

**BIRMINGHAM CITY COUNCIL**

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

**18 NOVEMBER 2015**  
**ALL WARDS**

**PROSECUTIONS AND CAUTIONS – AUGUST AND SEPTEMBER 2015**

1. Summary
  - 1.1 This report summarises the outcome of legal proceedings taken by Regulation and Enforcement during the months of August and September 2015.
2. Recommendation
  - 2.1 That the report be noted.

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### 3. Results

#### 3.1 During the months of August and September 2015:

- 9 Licensing cases resulted in fines of £4,135. Prosecution costs of £4,515 were awarded together with 60 penalty points and a total of 14 months driving disqualifications. 30 simple cautions were administered as set out in Appendix 1.
- 97 Environmental Health cases resulted in fines of £45,876. Prosecution costs of £30,766 were awarded. One simple caution was administered as set out in Appendix 2.
- Six Trading Standards cases resulted in fines of £8,950 together with prison sentences of 29 months and 16 weeks. Prosecution costs of £7,046 were awarded. No simple cautions were administered as set out in Appendix 3.
- Appendix 4 lists cases finalised by district in August and September 2015 and cases finalised by district April-September 2015.
- Appendix 5 lists the enforcement activity undertaken by the Waste Enforcement Team April - August 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 September 2015 the following costs have been requested and awarded:

#### Licensing

£37,134 has been requested with £21,471 being awarded (59%).

#### Environmental Health

£81,919 requested with £69,331 being awarded (85%).

#### Trading Standards

£58,216 requested with £40,557 being awarded (70%).

- 5.3 For the months of August and September 2015 the following costs have been requested and awarded:

Licensing

£8,676 has been requested with £4,515 being awarded (52%).

Environmental Health

£36,520 has been requested with £30,766 being awarded (84%).

Trading Standards

£22,766 has been requested with £7,046 being awarded (31%).

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 /Penalty	Costs	Offence details
1	Mohammed Mushtaq 43 Vernon Avenue Handsworth Wood Birmingham B20 1DD	7/8/15	Birmingham Magistrates Court	Local Government (Miscellaneous Provisions) Act 1976 & Road Traffic Act 1988	Total £240  + 18 penalty points  + 6 months disqualification from driving	£500  (£675 requested)	Pleaded guilty to four offences: one of being the Operator of Atlas Cars and knowingly operating an unlicensed driver and three of permitting the driver to use the vehicle without valid insurance.
2	Nazir Ali Azizi 177 Stockfield Road Acocks Green Birmingham B27 6AU	12/8/15	Birmingham Magistrates Court	Local Government (Miscellaneous Provisions) Act 1976 & Road Traffic Act 1988	Total £290  (£145 x 2 no insurance offences)  No separate penalty for remaining offences  + 12 penalty points	£100  (£670 requested)	Pleaded guilty to six offences: two of knowingly acting as a private hire driver without a current driver's licence, two of acting as a private hire driver without a current vehicle licence and two offences of using the vehicle without valid insurance.
3	Samson Yosef 122 Ludlow Road Alum Rock Birmingham B8 3BT	14/8/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £1,000  (£400 – Plying  £600 – No Insurance)  + 6 penalty points	£423  (£423 requested)	Found guilty in his absence of two offences; one offence of plying for hire on Rea Street on 9 <sup>th</sup> January 2015 and one offence of consequently having invalid insurance.

4	Paul Grindrod 1 St Lawrence House Melville Road Edgbaston Birmingham B16 9NQ	14/8/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £1,000  (£400 – Plying  £600 – No Insurance)  + 6 penalty points	£657  (£657 requested)	Found guilty in his absence of two offences; one offence of plying for hire on Waterloo Street on 9 <sup>th</sup> January 2015 and one offence of consequently having invalid insurance.
5	Saliman Mohammed Flat 1 24 Rann Close Birmingham B16 8HF	26/8/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £300  (£200 – Plying  £100 – No Insurance)  + 6 penalty points	£500  (£1,021 requested)	Pleaded <u>not guilty</u> to two offences; one offence of plying for hire on Broad Street on 28 <sup>th</sup> May 2014 and one offence of consequently having invalid insurance.  Found guilty after trial.
6	Arshid Mahmood 140 Cheshire Road Smethwick West Midlands B67 7DN	26/8/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £300  (£200 – Plying  £100 – No Insurance)  + 6 penalty	£300  (£1,000 requested)	Pleaded <u>not guilty</u> to two offences; one offence of plying for hire on Gas Street on 21 <sup>st</sup> May 2014 and one offence of consequently having invalid insurance.  Found guilty after trial.
7	Dharpal Singh 53 Rudge Walk Ladywood Birmingham B18 7AS	3/9/15	Birmingham Magistrates Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £305 (£305 – No Insurance) + 6 penalty points No separate penalty for plying	£450  (£450 requested)	Pleaded guilty to two offences; one offence of plying for hire on Ladywood Middleway on 27 <sup>th</sup> March 2015 and one offence of consequently having invalid insurance.

