charters and take part in a photo opportunity with the IMLT mascot, Sid The Shark.
  - Put together a HR policy document – a one page document which can be shared with employers as part of the information on how our team. can be accessed.
  - Going to record a video with the Chamber of Commerce's President chatting with the IMLT to promote the awareness message.
  - Be speaking at key meetings including one with the Bank of England and the West Midlands Chamber meeting.
- 12.2 Year 2 of the "near miss" credit union scheme has ended and figures are coming in. Default rates are between 4 % and 23% and are still being analysed.
- 12.3 IMLT have developed and launched materials to promote payroll deduction schemes with credit unions. The materials have been downloaded 50 times.
- 12.4 The team have developed and launched an animation to promote credit unions. The cartoon, which can be viewed in chapters, promotes a "generic" credit union or can be tailored to specific credit unions. So far it has been viewed over 3,500 times.

### **13. Proceeds of Crime**

- 13.1 Examples of projects funded by proceeds of crime money since July 2019 include:

Citizens Advice, Derbyshire - Four pop-up events were held across Cotmanhay utilising Sid the Shark highlighting available help and safer borrowing options. Citizens Advice worked alongside 30 year 5 school pupils to design and develop an 'art to advice' trail. Winning posters were displayed by local businesses and shops. Maps for the trail were available from the local school or library. The posters included information around the impact of illegal money lenders, how to report loan shark activity and details of better lending choices.

Barton Neighbourhood Centre - "Barton Bites Back Bigger" project combined arts workshops focusing on the Stop Loan Sharks message, with ethical credit options, local policing and housing association advice drop-in sessions held at the Barton Big Bash event as well as utilising the Hands-on News community newspaper and door-step leafleting to reach a wider audience.

East Sussex Credit Union attended four pride events across the summer in order to raise awareness of illegal money lending within the LGBT+ community. On their pimped-up stand, they offered games and had Sid The Shark, dressed up in rainbow colours, out mingling with the crowds so that individual or group photos could be taken. They also had community advocates available at help points to talk to people about managing their money.

Stoke Mandeville Community Radio recorded an interview on the dangers of using illegal money lenders which was broadcast by the presenters at SMCR. A promotion around the risks of using illegal money lenders and providing alternative measures to deal with financial issues was recorded and played out regularly too.

*"A strong message delivered very well by your team – thank you, we learned a lot"*

Bradford Anti-poverty project ran Halloween Stop Loan Shark events. The Halloween events included interactive activities, arts and crafts, distribution of publicity materials and informational presentations including loan shark reporting options and alternative borrowing options.

Citizens Advice, Doncaster networked with other charities, local schools, the credit union and youth groups to get the message about illegal money lenders into the community by creating some catchy and informative street art in the town centre. Schools were provided with resources to design their own Stop Loan Sharks posters and a local dance group were tasked with creating a dance to highlight the message too.



Lewisham Credit Union worked with 19 primary schools across the Lewisham and Bromley boroughs of London. The Credit Union presented during school assemblies on the dangers of using illegal money lenders and also asked children to develop anti loan shark slogans. The best 20 of these slogans were used as part of a poster design that will then be displayed near the credit union collection points and branches. There was also a social media campaign to take a selfie with Sharkie.

Acta worked with local people to develop a performance suitable for those age 14 upwards around the awareness of illegal lending and reporting, including personal experiences from participants. The performance was delivered in 2 areas with an audience of 300 people.

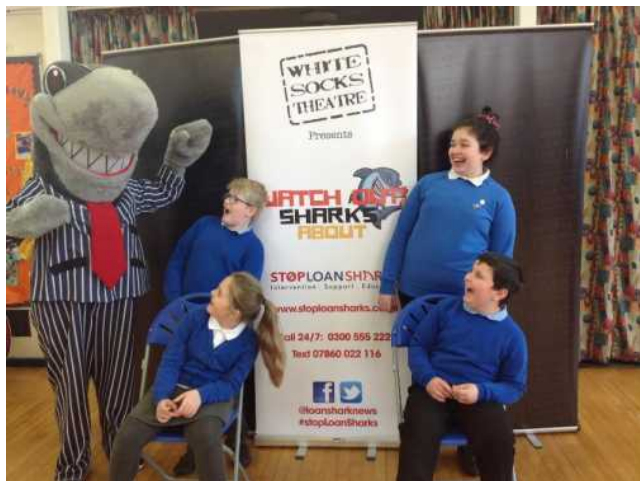
Remake Cornwall delivered a number of workshops including “Make & Mend”, which created community bunting and up-cycled old household tiles which were then used as Mosaic pieces for a community mural. They used supermarket food waste to create shark themed cupcakes to be shared amongst local organisations. The workshops were held within the venue of a community fridge and had a focus on the Stop Loan Sharks message.

Smartlyte - A number of family fun days were delivered within the Balsall Health/Sparkbrook areas, held in local libraries or children’s centres. Families created stories and board games to highlight the IMLT message. They created motion animations to promote the hotline telephone number and the work culminated in the creation of a board game. A second project used the methodology of storytelling to engage and teach families of the dangers of illegal money lending. Four short stories for children were created alongside a ‘story sack’ that holds play and learning resources. These stories can be used by children and families where English language and literacy skills may be lower.

Telford Food Bank - Wall canvas art has been produced with the input of service-users and volunteers with the themes of food and not being abused by a loan shark to be displayed within the food bank. Literature in relation to illegal money lenders has been put into each food bank parcel given out.

Citysave Credit Union conducted a pilot of a specific paid-for Facebook campaign targeting NHS staff and promoting the credit union to them.

White Socks Theatre toured fifteen primary schools and delivered an hour long interactive production, based on a game show with two families competing. They explored the issues people involved with illegal money lending face, alongside budgeting and financial management options.



IMLT have worked with the WMASN for over a year now on the safe house project. This is a Birmingham City Council property which has been given for use by the IMLT to place victims of illegal money lenders and modern day slavery into a place of safety. The group has applied to the Big Lottery for funding which will pay for the majority of the house running costs including staffing. IMLT agreed to donate £5,000 POCA to further help with setting up the house and the money will be used to pay primarily for additional security including CCTV and a buzzer entry system, with any remaining money being spent on enhancing the property. By having this property, it will allow victims of loan sharking to be moved on a temporary basis to a safe location until they can decide what their next steps will be.

Thirteen Housing and Blowin' A Hooley Theatre delivered three performances of their pantomime with the theme of tackling illegal money lenders at primary schools for the children and parents, during a week of action being delivered in conjunction with the IMLT in Stockton.

East Durham Trust held workshops with local people supported by a professional artist and culminating in a showcase event and a piece of high-profile public artwork. The art varied from a loan shark mosaic to a children's book highlighting loan sharks and was presented in a way that tells children what to do in a friendly and child-like manner. A local storyteller was engaged to get the message across in a fun way and the mosaic will be on a travelling display between all of the centres involved in the project.

Oblique Arts ran youth art workshops for those between 11 and 16 years of age. These workshops looked at the theme of trust and responsibility when it comes to finances including loan sharks. There was an exhibition of the artworks created around this theme, shown in a gallery and also online.





Altru delivered a number of performances to seven schools across the Merseyside and Cheshire area. The performance was around illegal money lending, with touches of “county lines” and knife crime incorporated. Following the performance, the children engaged in a workshop to discuss the issues raised in the performance and then fed back to the ‘victim’ within the performance, telling them of the support measures available.

The Stop The Loan Sharks Musical Roadshow brought people together at community venues, where a local choir and ukulele band played money themed pieces. There was a themed quiz in the middle of the performances and information and videos about illegal money lending were played at either end of the sessions.

*“It was terrific to undertake the training from the Illegal Money Lending Team which helped us to really understand some of the issues involved in those who become illegal money lenders, and those who are their victims.”*

James Lee House held art workshops for those accessing the accommodation services of the Lifehouse (support services for adult males). During these workshops, clay was used to model 3D sharks and represent the emotions and issues faced by those involved with illegal money lenders. Once complete the sculptures were put on display for a period of time in community venues before being added to an art installation.



Mako Widnes brought a large variety of people together to create a graffiti floor in Widnes outdoor market. Local school children were asked to design small pieces of art which were included in the design and during the two days local people were asked for their experiences or understanding of illegal money lenders which also helped create the design. The final piece included details of where help is available. During the installation live videos were filmed and aired to social media with a final film being produced and added to You Tube.



Whitehaven Credit Union engaged with 6-18 year olds across 5 community centres who designed posters raising awareness of illegal money lending and the hotline number. During the sessions the youngsters learnt about illegal money lenders and money using the IMLT resources. The posters were placed around the community and the young people went on a treasure hunt to find them with the winner receiving a prize.



- 13.2 POCA monies was used to pay for 5 podcasts on topics relating to IMLT which were released during lockdown.

#### **14. Funding**

- 14.1 The IMLT project is currently funded by the Treasury.
- 14.2 The governance of the project consists of representatives from the Financial Conduct Authority (FCA), Treasury and the hosting authorities involved (England, Northern Ireland, Scotland and Wales).
- 14.3 The Current budget is £4,150,249.

