

BIRMINGHAM CITY COUNCIL

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

16 MARCH 2016
ALL WARDS

PROSECUTIONS AND CAUTIONS – JANUARY 2016

1. Summary
 - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the month of January 2016.
2. Recommendation
 - 2.1 That the report be noted.

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3. Results

3.1 During the month of January 2016:

- Appendix 1 lists two Licensing cases resulting in fines of £1,125, prosecution costs of £1,409 were awarded and eight simple cautions were administered.
- Appendix 2 lists 92 Environmental Health cases resulting in fines of £29,496, prosecution costs of £15,949 were awarded, no simple cautions were administered.
- There were no Trading Standards cases finalised in January 2016 and no simple cautions were administered. An appeal against sentence was heard as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in January 2016 and cases finalised by district April-January 2016.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team April - December 2015.

4. Consultation

- 4.1 The Enforcement Policy that underpins the work identified in this report is approved by your Committee. The policy reflects the views of the public and business in terms of the regulation duties of the Council. Any enforcement action[s] taken as a result of the contents of this report are subject to that Enforcement Policy.

5. Implications for Resources

- 5.1 Costs incurred in investigating and preparing prosecutions, including officers' time, the professional fees of expert witnesses etc. are recorded as prosecution costs. Arrangements have been made with the Magistrates Court for any costs awarded to be reimbursed to the City Council. Monies paid in respect of fines are paid to the Treasury.

- 5.2 For the year April 2015 to January 2016 the following costs have been requested and awarded:

Licensing

£40,677 has been requested with £25,014 being awarded (61%).

Environmental Health

£158,645 requested with £139,834 being awarded (88%).

Trading Standards

£67,040 requested with £49,381 being awarded (74%).

- 5.3 For the month of January 2016 the following costs have been requested and awarded:

Licensing

£1,409 has been requested with £1,409 being awarded (100%)

Environmental Health

£19,198 has been requested with £15,949 being awarded (83%).

6. Implications for Policy Priorities

- 6.1 The contents of this report contribute to the priority action of ensuring business compliance with legislation to protect the economic interests of consumers and businesses as contained in the Council Business Plan 2015+.

7. Public Sector Equality Duty

- 7.1 The actions identified in this report were taken in accordance with the Enforcement Policy of the Licensing and Public Protection Committee which ensures that equality issues have been addressed.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil

LICENSING CASES

APPENDIX 1

	Name & Address	Date Case Heard	Court	Legislation	Fine	Name & Address	Date Case Heard
1	Shazaad Ahmed 18 Hillside Road Erdington Birmingham B23 7PP	7/1/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	£515 – No insurance + 6 penalty points No separate penalty for plying for hire	£496 (£496 requested)	Pleaded guilty to two offences; one offence of plying for hire on Ladywell Walk, Birmingham on 30 th May 2015 and one offence of consequently having invalid insurance.
2	Abdul Majid 141 Bowyer Road Saltley Birmingham B8 1EY	8/1/16	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £610 (both offences) + 6 penalty points	£913 (£913 requested)	Pleaded guilty to two offences; one offence of plying for hire on Bromsgrove Street, Birmingham on 10 th April 2015 and one offence of consequently having invalid insurance. Originally listed for trial.

LICENSING SIMPLE CAUTIONS

During the period of January 2016, eight simple cautions have been administered.

Local Government (Miscellaneous Provisions) Act 1976

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

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

Town Police Clauses Act 1847

Section 45 Two cautions were issued for plying for hire

Birmingham City Council Act 1990

Section 6(1) One caution was issued for carrying on an establishment for special treatment, namely massage without a licence.

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

One caution was issued for failing to produce upon request a copy of the Hackney Carriage Byelaws for inspection

ENVIRONMENTAL HEALTH CASES**APPENDIX 2****FLYPOSTING OFFENCES**

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	James Philip Reynolds Flat 5 108 Wake Green Road Birmingham B13 9PZ	7/1/16	Birmingham Magistrates Court	Town and Country Planning Act 1990	1 month conditional discharge	None awarded (£175 requested)	Pleaded guilty to one offence of displaying a poster on a building wall on Lower Temple Street, Birmingham advertising "Anon Presents Bill Patrick, Saturday 16 th May 2015" at "Next Door" without the consent of the City Council.