8	Goyer Iltaf 227 Bromford Road Hodge Hill Birmingham B36 8HA	17/9/15	Birmingham Magistrates Court	Local Government (Miscellaneous Provisions) Act 1976	Total £500  (£250 x 2)	£1,500  (£2,585 requested)	Pleaded guilty to two offences of being the operator of Galaxy Top Rank Sutton Choice Cars and knowingly operating an unlicensed private hire driver and an unlicensed private hire vehicle.
9	Nadeem Ahmed 60 Morris Road Ward End Birmingham B8 2ED	21/9/15	Birmingham Magistrates Court	Fraud Act 2006 Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £200  (£100 x 2)  Disqualified from driving for 8 months.  No separate penalty for no insurance.	£85  (£1,195 requested)	Pleaded <u>not guilty</u> to three offences; one of falsely representing that he was a driver for TC Cars Ltd by displaying a "TC CARS" window sticker on his vehicle, one of plying for hire in Bennetts Hill, Birmingham on 12 <sup>th</sup> December 2014 and one of consequently having invalid insurance.  Found guilty after trial.

## APPEALS AGAINST CONVICTION AND SENTENCE

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Zulfiqar Ali 2C Hayfield Road Moseley Birmingham B13 9LF	11/9/15	Birmingham Crown Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £275  (£110 – Plying  £165 – No Insurance)  + 7 penalty points  Sentence remains unchanged	£2,222  Additional costs of £1,222 were awarded by the Appeal Court  (£1,000 previously awarded by the Magistrates)	Appeal against conviction and sentence.  The Appeal Court were satisfied the offences of plying for hire on Broad Street on 28 <sup>th</sup> May 2014 and consequently having invalid insurance were proven and dismissed the appeal.
2	Khalid Din Flat 11 Bucknall House 172 Alcester Road South Brandwood Birmingham B14 6DE	18/9/15	Birmingham Crown Court	Town Police Clauses Act 1847 & Road Traffic Act 1988	Total £735  (£735 – No Insurance)  + 6 penalty points  No separate penalty for plying  Sentence remains unchanged	£1,000  (£1,000 previously awarded by the Magistrates)  No additional costs awarded.	Appeal against conviction and sentence.  The Appeal Court were satisfied the offences of plying for hire on Broad Street on 28 <sup>th</sup> May 2014 and consequently having invalid insurance were proven and dismissed the appeal.

## **LICENSING SIMPLE CAUTIONS**

During the period of August and September 2015, 30 simple cautions have been administered.

### **Local Government (Miscellaneous Provisions) Act 1976**

**Section 48(6)** 16 cautions were issued for failing to display a private hire vehicle licence plate

**Section 48(6), 50(1) & 73(1)(b)** One caution was issued for failing to display a private hire vehicle licence plate, failing to present the vehicle for inspection and testing by the Council within 7 days of a date given and failing to produce an insurance certificate to Licensing officers within 5 days.

**Section 49** One caution was issued for failing to notify the council within 14 days of the transfer of a vehicle and provide the name and address of the person to whom the vehicle had been transferred

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

**Section 57** One caution was issued for knowingly omitting information on licence application forms.

**Section 64(3)** One caution was issued for waiting on a stand for Hackney Carriages

### **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

### **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 wear or display a Hackney Carriage Drivers Badge in a manner as to be plainly and distinctly visible.

### **Licensing Act 2003**

**Section 136(a)** One caution was issued for supplying hot food from premises without a licence.



**ENVIRONMENTAL HEALTH CASES****APPENDIX 2****LITTERING OFFENCES**

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
1	Maxine Hale 17 Anstey Road Perry Barr Birmingham B44 8AW	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£25  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in High Street Birmingham.
2	Samantha Simkiss 90 Merrishaw Road Birmingham B31 3SW	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
3	Nicola Bonner 10 Ashwood Court Stechford Road Stechford Birmingham B34 6BQ	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£45	£50  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.
4	Lacey Donovan Holmes 34 Roedean Close Birmingham B44 0HR	6/8/15	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 Church Street, Birmingham.
5	Rohit Reaubin Mall 67 Selly Park Road Birmingham B29 7PH	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Hill Street, Birmingham.
6	Florim Matu 52 Village Road Aston Birmingham B6 6RB	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a bank receipt on the pavement in High Street, Kings Heath.