#### **15. Implications for Resources**

- 15.1 The Illegal Money Lending Team is grant funded and therefore all costs for the service are recovered through this provision. Any income and proceeds of crime monies are ring fenced to the team and utilised for the ongoing work.

#### **16. Implications for Policy Priorities**

- 16.1 Enforcement action taken against illegal money lenders protects legitimate traders from unfair trading practices and improves the quality of life for those individuals caught within the grips of a loan shark and, as a result, within the poverty trap.
- 16.2 Illegal money lenders prey on the most vulnerable groups and enforcement action to remove them from communities and encourage more sustainable credit sources such as credit unions is important.

- 16.3 Prosecution and removal of illegal money lenders from communities will reduce the fear of intimidation and violence.

**17. Public Sector Equality Duty**

- 17.1 Illegal Money lenders prey on the most vulnerable members of society. They target people who may be financially excluded and, in many instances, people over whom they can exert power and control. Removing an illegal lender and introducing alternatives helps those individuals that have been trapped by the illegal lender into paying high interest or being forced into carrying out activities, under normal circumstances, they would not commit.

**INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Files held by the IMLT.





**BIRMINGHAM CITY COUNCIL**

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

**JANUARY 2021**  
**ALL WARDS**

**Regulation and Enforcement Activity Report – October/November 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 the months of October and November 2020.
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 in October and November 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 an equalities impact assessment.

## **INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Nil

**REGULATION & ENFORCEMENT ACTIVITY REPORT**  
**OCTOBER/NOVEMBER 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.

**Detailed Action**

The table below sets out the activities undertaken in Q1 (April, May, June accumulative); Q2 (July, August, September accumulative) and Q3 (October/November 2020)

**Environmental Health, Licensing and Trading Standards**

Activity	Env. Health			Licensing						Trading Standards		
	Q1	Q2	Q3	HCPH*			General			Q1	Q2	Q3
				Q1	Q2	Q3	Q1	Q2	Q3			
Prosecution agreed	57	76	75	8	1	1		1	2	7	7	1
Simple Cautions	4	4	3	16	3	3			1			2
Statutory Notices served	26	58	13									
Coronavirus Enforcement	254	1,709	749	33								
Licence applications				195	512	480	196	397	259	126		
Licence sub-committees							14	31	16	17		
Of which were reviews:												
Interim steps							1	1	5			
Expedited							2	1	3			
Standard							3	0	0			
Licence renewals				343	1538	1182	9	26	27			
Requests for Actions Received	10,809	13,673	3706	166	315	271				1,114		
Requests for Actions closed	8,446	8,271	1,700	287	268	277				1,251		

## **Environmental Health**

### **Analysis of Requests for Assistance (RFA)**

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

	Q1	Q2		Q3		Year Total
Work type	RFA Total	Total	PI Target met	Total	PI Target met	RFA Total
Accidents	92	109	106	23	23	224
Dogs	415	549	543	172	169	1136
Infectious Disease	122	169	153	53	45	344
Pest Control	4159	5292	4734	1370	1165	10821
Request for Assistance	6158	7498	5611	2088	1217	15744
<b>Total</b>	<b>10946</b>	<b>13617</b>	<b>11147</b>	<b>3706</b>	<b>2619</b>	<b>28269</b>

The Service continues to undertake inspections and provide advice on Covid compliance. Through monies provided by the Director of Public Health we are recruiting 8 extra officers solely focused on Covid compliance checks.

In addition, the Government has announced nationally the investment of £30m for increased Enforcement and Compliance checks. Birmingham's share of this is £889k to be spent in the next 4 months.

The courts are now sitting, and hearing submitted prosecution cases and we are again looking to submit cases rather than deal with matters via simple cautions in-line with our enforcement policy. We are undertaking limited inspections of high risk food premises and food complaints on a risk assessment basis as required by the Food Safety Agency.

## **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.

In total 111 matters have been finalised through the delegated process, which would have ordinarily come before the sub-committee. 27 of which were finalised in November.

## **Outcome of Licensing Act 2003 Expedited Reviews (Q3: October – November)**

### **Nakira, Queensgate, 121 Suffolk Street Queensway, Birmingham, B1 1LX**

On 29<sup>th</sup> September 2020, Superintendent Morris, of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to RP Restaurant Ltd in respect of the above premises as a result of the premises being found at approx. 00.40am on the 26<sup>th</sup> September 2020 to be open and trading in breach of the 10pm curfew and not operating in a Covid safe manner.

The police were of the view that an event was taking place in the premises in contravention of the Covid19 restrictions at the time. The premises had previously been visited on the 22<sup>nd</sup> August 2020 at 05.00am when officers witnessed a party taking place with loud music and no social distancing following which the licence holder received advice from the Police Licensing Team.

A Licensing Sub Committee was required to convene within 48 hours of receipt of the application to determine whether to take any interim steps.

On 1<sup>st</sup> October 2020 Licensing Sub- Committee A met and having heard from both the licensee and representatives of WMP resolved that the Designated Premises Supervisor (DPS) be removed and that the Premises Licence be suspended pending the full review hearing.

On the 14<sup>th</sup> October 2020 the licensee made representations back against the interim steps imposed on the 1<sup>st</sup> October 2020 which resulted in the requirement for a further Sub Committee to convene within 48 hours of receipt.

On the 16<sup>th</sup> October 2020 Licensing Sub Committee C met and having heard from both the licensee and representatives of WMP resolved to maintain the interim steps imposed on the 1<sup>st</sup> October 2020 pending the full review hearing.

The review application was advertised, by the Licensing Authority in accordance with the regulations; representations were received from Public Health, Environmental Health and Licensing Enforcement as responsible authorities under the Licensing Act 2003.

On the 23<sup>rd</sup> October 2020 Licensing Sub- Committee A, met to consider the full review and having heard evidence from the licence holder, West Midlands Police, Public Health, Environmental Health and Licensing Enforcement resolved to revoke the premises licence, remove the DPS and to maintain the interim step of suspension pending the outcome of any appeal to the Magistrates Court.

**Petite Afrique (Formerly La Reference), 160 Hockley Hill, Birmingham, B19 1DG**

On 30<sup>th</sup> September 2020, Superintendent Green, of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Mr Rodrigue Tankeu in respect of the above premises as a result of the premises being found at approx. 22.25 hours on the 26<sup>th</sup> September 2020 to have approximately 40 people, including staff, inside of the premises in breach of the 10pm curfew and without social distancing measures.

Police officers had previously visited the premises on numerous occasions since the 4<sup>th</sup> July 2020 to engage and explain the restrictions and guidance in place including a visit on the 4<sup>th</sup> September 2020 when the licensee was spoken to about loud music being played.

A Licensing Sub Committee was required to convene within 48 hours of receipt of the application to determine whether to take any interim steps.

On 1<sup>st</sup> October 2020 Licensing Sub- Committee A met and having heard from representatives of WMP resolved that the Designated Premises Supervisor (DPS) be removed and that the Premises Licence be suspended pending the full review hearing.

On the 14<sup>th</sup> October 2020 the licensee made representations back against the interim steps imposed on the 1<sup>st</sup> October 2020 which resulted in the requirement for a further Sub Committee to convene within 48 hours of receipt.

On the 16<sup>th</sup> October 2020 Licensing Sub Committee C met and having heard from both the licensee and representatives of WMP resolved to maintain the interim steps imposed on the 1<sup>st</sup> October 2020 pending the full review hearing.

The review application was advertised, by the Licensing Authority in accordance with the regulations; representations were received from Public Health, Environmental Health and Licensing Enforcement as responsible authorities under the Licensing Act 2003.

On the 26<sup>th</sup> October 2020 Licensing Sub- Committee A, met to consider the full review and having heard evidence from the licence holder, West Midlands Police, Public Health, Environmental Health and Licensing Enforcement resolved to revoke the premises licence, remove the DPS and to maintain the interim step of suspension pending the outcome of any appeal to the Magistrates Court.

**Dahlak Lounge, Hampton Street, Birmingham B19 3LS**

On 14<sup>th</sup> October 2020, Superintendent Churchill, of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Mr Biniam Mebrahtu in respect of the above premises as a result of the premises being found at approx. 9.10pm on 10<sup>th</sup> October 2020 to be operating in breach of Covid Regulations including the playing of loud music, social distancing between groups not being maintained and no mitigation measures being in place. In addition, there were concerns about fire safety measures due to the shutters being closed whilst persons were inside the premises.

The premises had previously been visited on the 16<sup>th</sup> August 2020 when officers witnessed loud music, and described the premises as being packed / overfull with no social distancing following which the licence holder received advice from the Police Licensing Team.

A Licensing Sub Committee was required to convene within 48 hours of receipt of the application to determine whether to take any interim steps.

On 15<sup>th</sup> October 2020 Licensing Sub- Committee A met and having heard from the licensee's business partner and representatives of WMP resolved that the Designated Premises Supervisor (DPS) be removed and that the Premises Licence be suspended pending the full review hearing.

The review application was advertised, by the Licensing Authority in accordance with the regulations; a representation was received from Environmental Health as a responsible authority under the Licensing Act 2003.

