

# BIRMINGHAM CITY COUNCIL

**LICENSING AND  
PUBLIC PROTECTION  
COMMITTEE  
11 SEPTEMBER 2019**

**MINUTES OF A MEETING OF THE LICENSING  
AND PUBLIC PROTECTION COMMITTEE HELD  
ON WEDNESDAY, 11 SEPTEMBER 2019 AT  
1400 HOURS IN COMMITTEE ROOMS 3 AND 4,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Phil Davis in the Chair;

Councillors Bob Beauchamp, Neil Eustace, Adam Higgs,  
Nagina Kauser, Mike Leddy, Majid Mahmood, and Martin  
Straker-Welds.

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**NOTICE OF RECORDING/WEBCAST**

1213 The Chair advised that the meeting would be webcast for live and 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 were confidential or exempt items.

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**DECLARATIONS OF INTEREST**

1214 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at the meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

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**APOLOGIES**

1215 Apologies were received from Councillors Olly Armstrong, Nicky Brennan, Mary Locke, Bruce Lines and Simon Morrall for non-attendance.

**Anti-Counterfeiting Group Awards**

1200 The Chair welcomed Sajeela Naseer, Head of Trading Standards together with colleagues from Trading Standards nationally in relation to anti-counterfeiting work and Graham Mogg Anti-Counterfeiting Group (ACG) based in High Wycombe. He asked Mr Mogg to present the awards.

Mr Mogg explained that the ACG was a trade association representing 3,500 trademark owners and counterfeiting took £4billion from the economy and threatened 60, 000 jobs. ACG recognises joint and collaborative working in tackling counterfeiting. As Chair of the National Markets Group he had been working with colleagues who were to receive the awards today, on operation BEORMA to target organise criminal activities mainly based in the West Midlands who undertook counterfeiting activities.

Mr Mogg presented Anti-Counterfeiting Group Special Achievement Awards to:-

Mohammed Tariq - Trading Standards  
Peter Huston National Trading Standards Intelligence Unit  
Sajeela Naseer, Head of Trading Standards, Birmingham, Phil Paige Regional Investigation Team and Councillor Phil Davis Chair of Licensing and Public Protection Committee.

The Chair commented on the strong partnership approach to tackling counterfeiting and spoke of Birmingham's contribution to this work. He thanked all involved in this important work.

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**MINUTES**

1216 The Minutes of the meeting held on 17 July 2019, having been previously circulated were confirmed and signed by the Chair.

Councillor Majid Mahmood queried when the Cabinet Member for Homes and Neighbourhoods would be providing further information on the scanner. He continued that he had not received an email relating to the issues concerning food safety that he had raised at the last meeting. The Chair undertook to chase up those issues.

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

**IMLT UPDATE COMMITTEE REPORT JULY 2019**

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

(See Document No. 1)

Tony Quigley, Head of Illegal Money Lending Team, made an overhead presentation of the work of the England Illegal Money Lending Team (IMLT) which highlighted some stories from real victims and the work undertaken in schools. Tony continued by making introductory comments relating to the report during which he drew members attention to paragraphs 3.2, 3.16, 3.17, 4.1, 8.1, 11, 12, 12.5, 13, 14 and 15.

During the ensuing debate the work of the officers was praised and congratulated. It was noted that becoming involved with an illegal money lender often led to distress for the victim who were often made to undertake criminal activities. The introduction of a Municipal Bank could assist victims further particularly those who could not secure loans at high street banks. The proceeds of crimes money recovered could assist in that regard. It was noted that the vulnerable people in all communities could fall prey to the illegal money lenders and the work undertaken by the IMLT helped the communities as crime often reduced when illegal money lenders were imprisoned.

The Chair requested that information be sent to all Councillors to raise the awareness of the issue of illegal money lending and how people who had borrowed money from an illegal money lender could seek help. He continued one way of doing this was to hold a workshop prior to a full City Council meeting.

1217

**RESOLVED:-**

That the report be noted.

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**CLEAN AIR ZONE: MITIGATION MEASURES FOR HACKNEY CARRIAGE VEHICLES**

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

(See Document No. 2)

Emma Rohomon, Acting Head of Licensing, made introductory comments relating to the report and responded to Members comments relating to the need to review the Moratorium on issuing new hackney carriage vehicle licenses following the introduction of the Clean Air Zone in case there was decrease in drivers, the issue about the requirement to have a spare wheel and that the funding of mitigation measure being directed towards individual drivers rather than operators.