7	Michael Thomas McQuillan 1 Amber Grove Cannock WS11 7FS	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
8	Anh Nguyen Ngoc 15 Baywater Road Leeds LS8 5LH	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
9	Suud Muhamad Noori 143 Lea Road Wolverhampton WV3 0LQ	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£25 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
10	Cyle James Nurse 53 Brookfield Estate Weston Rhyn SY10 7SA	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
11	Deven Pledger Dowdeswell House Stratford Road Hockley Heath Solihull B94 5NW	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£25 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
12	Alister McUbbin 64 Wombourne Park Wombourne WV5 0NA	14/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£75 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
13	Caroline McKenna 31 Bankes Road Small Heath Birmingham B10 9PP	14/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.

14	Tiago Bent Frazao 237 Hubert Road Birmingham B29 6ES	14/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
15	Anna McNeil 42 The Croft Barnett EN5 2TL	20/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	None awarded  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
16	Scott Sutton 3 Newfield Road Hagley Stourbridge DY9 0JP	20/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham,
17	Brett Moy Flat 8 Bath Court Abdon Avenue Birmingham B29 4NS	20/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Temple Row, Birmingham.
18	Thomas Lewis McKenna 167 Brunswick Street Leamington Spa CV31 2EJ	20/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
19	Steven Wright 5 Inglefield Road Birmingham B33 8DF	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of depositing a black bag of waste on the pavement in Hill House Lane, Birmingham.
20	Mamie Khasa-Kiese 48 Barnwood Road Birmingham B32 2LY	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	None awarded  (£175 requested)	Pleaded guilty to one offence of depositing litter, namely a letter, on the pavement in Barnwood Road, Birmingham.

21	Scott Taylor 92 Lamb Crescent Wombourne Wolverhampton WV5 0ED	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in John Bright Street, Birmingham.
22	Danny Law 107 Warley Road Oldbury B68 9SY	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£135	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in John Bright Street, Birmingham.
23	Nick Cox Crosskeys 24 Goodramgate York YO1 7LF	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
24	Rhianjit Bhatoe 28 Dorrington Road Great Barr Birmingham B42 1QS	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
25	Shabana Hussain Flat 21 Browning Tower 116 Overbury Road Birmingham B31 2HE	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£35	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
26	Leanna Cooper 67 Tibland Road Acocks Green Birmingham B27 7EE	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£75	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
27	Yvonne White 68 Kingscliff Road Birmingham B10 9JT	3/9/15	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 Bull Street, Birmingham.

28	Daniel Dallison 9 South Street Derby DE1 1DR	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£120	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
29	Victoria Tongue 1581 Stratford Road Hall Green Birmingham B28 9JA	3/9/15	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.
30	Faisal Shafiq 23 Shipway Road Birmingham B25 8DS	3/9/15	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 Cherry Street, Birmingham.
31	Katie Southall 9 High Heath Close Bournville Birmingham B30 1HU	3/9/15	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 Cannon Street, Birmingham.
32	Abdullah Qureshi 216 Hunters Road Lozells Birmingham B19 1ES	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a chocolate wrapper on the pavement in Colmore Row, Birmingham.
33	Ricky Olliviere 16 Greenacres Bartley Green Birmingham B32 3BF	3/9/15	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 Bennetts Hill, Birmingham.
34	Joshua Lippok 38 Woodland View Wyesham Monmouth NP25 3LD	3/9/15	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 Hill Street, Birmingham.

35	Nabila Haider 60 Sampson Road Sparkbrook Birmingham B11 1JL	3/9/15	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 Corporation Street, Birmingham.
36	Kerry Louise Holthofer 43 Dorset Road Liverpool L6 4DU	3/9/15	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.
37	Sarah Arnold 29 Tewkesbury Road Handsworth Birmingham B20 3DX	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£220	£175  (£175 requested)	Found guilty in her absence of one offence of dropping chewing gum on the pavement in Stephenson Street, Birmingham.
38	Adam Browne 15 Ashford Road Birkenhead CH41 2UT	3/9/15	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.
39	Emma Cox 56 Furzedale Park Hythe Southampton SO45 3HZ	3/9/15	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.
40	Gary Ian Cutler 37 New Spring Street North Birmingham B18 7LB	3/9/15	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.
41	Angela Downey 89 Harts Road Birmingham B8 3JZ	3/9/15	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 Corporation Street, Birmingham.