On the 11<sup>th</sup> November 2020 Licensing Sub Committee C, met to consider the full review and having heard evidence from the licence holder, West Midlands Police and Environmental Health resolved to revoke the premises licence, remove the DPS and to maintain the interim step of suspension pending the outcome of any appeal to the Magistrates Court.

## Analysis of RFAs

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

	Q1		Q2		Q3	
	Received	Closed	Received	Closed	Received	Closed
<b>Total</b>	<b>166</b>	<b>287</b>	<b>315</b>	<b>268</b>	<b>271</b>	<b>277</b>
<b>Hackney Carriage</b>	4	22	24	19	14	19
<b>Private Hire</b>	104	190	206	175	202	199
<b>Licensing Act 2003</b>	51	64	76	63	46	48
<b>Gambling Act 2005</b>	0	3	0	0	1	0
<b>Scrap Metal Dealers</b>	7	7	7	9	7	9
<b>Sexual Entertainment Venues</b>	0	1	0	0	0	0
<b>Massage &amp; Special Treatments</b>	0	0	2	2	1	1
<b>Charitable Street Collections</b>	0	0	0	0	0	1

## Scrap Metal Dealers

There are currently 93 licences issued in Birmingham under the Scrap Metal Dealers Act 2013. The breakdown of licences issued is as follows:

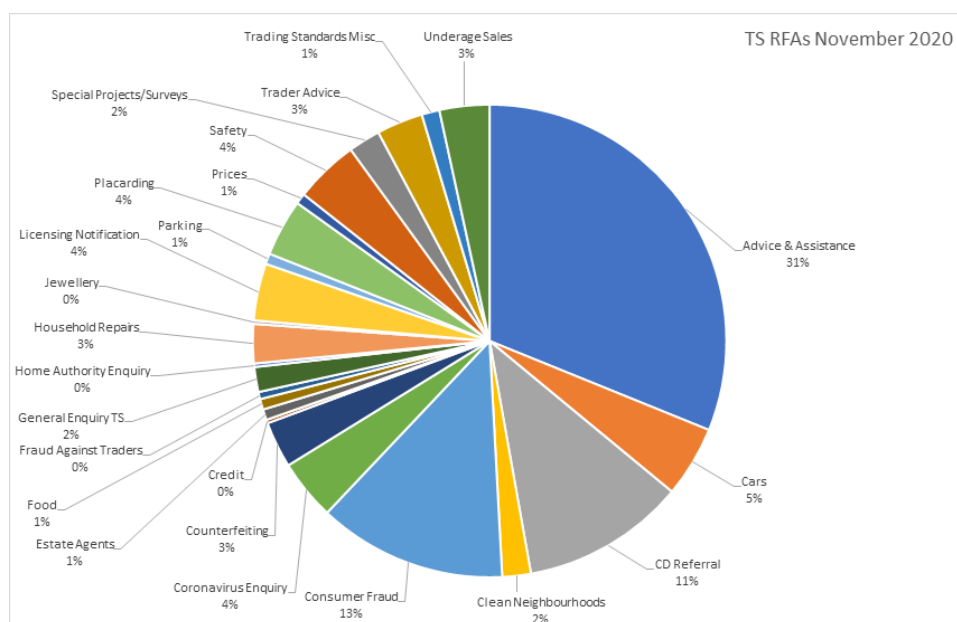
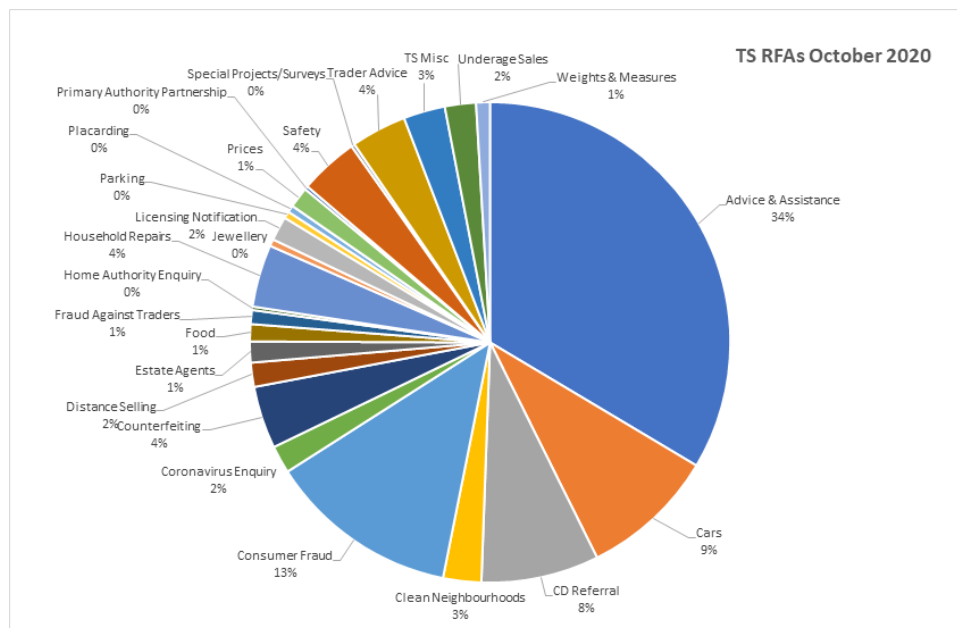
Type of Licence	Number of active licences
Scrap Metal Site Licences	46
Scrap Metal Collector Licences	47

There has been the following enforcement action with regards to Scrap Metal Site licences:

Type of Enforcement	October	November
Complaints	1	0
Inspections	3	4



## Trading Standards – Q3: October / November 2020



### October/November 2020 RFAs

Trading Standards received 429 Requests for Assistance in October (consistent with previous month) and 411 in November.

### Coronavirus Related RFAs

Requests for Assistance relating to coronavirus have increased considerably from 8 RFAs received about this issue in October to 17 RFAs this month.

### **Core TS Activities**

The core Trading Standards activities – product safety, underage sales, rogue traders and car sales all remain largely consistent. However, complaints about consumer fraud have increased from 8% last month to 15% this month. Of these, the highest sub-categories are scam websites and telephone calls / text messages and doorstep selling. It appears as though residents are starting to see an increase in tradespeople going door-to-door offering their goods and services. Complaints about car sales have reduced back to previous levels.

### **Financial Investigation**

In terms of COVID-19 related work, the two Financial Investigators (FIs) continue to focus their attention on fraudulent Coronavirus Business Grant applications. Interviews with suspects in these cases are set to commence this week, in joint investigations with Birmingham Audit.

Both FIs are also conducting work on behalf of Sandwell MBC and Wolverhampton CC, in a shared approach to undertaking financial investigation. In terms of Sandwell, this also relates to suspected fraudulent claims for Coronavirus Business Grants, along with a large-scale car clocking scam and tracing and recovering funds stolen from a school by a rogue business manager. Work also continues to assist the Birmingham based Regional Investigation Team with their investigations into a number of counterfeit goods sellers under Operation Beorma.

The service's FIs are also continuing to work with Birmingham Audit on their investigations into fraudulent Coronavirus Business Grant applications.

The FIs have recently secured further work assisting Wolverhampton City Council's Trading Standards Service with a financial investigation into a group of counterfeiters.

Outstanding Proceeds of Crime hearings are now starting to be rescheduled at Crown Courts where space is available. A final hearing involving a Planning Enforcement case is due to be heard mid-December and further cases have been listed for early 2021.

### **Tobacco inspection Op Marcus**

On 24 September 2020 Birmingham's Trading Standards team carried out intelligence-led visits to seven retailers across the city, targeting illicit and [counterfeit](#) tobacco. More than 900 packs of illicit cigarettes, 150 packets of hand rolling tobacco and more than 200 packs of niche tobacco products (e.g. shisha) were seized from premises. The owners of the premises will be invited for formal interviews. Officers were assisted by tobacco detection dogs from Wagtail UK and supported by [west midlands police](#).

### **Criminal Justice Act – underage knife sale**

Retailer pleaded guilty to selling a knife to an underage volunteer. He was given an eighteen-month Community Order plus 80 hours unpaid work.

### **Seizure of Counterfeit Goods**

Following intelligence received alleging supply of counterfeit goods, Trading Standards inspected a business in Hockley in October resulting in the seizure of hundreds of branded items suspected of being counterfeit. The owners of the business will be formally interviewed in due course and a report submitted to legal services.

### **Anti-Counterfeiting Group Award**

Birmingham Trading Standards and the Birmingham hosted CenTSA Regional Investigation Team (RIT) have received a joint award in November for the work they are doing to tackle the supply of counterfeit goods.

Operation BEORMA is a joint operation with a number of different agencies, including National Trading Standards (NTS) targeting serious and organised criminals responsible for huge supplies of fake goods into and in and around the UK and sales at both on-line and at physical market places. This complex operation led by the RIT together with Birmingham Trading Standards has led to nearly 50 direct enforcement actions, the identification of previously unknown OCG's and the recovery of several million pounds worth of counterfeit goods.

### **Placarding project**

Trading Standards have continued to tackle illegal placarding on the Public Highway across the city.

In September a further forty signs were removed from across the city. Fourteen businesses have been identified who have been sent warning letters and instructing them to cease putting up any further signs and to remove any further placards they may be displaying.