FOOD HYGIENE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Caspian Food Services Ltd The Cedars 2 The High Street Bagshot Surrey GU19 5AE	7/1/16	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £12,000 (£3,000 x 4)	£1,389 (£1,389 requested)	Pleaded guilty to four offences relating to the poor conditions found at Burger King in the Bullring, Birmingham. There was evidence of mouse activity throughout the premises and the floors in the dry store, plant room, staff locker room and soda storeroom were dirty. The splashback seal to the sinks in the food preparation area had mould growth on it and the shelf under the coffee machine had mouse droppings on it. High risk and ready to eat foods were being processed and cooked in areas that were dirty and had evidence of mouse activity.

HEALTH ACT OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Jahanzeb Afreedi 12 Kinnerley Street Walsall WS1 2LD	15/1/16	Birmingham Magistrates Court	Health Act 2006	£60	£80 (£175 requested)	Pleaded guilty to one offence of smoking in a smoke free place, namely Piccadilly Shopping Arcade, New Street, Birmingham

WASTE OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Sibonqile Nojilana 30 Willes Road Birmingham B18 4PY	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£440	£175 (£175 requested)	Found guilty in her absence of one offence of failing to comply with a notice in that non-recyclable items were placed in a recycling wheelie bin at 30 Willes Road, Birmingham.
2	Hannah Rose Price 28 Longwood Road Rednal Birmingham B45 9NQ	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£330	£175 (£175 requested)	Found guilty in her absence of one offence of depositing a black bag of rubbish on land between 18 and 28 Longwood Road, Birmingham.
3	Razvan Cristian Vasile 153 Chipperfield Road Birmingham B36 8BX	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	Total £880 (£440 x 2)	£175 (£175 requested)	Found guilty in his absence of two offences of failing to comply with notices in that non-recyclable items were placed in a recycling wheelie bin at 153 Chipperfield Road, Birmingham and bags of household waste were not placed in the wheelie bin for collection.

4	Maurice Ion 212 Cherrywood Road Bordesley Green Birmingham B9 4UR	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of depositing two black bags of rubbish on the pavement outside 212 Cherrywood Road, Birmingham.
5	Daniel Joseph Michael Hughes Flat 38 Wadham House Woodlands Way Birmingham B37 6RU	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£110	£120 (£667 requested)	Pleaded guilty to one offence of depositing controlled waste (fly tipping) including correspondence, prescription packets, cannabis plants and cannabis growing paraphernalia on a car park in Hudsons Drive, Cotteridge.
6	Karen Cullen 112 Hurstcroft Road Birmingham B33 9QU	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	None awarded (£175 requested)	Pleaded guilty to one offence of depositing household items, including a chair, a bar stool and a television, on Longbridge Lane, Birmingham
7	Adrian Ionita Flat 136A Lea Village Birmingham B33 9SL	22/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£250	£250 (£1,091 requested)	Pleaded <u>not guilty</u> to one offence of depositing two black bags of waste in Cliffe Drive, Shard End, Birmingham Found guilty after trial.

LITTERING OFFENCES

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Joanne Flanagan 591 Davidson Road Croydon CR0 6DU	6/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£160	£500 (£576 requested)	Found guilty in her absence of one offence of dropping a cigarette button the pavement in Cherry Street, Birmingham. Originally listed for trial.

2	Nagina Parveen 8 Brailes Grove Bordesley Green Birmingham B9 5JW	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£330 – offence 1 No separate penalty for offence 2	£175 (£350 requested)	Found guilty in her absence of two offences of dropping cigarette butts on the pavement on Pinfold Street and Victoria Square, Birmingham on two separate occasions.
3	Mariusz Krolicki 9 Ashley Road Surrey KT12 1HY	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
4	Jade Smith Flat 42 Stoneleigh House Selcroft Avenue Quinton Birmingham B32 2DA	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
5	Debbie O'Dwyer 220 Wellington Road Bilston WV14 6RL	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Colmore Row.
6	Jennifer Ruby Smith Flat 1 20 Pendleton Grove Birmingham B27 7LT	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Waterloo Street.
7	Hui Nan Tan Apartment 112 Queens College Chambers 38 Paradise Street Birmingham B1 2AH	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street.

