

BIRMINGHAM CITY COUNCIL

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

15 JULY 2015
ALL WARDS

OUTCOME OF APPEALS AGAINST SUB COMMITTEE DECISIONS:
MAY 2015

1. Summary
 - 1.1 This report advises the Committee of the outcomes of an appeal against the Sub Committee's decisions which is made to the Magistrates' Court, and any subsequent appeals made to the Crown Court, and finalised in the period mentioned above.
2. Recommendation
 - 2.1 That the report be noted.

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3. Summary of Appeal Hearings for May 2015

	Magistrates'	Crown
Total	1	
Allowed		
Dismissed	1	
Appeal lodged at Crown		n/a
Upheld in part		
Withdrawn		

4. Implications for Resources

- 4.1 The details of costs requested and ordered in each case are set out in the appendix below.
- 4.2 In May 2015 costs have been requested to the sum of £360 with reimbursement of £180 (50%) ordered by the Courts.
- 4.3 For the fiscal year thus far, April 2014 to May 2015, costs associated to appeal hearings have been requested to the sum of £360 with reimbursement of £180 (50%) ordered by the Courts.

5. Implications for Policy Priorities

- 5.1 The contents of this report contribute to the priority action of providing an efficient and effective Licensing service to ensure the comfort and safety of those using licensed premises and vehicles.

6. Public Sector Equality Duty

- 6.1 The actions identified in this report were taken in accordance with the Enforcement Policy of the Regulation and Enforcement Division, which ensures that equality issues have been addressed.

7. Consultation

- 7.1 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 the business community in terms of the regulatory duties of the Council. Any enforcement action taken as a result of the contents of this report is subject to that Enforcement Policy.

SERVICE DIRECTOR REGULATION AND ENFORCEMENT

Background Papers: Prosecution files and computer records in Legal Proceedings team.

APPENDIX**MAGISTRATES' COURT – PRIVATE HIRE DRIVER'S LICENCE**

	Name	Date Case Heard	Result	Costs Requested	Costs Ordered	Comments
1	Sarwar Khan	15.05.2015	Dismissed	£360.00	£180.00	<p>On 4 March 2015, as the result of conviction for an offence of affray, Committee considered and resolved to revoke the licence.</p> <p>Mr Khan has now lodged an appeal to Crown Court.</p>