In November over thirty placards advertising various businesses were removed. Most of the placards related to businesses that had not been identified on previous exercises. This included a fireworks distributor who agreed to remove any further placards once he was contacted. Some of the other placards related to blinds, building and gardening services. Some 18 different businesses are being contacted and advised that placarding is a breach of Regulations.

This is an improvement in terms of number of illegal placards seen compared to the first exercise in July when nearly 120 illegal placards were removed.

Enforcement action may follow for those that persist.

### **National Consumer week - 16 November to 22 November**

This year's campaign was very timely ahead of 'Black Friday' and 'Cyber Monday', two of the biggest pre-Christmas shopping days. It also holds a significance this year because of COVID-19. It is expected that online shopping will continue to rise, and coronavirus measures will encourage its further growth as shoppers avoid the high street. This brings new challenges for both consumers and businesses, and the information shared through this campaign reflects these developments. During this campaign we were able to get numerous tweets out to the public and our followers.

## **TS Website**

There have been 6,314 page views for November 2020, which is an increase of 4,758 from October.

## **England Illegal Money Lending Team (IMLT)**

In November 2020, the England Illegal Money Lending Team received a total of 39 reports of illegal money lending (IML), an increase of 4 reports to the previous month, and a decrease of 6 reports from November 2019.

The majority of reports were generated from information provided by caller/source with 20 reports. This was followed by victims with 13 reports, housing services with 3 reports and the Police, Crimestoppers and the Gambling Commission with 1 report each.

30 new illegal lenders were identified during the month of November 2020.

The following warrants were executed by the IMLT during the month of November 2020

**OPERATON LAMBEROOD** – On 5<sup>th</sup> November 2020, a woman was arrested on suspicion of illegal money lending and money laundering, following an operation in Kent. Cash, documentation and electronic devices were seized after a warrant was executed at a residential property in East Malling. A 46-year-old woman was taken into custody as part of the operation carried out by the IMLT in partnership with Kent County Council Trading Standards and Kent Police. The woman has been released under investigation pending further enquiries. (TSSE Region)

### **The following hearings took place during November**

**OPERATON YEARLING** – On 4<sup>th</sup> November 2020 an Exeter man who illegally lent money to vulnerable people was given a suspended sentence. Robert Ferguson, 69, of Exe Street, Exeter, admitted running an unlawful money lending business and was jailed for 30 weeks, suspended for two years at Exeter Crown Court. He was also ordered to do 180 hours unpaid community work and pay £300 costs.

The case was prosecuted by the IMLT in partnership with Devon, Somerset and Torbay Trading Standards and Devon and Cornwall Police. Ferguson had been running his illegal money lending scheme between April 2014 and November 2019. He charged exorbitant rates of interest to friends or people he met in pubs and received tens of thousands of pounds in loan repayments, which was paid directly into his bank by more than 20 people. (South West Region)

**OPERTION SHOREHAM** – On 17<sup>th</sup> November 2020, Alan Fromson, 80, and Joyce Fromson, 78 were both sentenced to 10 months in prison, suspended for two years at Teesside Crown Court. The husband and wife team ran a lucrative illegal money lending business in the Stockton area and netted over £500k in loan repayments. The pair, both of Greenleas, Carlton, Stockton, pleaded guilty to two charges of illegal money lending between July 2007 and October 2019. The case was prosecuted by the IMLT working in partnership with Stockton Council Trading Standards and Cleveland Police.

The pair had left Provident (legal loan provider) and established their own money lending company called JFA Personal Credit in 1997. The couple ran a legitimate business until 2007 when they failed to renew their licence to loan money to customers. They did not pay any tax on their earnings during the course of running their illegal business. They issued loans worth around £382,800, earning £214,044 in interest payments and netting a total of £573,457 over a 12-year period. Specialist officers from the IMLT executed a search warrant at the couple's home in October 2019, where evidence and records were seized. In interview, Alan told investigators "the money goes straight into our pockets and we could get away with it, so we did" and "we have had a very, very good living out of it". (North East Region)

**OPERATION CHARNWOOD FOREST** –On 27<sup>th</sup> November 2020, at Sheffield Crown Court, MAVUNGA pleaded to illegal money lending counts; The defendant utilised the services of a social media influencer on at least two occasions. SAMURIWO pleaded not guilty. His trial is fixed for 2 days starting 18 May 2021. MAVUNGA has to attend on that day to be sentenced after the trial. (East Midlands Region)

#### **Other IML related news**

**On 11<sup>th</sup> November 2020** – the LIAISE Manager Cath Wohlers, appeared on the Channel 4 show, Steph's Packed lunch. The show interviewed an illegal money lending survivor 'Becky', and Cath discussed the modus operandi of Loan sharks and alternatives to avoid using them.

#### **Regional Investigation Team (RIT)**

Officers from the RIT assisted other law enforcement bodies with an exercise at an outdoor market known for selling counterfeit products.

Summonses were issued to a Birmingham based clothing manufacturer for his part in the counterfeit clothing manufacturing chain. He is next due to appear at Birmingham Magistrates Court on 30 November.

In the last update, reference was made to the sentencing of three individuals for their part in a home improvement scam. A fourth person involved in this case and who had failed to attend court, has been arrested and he is now in the court system.

Work continues on the other investigations currently being conducted. All of the investigations involve a significant number of alleged victims, with those victims being spread across the central region and beyond.

#### **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 for April to November 2020 compared to 2019.

<b>Deaths</b>	<b>2019</b>	<b>2020</b>	<b>% change</b>
<b>April</b>	819	2260	<b>+176</b>
<b>May</b>	863	983	<b>+13.9</b>
<b>June</b>	762	767	<b>+0.65</b>
<b>July</b>	802	800	<b>-0.25</b>
<b>August</b>	793	714	<b>-9.95</b>
<b>September</b>	802	804	<b>+0.25</b>
<b>October</b>	878	904	<b>+2.96</b>
<b>November</b>	844	1132	<b>+34.11</b>
<b>Running Total</b>	<b>6563</b>	<b>8364</b>	<b>+27.44</b>

## **Births**

The Government reintroduced the registration of births in June, with an optional alternative procedure. Whichever procedure is adopted still requires face to face meetings. For operational reasons the service followed the standard process and was fully operational from mid-June. As at 30 November there were 3180 outstanding birth registrations, of which 1090 were over the statutory 42 days registration period. The table below shows the level of birth registrations for June through to November compared to 2019, when the service recommenced.

<b>Birth Registrations</b>	<b>2019</b>	<b>2020</b>	<b>% change</b>
<b>June</b>	1,819	543	<b>-70.15</b>
<b>July</b>	1,880	2,820	<b>+50</b>
<b>August</b>	1,647	2,045	<b>+24.2</b>
<b>September</b>	1956	2376	<b>+21.5</b>
<b>October</b>	2284	2464	<b>+7.89</b>
<b>November</b>	2004	2542	<b>+26.85</b>
<b>Running Total</b>	<b>11590</b>	<b>12790</b>	<b>+10.35</b>

## **Ceremonies**

Following the initial national lockdown, the Government announced that the taking of notices of marriage and civil partnership, together with 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. Due to the second national lockdown, marriage and civil partnership ceremonies were suspended from 5 November to 2 December. The tables below show the level of ceremonies and notices from July to November compared to 2019.

<b>Ceremonies</b>	<b>2019</b>	<b>2020</b>	<b>% change</b>
July	188	45	<b>-76.1</b>
August	224	63	<b>-72.75</b>
September	150	121	<b>-19.35</b>
October	164	123	<b>-20</b>
November	140	12	<b>-91.40</b>
<b>Running Total</b>	<b>866</b>	<b>364</b>	<b>-58</b>

<b>Notice of Marriage and Civil Partnership</b>	<b>2019</b>	<b>2020</b>	<b>% change</b>
July	610	430	<b>-29.95</b>
August	522	365	<b>-30.1</b>
September	621	373	<b>-39.95</b>
October	566	478	<b>-15.5</b>
November	620	518	<b>-16.45</b>
<b>Running Total</b>	<b>2939</b>	<b>2164</b>	<b>-26.37</b>

<b>Citizenship Ceremonies</b>	<b>2019</b>	<b>2020</b>	<b>% change</b>
July	268	156	<b>-41.75</b>
August	199	246	<b>+33.2</b>
September	281	170	<b>-39.45</b>
October	273	214	<b>-21.65</b>
November	220	203	<b>-7.75</b>
<b>Running Total</b>	<b>1241</b>	<b>989</b>	<b>-20.31</b>

### **City Centre Operations - Temporary Pavement Licences**

The table below shows the activity that has taken place from when the temporary pavement licences were introduced to the end of November 2020.