8	Luke James Wall 47 Panther Croft Shard End Birmingham B34 7SB	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street.
9	Louise Rita Ikama 137 Gravelly Lane Birmingham B23 6LS	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Gravelly Lane, Birmingham.
10	Andrew Richard James Marsh 24 Mickleton Road Solihull B92 7EH	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Smallbrook Queensway, Birmingham.
11	Khaled El Wahid Boussida Apartment 909 The Hive 7 Masshouse Plaza Birmingham B5 5JN	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.
12	Jamail Cayman 29 Thornhill Road Birmingham B11 3LL	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.
13	Robert Coughlan Flat 4 29 Victoria Road Stechford Birmingham B33 8AL	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
14	Debbie Griffiths 1C Tyburn Road Wolverhampton WV1 2PU	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.

15	Nina Goodair 23 Goldstar Way Kitts Green Birmingham B33 0YP	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
16	Maria Balayan 64A Vivian Avenue London NW4 3XH	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.
17	Damian Watson 32 Kilmandil Road Ballymeana County Antrim NI BT44 9BH	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Station Street, Birmingham.
18	Emily Wright 2 Penrith Grove Chelmsley Wood Solihull B37 7UD	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Colmore Row. Birmingham.
19	Christian Harkin 2 Greenoak Crescent Birmingham B30 2TG	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£95 No separate penalty for second offence	£250 (£250 requested)	Pleaded guilty to two offences of dropping cigarette butts on the pavement in Bennetts Hill and New Street, Birmingham on two separate occasions.
20	Mark Heade Apartment 11 Emo Court 200 Packington Avenue Shard End B34 7RD	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

21	Anna Kociuba 1 Redwald Close Liverpool L33 4EH	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£70	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
22	Christopher Magnay Apartment 101 Derwent Foundry 5 Mary Ann Street Birmingham B3 1BG	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£145	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Pinfold Street, Birmingham.
23	Timothy Dannatt 2 Laburnam Cottages Alfred Road Birmingham B21 9NJ	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Pinfold Street, Birmingham.
24	Christopher Collins 8 Davies Avenue Bilston WV14 0SG	7/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£65	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
25	Mahmood Alawi Sharif 31 James House Newtown Drive Birmingham B19 2UZ	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£80 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.
26	Careem Pendenque 116 Shenstone Road Birmingham B16 0NS	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

27	John Paul 185 Alma Street Newtown Birmingham B19 2RL	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.
28	Mandy Miller 9 Navarre Road London E6 3AQ	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
29	Shaun McNay 62 Hurst Bourne Crescent Wolverhampton WV1 2EG	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
30	Alina Georgina Ionescu 172 Slade Road Birmingham B23 7PX	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£50 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
31	David Hart 283 Perry Wood Road Great Barr Birmingham B42 2BN	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
32	Jennifer Buckley 23 Montague Street Aston Birmingham B6 7QA	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham, Birmingham.
33	Stacey Boyce Flat 2 247 Great Colmore Street Birmingham B15 2AX	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.

34	Stewart Aimes 66 Vicarage Road Stourbridge DY8 4NP	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Corporation Street, Birmingham.
35	Jayne Taylor 113 Trident House Granville Square Birmingham B15 1UQ	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.
36	Anton Singh 18 Lime Grove Bilston WV14 6EQ	15/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£230	£175 (£175 requested)	Pleaded guilty to one offence of dropping two cigarette butts on the pavement in Colmore Row, Birmingham.
37	Mohammed Qamar Saddiq 31 Blakesley Road Yardley Birmingham B25 8XU	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
38	Ian Suckling 43 Ackleton Grove Weoley Castle Birmingham B29 5LN	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
39	Aimee Renehan 11 Wold Walk Birmingham B13 0JT	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Moor Street, Birmingham.
40	Alexander Reade 249 Foxdale Road Brierley Hill Dudley DY5 3GX	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