1218

**RESOLVED:-**

- (i) That an exemption to the moratorium of the issuing of new hackney carriage vehicle licences be granted for those vehicles operated through the Clean Air Fund Fleet scheme. (name subject to confirmation); and
- (ii) that, where a conversion has been carried out as part of the Clean Air Zone mitigations (Clean Vehicle Retrofit Accreditation Scheme), the

vehicle licence holder will be exempt from the requirement to carry a spare wheel – although they will be expected to carry suitable alternative means of flat tyre repair such as gas/foam inflation kit.

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**LICENCING AND PUBLIC PROTECTION BUDGET MONITORING 2019/20 – QUARTER 1**

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

(See Document No. 3)

Paul Lankester, Interim Assistant Director, Regulation and Enforcement, made introductory comments relating to the report. In response to questions from Councillor Majid Mahmood he confirmed that the Directorate did recover costs for pest control from both Housing and Social Services. He noted that he was aware of the pressures on the Mortuary and Coroners service and was looking at ways to overcome that difficulty in next years budget. He advised that he had confirmation from Central Government that it would be paying all the 1974 inquest costs.

Councillor Mike Leddy, in noting that an officer from finance was not in attendance at the meeting, felt that those officers reporting to the Committee should attend to present their report and he asked if that could be passed on to senior officers. The Chair undertook to ascertain why no finance officer had attended and ensure it did not happen in the future.

1219

**RESOLVED:-**

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

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**OUTCOME OF APPEALS AGAINST SUB COMMITTEE DECISIONS: JUNE – JULY 2019**

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

(See Document No. 4)

Emma Rohomon, Acting Head of Licensing, made introductory comments relating to the report and in response to a comment from Councillor Majid Mahmood she explained in detail the Crown Court case in respect of Mohammed Rashid and the reasoning for the decision and award of costs. In response to further comment from the Chair she confirmed that Mr Rashid would not be able to use the name TOA Cars.

1220

**RESOLVED:-**

That the report be noted.

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**PROSECUTIONS AND CAUTIONS REPORT – JUNE AND JULY 2019**

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

(See Document No. 5)

Paul Lankester, Interim Assistant Director, Regulation and Enforcement indicated the report was for noting and he did not wish to comment on it.

Councillor Martin Straker Weld raised the issue of fireworks and who had regulation of events involving them. He referred to the letting off of fireworks in a public place and after 2300 hours.

Emma Rohomon, Acting Head of Licensing, indicated that the discharge of fireworks in the street was a police matter and there was a requirement to have an explosive licence to store and sell fireworks. It was illegal to discharge fireworks between 2300 hours and 0700 hours except on certain dates. Fireworks were not regulated under the Licensing Act. Paul Lankester, Interim Assistant Director, Regulation and Enforcement indicated that officers would review the situation regarding fireworks and get a briefing note emailed to Committee Members.

During the debate Members made reference to the need to give publicity to the cases within the report, the need to tackle businesses who think it is correct to act illegally because they write off any fines as a business overhead, the sale of knives, food hygiene and the need to undertake enforcement activity away from the City Centre.

Councillor Mike Leddy made reference to the cases within the report and thanked officers, including the senior management team of the department, for the work they did on behalf of the public.

1221

**RESOLVED:-**

That the report be noted.

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**SCHEDULE OF OUTSTANDING MINUTES**

The following schedule of Outstanding Minutes was submitted:-

(See Document No. 6)

It was noted that a report relating to the Outstanding Minute would be submitted to the next meeting.

1222 **RESOLVED:-**

That all Outstanding Minutes be continued.

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**OTHER URGENT BUSINESS**

The Chair was of the opinion that the following items could be considered as matters of other urgent business in order to expedite consideration thereof and instruct officers to act if necessary:-

**Training Sessions**

1223 The Chair indicated that from the October meeting the Committee would start at 1030 hours. This would allow sessions to be held before the meeting at say 0915 hours to train Members which he reminded the Committee was now a requirement in the Council's Constitution. He reminded Members that they needed to be trained to allow them sit on the Licensing Sub-Committees.

**Coroner's Office**

1224 Councillor Majid Mahmood indicated that with the previous Coroner, Members were able to contact him relating to the rapid release of bodies due to religious needs, but the current Coroner did not accept such contact. He requested that the Committee receive a report on the issue of rapid release of bodies.

Paul Lankester, Interim Assistant Director, Regulation and Enforcement indicated that he could be contacted about any particular case and he suggested that the issue could be brought to a briefing session.

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**AUTHORITY TO CHAIR AND OFFICERS**

1225 **RESOLVED:-**

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

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The meeting concluded at 1139 hours.

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CHAIRMAN