Note –

**New** equates to the number of applications received where the applicant did **not** previously hold a Street Café Licences (Highway Act)

**Current** equates to the number of applications received where the applicant previously held a Street Café Licences (Highway Act)

<b>Month</b>	<b>Received</b>	<b>Approved</b>	<b>Refused/Rejected/Withdrawn</b>	<b>New</b>	<b>Current</b>	<b>City Centre</b>	<b>Local Centres</b>
July	3	2	1	2	1	3	0
August	33	28	5	21	12	29	4
September	8	7	1	4	4	6	2
October	7	6	1	6	1	4	3
November	0	0	0	0	0	0	0
<b>TOTAL TODATE</b>	<b>51</b>	<b>43</b>	<b>8</b>	<b>33</b>	<b>18</b>	<b>42</b>	<b>9</b>

**13 January 2021**

**Paul Lankester**  
**Interim Assistant Director Regulation and Enforcement**





**BIRMINGHAM CITY COUNCIL**

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

**13 JANUARY 2021**  
**ALL WARDS**

**PROSECUTIONS AND CAUTIONS – SEPTEMBER AND OCTOBER 2020**

1. Summary
  - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of September and October 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 months of September and October 2020, the following cases were heard at Birmingham Magistrates Court, unless otherwise stated:

- 79 Environmental Health cases were finalised resulting in fines of £56,552. Prosecution costs of £19,058 were awarded. Two simple cautions were administered as set out in Appendix 1.
- Eight Licensing cases were finalised resulting in fines of £1,502. 42 penalty points were issued. Prosecution costs of £1,290 were awarded. No simple cautions were administered as set out in Appendix 2.
- Two Trading Standards cases were finalised resulting in a fine of £435 and an 18 month community order. No simple cautions were administered as set out in Appendix 3.
- 12 Waste Enforcement cases were finalised resulting in fines of £27,117 and two conditional discharges. Prosecution costs of £6,610 were awarded. No simple cautions were administered as set out in Appendix 4.
- Appendix 5 lists cases finalised by district in September and October 2020 and April to October 2020.
- Appendix 6 lists the enforcement activity undertaken by the Waste Enforcement Team from April to October 2020.
- Appendix 7 lists Penalty Charge Notices issued by Parking Enforcement specifically for individuals parking on Taxi Ranks across the City April to October 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 2020 to October 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£63,796 has been requested with £54,548 being awarded (86%)

Licensing

£5,708 has been requested with £1,290 being awarded (23%)

Trading Standards

£2,739 has been requested with £1,650 being awarded (60%)

- 5.3 For the months of September and October 2020 the following costs have been requested and awarded:

Environmental Health (including Waste Enforcement cases)

£34,276 has been requested with £25,668 being awarded (75%)

Licensing

£5,132 has been requested with £1,150 being awarded (22%)

Trading Standards

£2,739 has been requested with £1,650 being awarded (60%)

- 5.4 The following income has been received so far from the courts in 2020/21.

Environmental Health

£29,943 has been received including Waste Enforcement cases.

Licensing

£1,520 has been received.

Trading Standards

£1,374 has been received.

(Total £32,837).

- 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.

**PAUL LANKESTER**

**INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Nil

**ENVIRONMENTAL HEALTH CASES****FOOD HYGIENE OFFENCES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
1	25/9/20	Titash International Balti Restaurant 2278 Coventry Road Birmingham B26 3JR	<p>Food Safety and Hygiene (England) Regulations 2013</p> <p>Pleaded guilty to three offences relating to conditions found at Titash Indian Restaurant, 2278 Coventry Road, Birmingham. There were no adequate procedures in place to control pests, adult, juvenile and dead cockroaches were found throughout the premises. There was a significant build up of dirt and grease underneath the cooking range and food preparation unit in the kitchen and greasy equipment was found in the kitchen. The ventilation/extractor canopy was dirty and greasy. There was a large amount of dirt and old food on the kitchen floor next to the preparation area. There were gaps to the wall/ceiling junction in the kitchen and a large hole in the wall of the food storeroom. There was a hole in the ceiling and boxed in pipework above the waiter station in the restaurant.</p>	<p>£750 – offence 1</p> <p>No separate penalty for remaining offences</p> <p>£650 costs awarded (£1,046 requested)</p>	Sheldon	Sheldon

2	12/10/20	New Cuisines Ltd 197 Broad Street Birmingham B15 1AY	Food Safety and Hygiene (England) Regulations 2013  Found guilty in their absence of four offences relating to conditions at East Z East, 197 Broad Street, Birmingham. Mouse droppings were found throughout the kitchen, specifically on the floor, on shelving, in a serving dish and on a cleaning chemical container. The kitchen floor, shelving and cleaning containers were dirty due to the presence of droppings and food debris. Water was leaking from beneath the wash hand basin which also had a loose cold-water tap. There were gaps around gas pipework into the wall and ceiling and around shelving in the pot wash area of the kitchen which could permit the ingress of mice. There was a dirty food storage container in the storeroom and mouse droppings on a serving dish.	£20,000 (£5,000 x 4)  £1,962 costs (£1,962 requested)	Ladywood	Ladywood
3	12/10/20	Starside Management Ltd c/o Midland Accountants Ltd 1 <sup>st</sup> Floor 91-92 Charles Henry Street Birmingham B12 0SJ	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to two offences relating to conditions found at Rooster King Fried Chicken, 1004 Coventry Road, Birmingham. There were no adequate procedures in place to control pests. A dead mouse was found on the floor below the hot food display cupboard. Mouse droppings were found on shelves, on the floor and under the front counter. The premises was not kept clean in that there was an accumulation of mouse droppings, grease, dirt and food debris throughout the kitchen. There was an accumulation of grease and dirt inside a cupboard to a deep fat fryer.	£12,000 (£6,000 x 2)  £1,200 costs (£1,200 requested)	Bordesley & Highgate	Tyseley & Hay Mills

4	15/10/20	Master Catering & Snacks Ltd 38 Victoria Road Birmingham B21 0SA	Food Safety and Hygiene (England) Regulations 2013  Found guilty in their absence of seven offences relating to conditions at Master Catering and Snacks, 38 Victoria Road, Birmingham. The floors, walls and shelving were dirty. The chest freezer and door to the walk-in chiller was dirty. Mouse droppings were found throughout the premises and in a box containing brown bags used to serve open foods. There were gnawed packets of Urid Split, Soya Mince and Moth Beans. There was no hot water to the hand wash basin in the toilet. Plastic storage containers were dirty with a build-up of grease. Metal trays and the potato rumbler were dirty. There were no procedures based on HACCP.	£2,500  £1,359 costs (£1,359 requested)	Soho & Jewellery Quarter	Soho & Jewellery Quarter
5	15/10/20	Big Khan Kebab House Ltd 486 Green Lane Birmingham B9 5QJ	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to four offences relating to conditions at Big Khan's Pizza and Kebab House, 486 Green Lane, Birmingham. There was evidence of mouse activity throughout the premises and mouse droppings were found at floor/wall junctions at the perimeter of the business. There was a lack of cleaning to kitchen equipment. There was an accumulation of waste in the rear yard and an obstructed drain gully. A shelf used for storing onions was littered with mouse droppings. Droppings were found around and next to equipment. Droppings were found in takeaway containers. The rear door was left open with no pest proof screening. There was a potential pest entry point in the ceiling in the rear back room.	£2,500  £1,399 costs (£1,399 requested)	Bordesley Green	Bordesley Green

6	15/10/20	Bismillah Fast Food Ltd 116/118 Bordesley Green Birmingham B9 4TS	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to four offences relating to conditions at Tasty Italy/Dylan Shawarma, 116 Bordesley Green, Birmingham. There was evidence of mouse activity throughout the premises and mouse droppings were found at floor/wall junctions at the perimeter of the business. There was a lack of cleaning in the kitchen, specifically the rotisserie machine, pizza oven, panini machine, hot/warming cupboard and bottom shelving. A shelf used for storing onions was littered with mouse droppings, droppings were found next to equipment and take-away polystyrene containers. There were gaps around pipework to the kitchen ceiling, gaps and holes in the kitchen wall surfaces.	£2,500  £1,962 costs (£1,962 requested)	Bordesley & Highgate	Bordesley & Highgate
7	30/10/20	Fazil Faisal Abdullah Birmingham	Food Safety and Hygiene (England) Regulations 2013  Pleaded guilty to 12 offences relating to conditions found at Gold Fried Chicken, 403 Dudley Road, Birmingham during three separate inspections. On each occasion there was a lack of cleaning, walls and floors were dirty throughout the premises and equipment tables were dirty. Burgers were stored uncovered in the freezer, a tray of raw chicken was found on the floor and sauces were uncovered in the fridge. Food handlers were wearing their own clothes without overclothing and there were no procedures based on HACCP.	£2,153  £1,620 costs (£1,620 requested)	North Edgbaston	North Edgbaston

**LITTER OFFENCES (NON SJP)**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
8	25/9/20	Steven Checkley Solihull	Environmental Protection Act 1990  Pleaded guilty to one offence of dropping a cigarette down a grid on New Street, Birmingham.	Absolute discharge.  No costs awarded (£175 requested)	Out of area	Ladywood
9	25/9/20	Francis Warnock Birmingham	Environmental Protection Act 1990  Found guilty in his absence of one offence of dropping a cigarette on the pavement in High Street, Birmingham.	£100  £192 costs awarded (£200 requested)	Kingstanding	Ladywood