41	Kaid Nasser Flat 244 Cleveland Tower Holloway Head Birmingham B1 1UF	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£175 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
42	Paul Cope 38 Philip Sidney Road Sparkhill Birmingham B11 4HY	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Cannon Street, Birmingham.
43	Mark Timms 59 Sir Thomas Whites Road Coventry CV5 8DN	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
44	Grant Walsh 55 Grafton Road Oldbury B68 8BJ	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
45	Jordan White 75 Mount Road Lamesfield Wolverhampton WV4 6LU	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
46	Kaamran Ahmed 169 Hobsmoat Road Solihull B92 8JW	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
47	Oliver Betts 97A Bissell Street Digbeth Birmingham B5 7HP	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Hurst Street, Birmingham.

48	Douglas Callow Flat 1 B Block Deveron Court Deveron Way Hinckley LE10 0XD	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
49	Phillip Celurdo Apartment 34 Kinvara Heights Digbeth Birmingham B12 0PN	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
50	Michael Connolly Flat 1 23 Cardigan Road Leeds LS6 3AE	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on Moor Street Queensway, Birmingham.
51	Rebecca Cowley 5 Hawerby House Alden Close Immingham DN40 2AN	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
52	Nicaola Cuccia Flat 7 Alpha Close Birmingham B12 9HF	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Hurst Street, Birmingham.
53	Melissa Ann Dring 40 Vernon Road Stourport DY13 8ES	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
54	Theresa Dwyer 7 Cooks Close Atherstone CV9 1ES	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement on Stephenson ramp, Birmingham.

55	Emma George 6 Shaftsbury Close Telford TF2 9GW	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.
56	Serina Purewal 699 Warwick Road Tyseley Birmingham B11 2EZ	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
57	James Healey 63 Gravelly Hill North Birmingham B23 6BP	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
58	Saira Iqbal 206 Garretts Green Lane Birmingham B26 2SD	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
59	Omer Malik 289 Mackadown Lane Birmingham B33 0NH	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
60	Jashua Franciseo Manlises 2 Medina House Torridge Gardens London SE15 3JL	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
61	Marc Pearce 95 Courtenay Road Great Barr Birmingham B44 8JB	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£146	None awarded (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.

62	Zaneta Spisakova 3 Essington Street Birmingham B16 8AL	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£115	None awarded (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
63	Samantha Teese 19 Langley Walk Birmingham B15 2EF	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£40 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.
64	Lisa Miles 30 Ackleton Grove Weoley Grove Birmingham B29 5LN	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Cherry Street, Birmingham.
65	Lauren Nevitt 43 Sterling Road Birmingham B16 9BB	21/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.
66	Mandip Kumar Pargania 126 Boulton Road Handsworth Birmingham B21 0RE	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£115	None awarded (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Warstone Lane, Jewellery Quarter, Birmingham.
67	Josh Sean Nagle 105 Three Spires Avenue Coventry CV6 1LB	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
68	Sangeetha Kaur Kular 6 Pitchwood Close Darlaston Wednesbury WS10 8BF	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£30 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.

69	William Junior Mills 15 Surrey Road Kingstanding Birmingham B44 9LX	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
70	Rashurd Ali 19 Brunel Close Balsall Heath Birmingham B12 8SS	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£40	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
71	Gemma Daly Flat 10 Abacus Building 1 Warwick Street Birmingham B12 0NW	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£85	£85 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.
72	Emma Tomlinson 7 Clement Close Stafford ST16 3NS	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Edgbaston Street, Birmingham.
73	Huzam Sabar 11 Tetley Road Birmingham B11 3BU	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Circus Queensway, Birmingham.
74	Brendan O' Malley Flat 44 Huntingdon House Faulkners Farm Drive Birmingham B23 7XF	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
75	Michelle Deakin 96 Lothersdale Tamworth B77 4HU	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.