42	David Steed 12 Kinafare Drive Tettenhall Wood Wolverhampton WV6 8JW	4/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£100  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.  Originally listed for trial.
43	Tariq Mahmood 29 Staplehurst Road Birmingham B28 9AR	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Colmore Row, Birmingham.
44	Letitia Leigh 49 Quinton Road West Quinton Birmingham B32 2QB	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
45	Casey O'Donoghue 304 Whitfield Mill Meadow Road Apperley Bridge Bradford BD10 0LP	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Priory Queensway, Birmingham.
46	Lydia Peters Apartment 7 Priory Court 243 Pershore Road Birmingham B5 7QP	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
47	Paula Perkins 37 Oakhill Crescent Acocks Green Birmingham B27 7LU	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.

48	Michaela Hamer Flat 1 1 Culey Grove Tile Cross Birmingham B33 0BB	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in her absence of one offence of dropping a cigarette butt on the pavement in New Street, Birmingham.
49	Elliot Franklyn-Payne 53 Douglas Road Acocks Green Birmingham B27 6HH	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
50	Roger Bishop 28 Bruce Gardens Dunfermline KY11 8HG	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Stephenson Street, Birmingham.
51	Michaela Bresford 37 Oakhill Crescent Acocks Green Birmingham B27 7LU	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£200	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Union Street, Birmingham.
52	Graham Scaldwell 351 Glascote Road Glascote Tamworth B77 2BT	17/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	£80  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement at the junction of Hill Street and Navigation Street.
53	Janine Somers 63 Finningley Road Manchester M9 0GD	17/9/15	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 Navigation Street, Birmingham.
54	Edgars Sulko 80A Bromford Lane Erdington Birmingham B24 8BY	17/9/15	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.



55	Kieran Synott 24 Beckbury Road Weoley Castle Birmingham B29 5HR	17/9/15	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.
56	Lee Hayward 71 Brookfield Road Birmingham B18 7JA	17/9/15	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.
57	Sanam Kayani 100 College Road Moseley Birmingham B13 9LP	17/9/15	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.
58	Emma Morris 162 Coronation Road Walsall West Midlands WS4 1BA	17/9/15	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.
59	Abdul Shakir Rashid 25 Dearman Road Sparkbrook Birmingham B11 1HH	17/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£90	£80 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in St Phillips Place.
60	Allen Griffiths Rosina Cottage 2 Trimms Green Sawbridgeworth CM21 0LX	17/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	£80 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street.
61	Ian Hall 60A Peveril Street Nottingham NG7 4AH	17/9/15	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.

62	Sharon Taggart 204 Fenton Road Aston Birmingham B6 6LX	17/9/15	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.
63	Abdi Adan 86 Inkerman House Newtown Birmingham B19 2SQ	17/9/15	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.
64	Marcus Blick 30 Warren House Walk Sutton Coldfield Birmingham B76 1TS	17/9/15	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.
65	Col Chin Apartment 17 Friday Bridge 50 Berkley Street Birmingham B1 2LB	17/9/15	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.
66	Gaurav Chopra 75 Hugh Road Smethwick Birmingham B67 7JT	17/9/15	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 Passage.
67	Mark Enock 63 Irnham Road Four Oaks Birmingham B74 2TQ	17/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£60	£80  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Lower Temple Street, Birmingham.
68	Simon Greyley 4 Fenton Hall Close Stoke on Trent ST4 4PU	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£55	£175  (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Stephenson Street.

69	Adam James Tait 16 Winchester Drive Stourbridge DY8 2LH	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£100 (£175 requested)	Pleaded guilty to one offence of dropping a cigarette butt on the pavement in Navigation Street.
70	Calvin O'Neill Flat 3, Block 109 Dreghorn Road Birmingham B36 8LX	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Lower Temple Street.
71	Richard Limbrick 20 Russet Close Gloucester GL4 0RQ	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Cherry Street.
72	Abdul Gaffar 118 Whitehead Road Aston Birmingham B6 6EL	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Waterloo Street.
73	John Field Broom Farm Bungalow Broome Stourbridge DY9 0HD	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	Total £160 (£80 x 2)	£175 (£350 requested)	Found guilty in his absence of two offences of dropping cigarette butts on the pavement in Snow Hill and New Street on two separate dates.
74	Keiran Evans 28 Hadley Place Bradwell Common Milton Keynes MK13 8RL	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Bridge Street, Birmingham.
75	Amandine Desquartiers 3 Hollybank Southampton Road Ringwood Hampshire BH24 1HL	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175 (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in Broad Street, Birmingham.