**LITTERING OFFENCES – SINGLE JUSTICE PROCEDURE**

<b>Date Cases Heard</b>	<b>Total Number of Cases</b>	<b>Total Fines imposed</b>	<b>Total Costs awarded</b>	<b>Total Costs requested</b>
22/09/20	10	£2,200	£850	£1,750
29/09/20	9	£1,818	£765	£1,575
06/10/20	11	£2,240	£935	£1,925
20/10/20	40	£7,791	£6,164	£7,000

	<b>Date Case Heard</b>	<b>Name</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>
10	22/9/20	Jammal Aden Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Bordesley & Highgate
11	22/9/20	Majid Ali Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Hall Green South



12	22/9/20	Marian Andrei Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Bordesley & Highgate
13	22/9/20	Frances Andrews Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Sparkhill
14	22/9/20	Clifton Bullock Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Newtown
15	22/9/20	Daniel Francis Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Bartley Green
16	22/9/20	David Harte Tamworth  Proved in absence	£220  £85 costs (£175 requested)	Out of area
17	22/9/20	Jorge Barroso Ngunza Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Lozells
18	22/9/20	Ricardo Uddin Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Moseley
19	22/9/20	Ligui Yi Sheffield  Proved in absence	£220  £85 costs (£175 requested)	Out of area

20	29/9/20	Elizabeth Abimibola Akhirome Birmingham  Guilty plea	£58  £85 costs (£175 requested)	Ladywood
21	29/9/20	Mazhar Ali Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Acocks Green
22	29/9/20	Raisse Ali Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Sparkhill
23	29/9/20	Christopher Grey Bournemouth  Proved in absence	£220  £85 costs (£175 requested)	Out of area
24	29/9/20	Lauren McKenzie Doncaster  Proved in absence	£220  £85 costs (£175 requested)	Out of area
25	29/9/20	Mubariak Mohamed Said Wembley  Proved in absence	£220  £85 costs (£175 requested)	Out of area
26	29/9/20	Danagh Taylah Hinckley  Proved in absence	£220  £85 costs (£175 requested)	Out of area
27	29/9/20	Martin Thornton Wellingborough  Proved in absence	£220  £85 costs (£175 requested)	Out of area

28	29/9/20	Daniel Tracey Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Highter's Heath
29	06/10/20	Ikram Akhtar Walsall  Guilty plea	£40  £85 costs (£175 requested)	Out of area
30	06/10/20	Nicky Cookson Heywood  Proved in absence	£220  £85 costs (£175 requested)	Out of area
31	06/10/20	Andrew Edge Tipton  Proved in absence	£220  £85 costs (£175 requested)	Out of area
32	06/10/20	Luke Hall Solihull  Proved in absence	£220  £85 costs (£175 requested)	Out of area
33	06/10/20	Kate Hickling Nottingham  Proved in absence	£220  £85 costs (£175 requested)	Out of area
34	06/10/20	Simon Kent Birmingham  Proved in absence	£220  £85 costs (£175 requested)	North Edbaston
35	06/10/20	Alex McGregor Lichfield  Proved in absence	£220  £85 costs (£175 requested)	Out of area

36	06/10/20	Yasir Mohammed Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Aston
37	06/10/20	Ian Newton Birmingham  Proved in absence	£220  £85 costs (£175 requested)	Sparkhill
38	06/10/20	Liam Pickard Rugeley  Proved in absence	£220  £85 costs (£175 requested)	Out of area
39	06/10/20	Darryl Saunders Solihull  Proved in absence	£220  £85 costs (£175 requested)	Out of area
40	29/10/20	Tarik Abdon Manchester  Proved in absence	£220  £175 costs (£175 requested)	Out of area
41	29/10/20	Noreen Ali Oldham  Proved in absence	£220  £175 costs (£175 requested)	Out of area
42	29/10/20	Rulchsana Ali Derby  Proved in absence	£220  £85 costs (£175 requested)	Out of area
43	29/10/20	Jacqueline Atkin Monmouth  Guilty plea	£40  £50 costs (£175 requested)	Out of area

44	29/10/20	Cameron Bennett Birmingham  Proved in absence	£220  £175 costs (£175 requested)	North Edgbaston
45	29/10/20	Zoe Bishop Lichfield  Proved in absence	£220  £175 costs (£175 requested)	Out of area
46	29/10/20	Joe Brennan Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Moseley
47	29/10/20	Christopher Wayne Brock Walsall  Proved in absence	£220  £175 costs (£175 requested)	Out of area
48	29/10/20	Holly Carson Worcester  Proved in absence	£220  £175 costs (£175 requested)	Out of area
49	29/10/20	William Everitt Clay Evesham  Proved in absence	£220  £175 costs (£175 requested)	Out of area
50	29/10/20	Gheorghie Craete Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Soho & Jewellery Quarter
51	29/10/20	John Farrell Neston  Guilty plea	£40  £28 costs (£175 requested)	Out of area

52	29/10/20	Hope Maule Finch Wolverhampton  Guilty plea	£40  £28 costs (£175 requested)	Out of area
53	29/10/20	Pawel Goralski Crawley  Proved in absence	£220  £175 costs (£175 requested)	Out of area
54	29/10/20	Michael Hadley Birmingham  Proved in absence	£220  £175 costs (£175 requested)	North Edgbaston
55	29/10/20	Benjamin Haughton Wolverhampton  Guilty plea	£40  £28 costs (£175 requested)	Out of area
56	29/10/20	Ionut Alexandru Hilitanu Smethwick  Proved in absence	£220  £175 costs (£175 requested)	Out of area
57	29/10/20	Jennifer Jones Halesowen  Proved in absence	£220  £175 costs (£175 requested)	Out of area
58	29/10/20	Mustafa Kamil Ipswich  Proved in absence	£220  £175 costs (£175 requested)	Out of area
59	29/10/20	Sean Kellemar Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Yardley West & Stechford

60	29/10/20	Abdul Khaliq Walsall  Proved in absence	£220  £175 costs (£175 requested)	Out of area
61	29/10/20	Mohammed Khan Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Hall Green
62	29/10/20	Samara Mary Macpherson Antrim  Guilty plea	£100  £85 costs (£175 requested)	Out of area
63	29/10/20	Steve Maydew Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Moseley
64	29/10/20	Dominic McDonough Solihull  Proved in absence	£220  £175 costs (£175 requested)	Out of area
65	29/10/20	Robert Mihai Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Ward End
66	29/10/20	Mark Miller Coventry  Proved in absence	£220  £175 costs (£175 requested)	Out of area
67	29/10/20	Martin Muirhead Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Garretts Green

68	29/10/20	Serica Newell Smethwick  Proved in absence	£220  £175 costs (£175 requested)	Out of area
69	29/10/20	John O'Sullivan Horsham  Guilty plea	£51  £85 costs (£175 requested)	Out of area
70	29/10/20	Bijay Prakash Tamworth  Proved in absence	£220  £175 costs (£175 requested)	Out of area
71	29/10/20	Ionut Pruteanu Walsall  Proved in absence	£220  £175 costs (£175 requested)	Out of area
72	29/10/20	Shaun Scalley Doncaster  Proved in absence	£220  £175 costs (£175 requested)	Out of area
73	29/10/20	Ana Zubia Simon Smethwick  Proved in absence	£220  £175 costs (£175 requested)	Out of area
74	29/10/20	Tejpal Singh Leicester  Proved in absence	£220  £175 costs (£175 requested)	Out of area
75	29/10/20	Jason Snape Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Newtown



76	29/10/20	John Temple Watford  Proved in absence	£220  £175 costs (£175 requested)	Out of area
77	29/10/20	Charlotte Venables Stoke-on-Trent  Proved in absence	£220  £175 costs (£175 requested)	Out of area
78	29/10/20	Alexabdra Webber Sheffield  Proved in absence	£220  £175 costs (£175 requested)	Out of area
79	29/10/20	Jian Zheng Birmingham  Proved in absence	£220  £175 costs (£175 requested)	Ladywood

#### **ENVIRONMENTAL HEALTH SIMPLE CAUTIONS**

During September and October 2020 two simple cautions were administered:-

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

Two cautions were issued for failing to comply with Food Hygiene Regulations

**LICENSING CASES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
80	25/9/20	Saif Uddin Birmingham	Town Police Clauses Act 1847 & Road Traffic Act 1988  Pleaded guilty to two offences; one of plying for hire on Bristol Road, Selly Oak, Birmingham and one of consequently having invalid insurance.	£522 – no insurance + 6 penalty points  No separate penalty for plying.  £140 costs awarded (£576 requested)	Bromford & Hodge Hill	Bournbrook & Selly Oak
81	15/10/20	Sajjad Shafiq 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.	£200 – No Insurance  + 6 penalty points  No separate penalty for plying  £200 costs (£880 requested)	North Edgbaston	Ladywood
82	15/10/20	Ahmad Khan Smethwick	Equalities Act 2010  Pleaded guilty to one offence of being a private hire driver and refusing to carry out a booking in Poplar Road, Edgbaston, Birmingham because the disabled passenger was accompanied by an assistance dog.	£200  £250 costs (£813 requested)	Out of area	North Edgbaston

83	16/10/20	Mansoor Musaed Al Ammari 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.	£120 – no insurance  + 8 penalty points  No separate penalty for plying  £100 costs (£694 requested)	Garretts Green	Ladywood
84	16/10/20	Naqibullah Mohamadi 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.	£120 – no insurance  + 8 penalty points  No separate penalty for plying  £100 costs (£698 requested)	Glebe Farm & Tile Cross	Ladywood
85	16/10/20	Abdul Karim 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.	£120 – no insurance  + 8 penalty points  No separate penalty for plying  £100 costs (£665 requested)	Aston	Ladywood
86	16/10/20	Abdur Rob Hassain Birmingham	Equalities Act 2010  Pleaded guilty to one offence of being a private hire driver and refusing to carry out a booking in Witton Road, Aston, Birmingham because the disabled passenger was accompanied by an assistance dog.	£100  £100 costs (£822 requested)	Aston	Aston

87	30/10/20	Sharjeel Ahmed Gloucester	Town Police Clauses Act 1847 & Road Traffic Act 1988  Pleaded guilty to two offences; one of plying for hire on Inge Street, Birmingham and one of consequently having invalid insurance.	£120 – plying  + 6 penalty points  No separate penalty for no insurance  £300 costs (£560 requested)	Out of area	Ladywood
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### **LICENSING SIMPLE CAUTIONS**

No simple cautions were administered during September or October 2020.