76	James Denton 55 Tib Street Manchester M4 1LS	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Navigation Street, Birmingham.
77	Thomas Gaskin 118 Green Acres Road Birmingham B38 8NJ	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
78	Sarah Jones 42 Hamilton Road Smethwick B67 5QF	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
79	Matthew Callahan 7 Camden Hill Road London W8 7DX	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
80	Reece Trimmer Apartment 407 40 St Pauls Place Birmingham B3 1FQ	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Street, Birmingham.
81	Oliver Stephens 15 The Bank Bidford-on-Avon Alcester B50 4NL	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row West, Birmingham.
82	Salim Amir 16 Fulham Road Birmingham B11 4QA	29/1/16	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Victoria Square, Birmingham.

ENVIRONMENTAL HEALTH SIMPLE CAUTIONS

During January 2016 no simple cautions were administered.

TRADING STANDARDS
APPEAL AGAINST SENTENCE

	Name & Address	Date Case Heard	Court	Legislation	Sentence	Costs	Offence details
1	<p>Rehan Birmingham UK Ltd 318-320 Green Lane Birmingham B9 5DP</p> <p>Fozia Ali 19 Inglefield Road Stechford Birmingham B33 8DF</p>	21/1/16	Birmingham Crown Court	<p>Cosmetic Products Enforcement Regulations 2013</p> <p>Electrical Equipment (Safety) Regulations 1994</p>	<p>Total £2,600</p> <p>Company's fine reduced from £3,000 to £2,000 for Mercury offence</p> <p>Director's fine reduced from £3,000 to £400 for mercury offence</p> <p>Both previously fined £100 x 1 Electrical Safety offence (remains unchanged)</p>	<p>£3,000</p> <p>(£1,500 against each)</p> <p>(remains unchanged)</p>	<p>Appeal against sentence.</p> <p>Each defendant originally pleaded guilty to 21 offences on 6th August 2015; 14 of offering cosmetic products for supply at 318-320 Green Lane, Birmingham which failed to comply with labelling requirements, five offences of possessing cosmetics for supply which contained banned substances, namely mercury and Di Amino Toluene Sulphate, and two offences of possessing electrical equipment, namely an AC/DC adaptor, for sale which had not been provided with instructions for use and which was unsafe.</p> <p>Sentence reduced.</p>

TRADING STANDARDS SIMPLE CAUTIONS

During January 2016, no simple cautions were administered.

APPENDIX 4

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – JANUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	0	0	0	2	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	0	0	0	0	82	0	0	0	0	0	0	82
Environmental Health (non FPNs)	0	0	0	2	5	2	0	1	0	0	0	10
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – JANUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	1	0	1	0	0	0	0	0	0	0	2
Environmental Health (FPNs) Not paid and prosecuted	2	4	6	5	17	3	4	2	0	5	34	82
Environmental Health (non FPNs)	0	0	1	3	2	1	0	0	0	0	3	10
Trading Standards	0	0	0	0	0	0	0	0	0	0	0	0

CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL 2015 - JANUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	2	3	0	29	0	0	1	1	0	1	40
Environmental Health (FPNs) Not paid and prosecuted	2	2	2	0	439	1	0	0	1	0	0	447
Environmental Health (non FPNs)	1	7	10	7	27	3	5	8	2	5	0	75
Trading Standards	0	1	2	7	6	0	1	1	0	2	2	22

CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL 2015 - JANUARY 2016

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	3	6	11	5	1	1	1	0	2	9	40
Environmental Health (FPNs) Not paid and prosecuted	22	25	24	26	47	15	20	18	8	23	219	447
Environmental Health (non FPNs)	2	4	9	9	14	2	5	6	1	5	18	75
Trading Standards	0	1	2	7	6	1	1	0	1	3	0	22

APPENDIX 5

WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY
APRIL- DECEMBER 2015

	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Total 2015/2016	
Waste Investigation Outcomes											
Investigations into commercial waste disposal suspected offences and offences	57	32	44	123	13	27	41	33	11	381	
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	40	25	30	95	23	18	22	19	10	282	
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	2	2	4	6	6	5	1	5	6	37	Payment rate = 27%
<u>Section 87 Environmental Protection Act.</u> Fixed Penalty notices issued for commercial and residential litter offences (£80)	26	15	15	11	15	16	14	4	9	125	Payment rate = 66%
Prosecutions											
Prosecutions submitted to legal services										99	