**TRADING STANDARDS CASES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
88	29/10/20	Lozells Department Store Ltd 125 Lozells Road Lozells Birmingham B19 2TR	Criminal Justice Act 1988  Pleaded guilty to one offence of selling a knife, namely a Heavy Duty Cutting Knife, from Pound Plus, 125 Lozells Road, Lozells, Birmingham, to a person under 18 years of age.	£435  £1,000 costs (£1,420 requested)	Lozells	Lozells
89	30/10/20	Mandip Singh Birmingham	Criminal Justice Act 1988  Pleaded guilty to one offence of selling a knife, namely a Supertool Snap-Off Knife Set, from Rishan Ltd, Unit 4 The Fold, Sisefield Road, Birmingham, to a person under 18 years of age.	Community Order x 18 months  + 80 hours unpaid work.  £650 costs (£1,319 requested)	Highters Heath	Kings Norton South

**TRADING STANDARDS SIMPLE CAUTIONS**

No simple cautions were administered during September or October 2020.

**WASTE ENFORCEMENT CASES**

	<b>Date Case Heard</b>	<b>Name &amp; Address</b>	<b>Offence details (including Legislation)</b>	<b>Fine/Penalty &amp; Costs</b>	<b>Ward of defendant</b>	<b>Ward - Offence committed</b>
90	25/9/20	Tanology Ltd 30 Walmley Road Sutton Coldfield Birmingham B76 1QN	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information to be provided as to how waste from Tanology Unisex Salon, 30 Walmley Road, Birmingham was disposed of within 7 days.	£300  £250 costs (£250 requested)	Sutton Walmley & Minworth	Sutton Walmley & Minworth
91	25/9/20	Sam Newsagent Ltd 24 Soho Hill Birmingham B19 1AA	Environmental Protection Act 1990  Found guilty in absence of one offence of failing to comply with a notice requiring written information to be provided as to how waste from Soho News, 24 Soho Hill, Birmingham was disposed of within 7 days.	£300  £457 costs (£457 requested)	Lozells	Lozells
92	25/9/20	Chennell Mee Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information to be provided as to how waste from The Salon, 79 Broadstone Road, Birmingham was disposed of within 7 days.	£300  £220 costs (£220 requested)	Castle Vale	Yardley East
93	25/9/20	Mohammed Ismail Khan Birmingham	Environmental Protection Act 1990  Pleaded guilty to two offences, one of knowingly causing bulky waste collected by STS Removals to be deposited on Wolseley Drive, Birmingham and one of failing to comply with a notice requiring written information to be provided as to how the business disposes of its waste.	£342  £260 costs (£947 requested)	Newtown	Ward End

94	25/9/20	Haroon Bashir Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of causing controlled waste, namely 10 bags of waste, to be deposited from a vehicle onto Burney Lane, Washwood Heath, Birmingham.	£160  £260 costs + £160.50 clean-up costs.  (£666 requested and £160.50 clean-up costs)	Glebe Farm & Tile Cross	Ward End
95	12/10/20	Wheel Furb Ltd Unit 4 Stafford Street Dudley DY1 2AA	Environmental Protection Act 1990 & Environment Act 1995  Found guilty in their absence of three offences; one offence of failing to take measures to ensure waste was transferred to an authorised person in that an intermediate bulk container containing chemical waste from the business was found deposited on Hyperion Road, Birmingham. One offence of failing to comply with a notice requiring written information to be provided as to how waste, namely tyres and intermediate bulk containers produced at Wheel Furb Ltd, Unit 4 Stafford Street, Dudley was disposed. One offence of failing to provide information required by an authorised officer in the execution of his powers.	£24,000 (£8,000 x 3)  £3,193 costs (£3,193 requested)	Out of area	Bromford & Hodge Hill
96	12/10/20	Stourbridge Trading Company Blackthorns House 80-82 Dudley Road Lye Stourbridge DY9 8ET	Environmental Protection Act 1990  Found guilty in absence of one offence of failing to comply with a notice requiring written information to be provided as to how waste from Big Deal, Unit 21 Newtown Shopping Centre, Birmingham was disposed of within 7 days.	£1,000  £890 costs (£890 requested)	Out of area	Newtown
97	15/10/20	David Williams Birmingham	Environmental Protection Act 1990  Pleaded guilty to two offences of failing to comply with notices requiring information to be provided of the person in charge and the driver of a vehicle involved in a fly tipping incident.	£80 – offence 1  £180 costs (£1,007 awarded)	Acocks Green	Acocks Green

98	16/10/20	Robert James Wyatt Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of depositing controlled waste, namely a mattress, in an abandoned skip on Brickfield Road, Hay Mills, Birmingham.	Conditional discharge x 12 months  No costs awarded (£933 requested)	Longbridge & West Heath	Tyseley & Hay Mills
99	26/10/20	Stephen Mallett Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of failing to comply with a notice requiring written information to be provided as to how waste from S & J Jewellery, 896 Bristol Road South, Birmingham was disposed of within 7 days.	Conditional discharge x 12 months  £75 costs (£75 requested)	Frankley Great Park	Northfield
100	29/10/20	Taswir Hussain Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of being a producer of controlled waste and failing to ensure that the waste from T H Autos, 125 Shireland Road, Smethwick, was transferred to an authorised person in that four black bags containing garage type waste, oily rags and empty boxes of mechanical parts, were found on Wolseley Drive, Birmingham	£235  £405 costs (£1,306 requested)	Aston	Ward End
101	30/10/20	Marek Gabco Birmingham	Environmental Protection Act 1990  Pleaded guilty to one offence of knowingly causing controlled waste, namely four bags of garden waste, to be deposited from a vehicle on land in Dugdale Road, Winson Green, Birmingham.	£400  £260 costs (£999 requested)	Weoley & Selly Oak	Soho & Jewellery Quarter

### **WASTE ENFORCEMENT SIMPLE CAUTIONS**

No simple cautions were administered during September or October 2020.



**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – SEPTEMBER & OCTOBER 2020**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	0	0	6	0	0	1	0	0	0	<b>8</b>
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	72	0	0	0	0	0	0	<b>72</b>
Environmental Health (including WEU)	0	0	1	5	6	1	1	0	1	5	0	<b>20</b>
Trading Standards	0	0	0	0	0	1	1	0	0	0	0	<b>2</b>

**CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) SEPTEMBER & OCTOBER 2020**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	2	3	0	0	0	0	1	2	<b>8</b>
Environmental Health (FPNs) Not paid and prosecuted	4	1	8	1	8	0	1	1	0	3	45	<b>72</b>
Environmental Health (including WEU)	0	1	0	2	7	3	1	0	1	2	3	<b>20</b>
Trading Standards	0	0	0	0	0	0	1	1	0	0	0	<b>2</b>

### **CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL- OCTOBER 2020**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	0	0	6	0	0	1	0	0	0	<b>8</b>
Environmental Health (FPNs) Not paid and prosecuted	0	1	0	1	232	0	0	0	0	0	0	<b>234</b>
Environmental Health (including WEU)	0	0	0	5	6	1	1	0	1	5	0	<b>19</b>
Trading Standards	0	0	0	0	0	1	2	0	0	0	0	<b>3</b>

### **CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) APRIL- OCTOBER 2020**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	2	3	0	0	0	0	1	2	<b>8</b>
Environmental Health (FPNs) Not paid and prosecuted	11	8	17	14	33	3	5	5	1	8	129	<b>234</b>
Environmental Health (including WEU)	0	1	0	2	7	3	1	0	1	2	2	<b>19</b>
Trading Standards	0	0	0	1	0	0	1	1	0	0	0	<b>3</b>

**WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY****APRIL 2020 – MARCH 2021**

Waste Investigation Outcomes													
	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Total
Duty of care inspections into the waste disposal arrangements of commercial premises	1	6	4	58	7	56	68						200
Section 34 Environmental Protection Act demand notices issued:(trade waste statutory information demands)	1	4	2	52	5	52	68						184
Section 34 Environmental Protection Act Fixed Penalty Notices issued to businesses (£300)	32	2	2	2	1	3	0						42
Section 87 Environmental Protection Act Fixed Penalty notices issued for commercial and residential litter offences (£80)	1	0	0	1	1	0	0						3
Section 33 Environmental Protection Act Fixed penalty notices issued for fly tipping (£400)	1	7	2	11	8	2	3						34
Prosecutions													0
Number of prosecution files submitted to legal services, (number produced quarterly.	4	1	11	10	4	0	0						30

**PENALTY CHARGE NOTICES ISSUED FOR PARKING ON TAXI RANKS**  
**APRIL 2020 – MARCH 2021**

Monthly Parking Pcns Issue for Current Financial Year (excludes voids)	Processing
<b>April 2020</b>	<b>42</b>
Aberdeen Street Winson Green	2
Bennetts Hill City Centre	1
Bishopsgate Street City Centre	2
Colmore Row City Centre	2
Corporation Street City Centre	2
Dale End City Centre	6
Edmund Street City Centre	1
Hurst Street City Centre	1
Institute Road Kings Heath	7
Institute Road Moseley	3
Rochester Road	2
Smallbrook Queensway	1
Station Street City Centre	1
Steelhouse Lane City Centre	3
Temple Row City Centre	4
Theatre Approach City Centre	3
Waterloo Street City Centre	1
<b>May 2020</b>	<b>62</b>
Aberdeen Street Winson Green	3
Bennetts Hill City Centre	1
Bishopsgate Street City Centre	4
Bridge Street City Centre	3
Colmore Row City Centre	1
Corporation Street City Centre	2
Dale End City Centre	3
Edgbaston Street City Centre	1
High Street City Centre	1
High Street Erdington	1
Institute Road Kings Heath	2
Navigation Street City Centre	3
Rochester Road	3
Smallbrook Queensway	2

Steelhouse Lane City Centre	12
Temple Row City Centre	14
Theatre Approach City Centre	2
Waterloo Street City Centre	1
Woodcock Street City Centre	3
<b>June 2020</b>	<b>111</b>
Aberdeen Street Winson Green	3
Aston Street	1
Bennetts Hill City Centre	2
Bishopsgate Street City Centre	6
Bridge Street City Centre	4
Cambridge Street City Centre	4
Colmore Row City Centre	3
Corporation Street City Centre	3
Dale End City Centre	8
Digbeth Digbeth	2
Edgbaston Street City Centre	6
Edmund Street City Centre	4
Granville Street City Centre	1
High Street City Centre	2
Hurst Street City Centre	2
Institute Road Kings Heath	9
Rochester Road	4
Smallbrook Queensway	6
Station Street City Centre	1
Steelhouse Lane City Centre	4
Summer Row City Centre	1
Temple Row City Centre	22
Temple Street City Centre	1
Theatre Approach City Centre	10
Thorp Street City Centre	1
Warstone Lane	1
<b>July 2020</b>	<b>185</b>
Aberdeen Street Winson Green	4
Aston Street	2
Bennetts Hill City Centre	24
Berkley Street City Centre	1
Bishopsgate Street City Centre	10
Bridge Street City Centre	1
Cambridge Street City Centre	3
Colmore Row City Centre	1

Corporation Street City Centre	9
Dale End City Centre	13
Dalton Street	1
Digbeth Digbeth	3
Edgbaston Street City Centre	4
Edmund Street City Centre	1
Hill St City Centre	2
Hinckley Street City Centre	1
Hurst Street City Centre	6
Institute Road Kings Heath	9
Lower Essex Street City Centre	1
Pebble Mill Road Edgbaston	1
Rochester Road	5
Sheepcote Street City Centre	1
Smallbrook Queensway	16
St Marys Row Moseley	2
Station Street City Centre	15
Steelhouse Lane City Centre	11
Suffolk Street Queensway Ladywood	2
Summer Row City Centre	4
Temple Row City Centre	10
Theatre Approach City Centre	14
Thorp Street City Centre	6
Warstone Lane	1
Waterloo Street City Centre	1
<b>August 2020</b>	<b>253</b>
Aberdeen Street Winson Green	13
Aston Street	2
Bennetts Hill City Centre	53
Berkley Street City Centre	3
Bishopsgate Street City Centre	26
Brassington Avenue Sutton Coldfield	1
Bridge Street City Centre	11
Cambridge Street City Centre	3
Colmore Row City Centre	7
Corporation Street City Centre	9
Dale End City Centre	7
Dalton Street	1
Digbeth Digbeth	2
Dudley Street City Centre	1
Edgbaston Street City Centre	4

Edmund Street City Centre	1
Great Colmore Street City Centre	3
High Street City Centre	1
Hill St City Centre	1
Hinckley Street City Centre	1
Hurst Street City Centre	3
Institute Road Kings Heath	15
Lower Essex Street City Centre	1
Moor Street Queensway	1
Rochester Road	5
Smallbrook Queensway	15
St Pauls Square City Centre	4
Station Street City Centre	5
Steelhouse Lane City Centre	6
Suffolk Street Queensway Ladywood	1
Summer Row City Centre	15
Temple Row City Centre	8
Temple Row West City Centre	1
Theatre Approach City Centre	10
Thorp Street City Centre	11
Waterloo Street City Centre	2
<b>September 2020</b>	<b>227</b>
Aberdeen Street Winson Green	12
Albany Road Harborne	1
Bennetts Hill City Centre	52
Berkley Street City Centre	3
Bishopsgate Street City Centre	8
Bridge Street City Centre	1
Broad Street City Centre	1
Cambridge Street City Centre	1
Colmore Row City Centre	2
Corporation Square City Centre	1
Corporation Street City Centre	6
Dale End City Centre	9
Dalton Street	2
Digbeth Digbeth	2
Dudley Street City Centre	1
Edgbaston Street City Centre	6
Great Colmore Street	1
Hill St City Centre	2
Hinckley Street City Centre	1

Horse Fair City Centre	1
Hurst Street City Centre	3
Institute Road Kings Heath	7
King Edwards Road City Centre	1
Kingston Row City Centre	1
Navigation Street City Centre	1
Pebble Mill Road Edgbaston	1
Rochester Road	5
Rowheath Rd Kings Norton	1
Smallbrook Queensway	9
St Pauls Square City Centre	5
Station Street City Centre	3
Steelhouse Lane City Centre	8
Summer Row City Centre	13
Temple Row City Centre	16
Theatre Approach City Centre	12
Thorp Street City Centre	23
Warstone Lane	1
Waterloo Street City Centre	4
<b>October 2020</b>	<b>247</b>
Aberdeen Street Winson Green	8
Bennetts Hill City Centre	43
Berkley Street City Centre	1
Bishopsgate Street City Centre	14
Bridge Street City Centre	1
Cambridge Street City Centre	1
Colmore Row City Centre	4
Corporation Street City Centre	10
Dale End City Centre	5
Digbeth Digbeth	3
Dudley Street City Centre	1
Edgbaston Road Edgbaston	1
Edgbaston Street City Centre	6
Edmund Street City Centre	2
Gas Street, City Centre	1
Gibb Street, Nechells	1
Great Colmore Street	1
Great Colmore Street City Centre	5
High Street City Centre	1
Hill St City Centre	2
Hinckley Street City Centre	1



Institute Road Kings Heath	17
Navigation Street City Centre	1
Parade Sutton Coldfield	2
Rochester Road	5
Royal Mail Street City Centre	1
Smallbrook Queensway	8
St Marys Row Moseley	2
St Pauls Square City Centre	7
Station Street City Centre	14
Steelhouse Lane City Centre	16
Suffolk Street Queensway Ladywood	1
Summer Row City Centre	24
Temple Row City Centre	17
Temple Row West City Centre	1
Theatre Approach City Centre	5
Thorp Street City Centre	11
Warstone Lane	1
Waterloo Street City Centre	2
<b>TOTAL</b>	<b>1,127</b>



**BIRMINGHAM CITY COUNCIL**

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

**13 JANUARY 2021**  
**ALL WARDS**

**ACTION TAKEN BY THE CHAIR OF THE LICENSING  
& PUBLIC PROTECTION COMMITTEE:  
October and November 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](mailto: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 November 2020

- 4.1 On 03 November 2020 authority was sought to revoke with immediate effect the private hire driver licence held by driver reference 109989. On 03 November 2020 the Licensing Enforcement Section received information from West Midlands Police to the effect that the driver has been arrested for an allegation of driving whilst under the influence of drugs.
- 4.2 The interests of public safety being considered paramount, an authorisation of the Interim Assistant Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 04 November 2020. Notice was hand delivered personally to driver 109989'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.
- 4.3 On 26 November 2020 authority was sought to suspend with immediate effect the private hire driver licence held by driver reference 107449. On 26 November 2020 the Licensing Enforcement Section received information to the effect that the driver was being investigated for an allegation of rape.
- 4.4 The interests of public safety being considered paramount, an authorisation of the Interim Assistant Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 26 November 2020. Notice was hand delivered personally to driver 107449'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. Implications for Resources

- 5.1 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.

6. Implications for Policy Priorities

- 6.1 The contents of the report contribute to the City Council's published policy priority of improving the standards of licensed vehicles, people and premises in the City.

7. Implications for Equality and Diversity

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

**INTERIM ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