76	Frank Collins 19 Bank Terrace Leeds LS27 8NB	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in High Street, Birmingham.
77	Kvetoslava Balogava 45 Newcombe Road Handsworth Birmingham B21 8DD	25/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£80	£175  (£175 requested)	Found guilty in his absence of one offence of dropping a cigarette butt on the pavement in New Street.

### **CONTROLLED WASTE (FLY TIPPING) OFFENCES**

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine /Penalty</b>	<b>Costs</b>	<b>Offence details</b>
1	Express Vision (UK) Ltd 393 Dudley Road Winson Green Birmingham B18 4HD	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	Total £1,250	£874  (£874 requested)	Found guilty in absence of two offences of knowingly causing controlled waste (fly tipping), namely a black bag of waste from Express Vision (UK) Ltd, to be deposited at the rear of 399-403 Dudley Road, Birmingham and a box relating to the business to be deposited on land in Moilliet Street, Birmingham.
2	Dolce Lounge Ltd 203 Corporation Street Birmingham B4 6RG	6/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£350	£350  (£942 requested)	Pleaded guilty to one offence of failing to ensure that waste from the business at Dolce Lounge was transferred to an authorised person in that 16 black bags of waste from the business were found deposited outside 201-203 Corporation Street.

3	Amer Raza Ahmed 15 Kingswood Road Moseley Birmingham B13 9AN	10/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£320	£1,375  (£1,375 requested)	Pleaded guilty to one offence of causing controlled waste (fly tipping), namely black bags of rubbish from Khushboos By Chand 218-220 Ladypool Road, Sparkbrook to be deposited on the pavement in Ladypool Road.
4	Paul Andrew McHugh 18 Wheatmore Grove Sutton Coldfield Birmingham B75 6JE	20/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	Total £1,000  (£1,000 – 1 <sup>st</sup> offence)  No separate penalty for offence 2	£436  (£436 requested)	Pleaded guilty to two offences; one offence of knowingly causing the deposit of controlled waste (fly tipping) from a vehicle on Withy Hill Road, Sutton Coldfield which did not have an Environmental Permit and one offence of failing to ensure reasonable steps were taken to ensure that the waste was transferred to an authorised person.
5	Satyam Rullay 15 Tudor Street Winson Street Birmingham B18 4DG	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£65	£400  (£635 requested)	Pleaded guilty to one offence of knowingly causing controlled waste (fly tipping), namely 3 black bags of waste from The Barber Shop, 158 Winson Street, to be deposited on the pavement opposite the business.
6	Costica Budiana 31 Beeton Road Birmingham B18 4QD	28/8/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£50	£500  (£1,100 requested)	Pleaded guilty to one offence of depositing controlled waste (fly tipping), namely waste from Brothers Internet, 397 Soho Road on land at 29/30 Beeton Road, Birmingham

7	Carl George Hamilton 35 Wellesbourne Road Birmingham B20 3TH	3/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£100	£685  (£685 requested)	Pleaded guilty to one offence of depositing or knowingly causing controlled waste (fly tipping), namely two black bags of waste relating to Villa Shop Afro Caribbean Foods, 82 Villa Road, to be deposited on Hamstead Road, Birmingham.
8	Susan Le Poidevin 49 Faircroft Avenue Great Meadow Worcester WR4 0DR	9/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£525	£2,734  (£2,734 requested)	Pleaded guilty to two offences; one offence of depositing or knowingly causing controlled waste (fly tipping), namely two black bags of waste relating to Tan and Beauty, 602 Bristol Road, to be deposited outside 596 Bristol Road, Selly Oak and one offence of being a producer of controlled waste and failing to have in place a legitimate means of disposing of the waste from the business resulting in employees placing waste onto the pavement.
9	Paul Tett 10 Moor Hall Lane Stourport-on-Severn DY13 8RA	11/9/15	Birmingham Magistrates Court	Environmental Protection Act 1990	£235	£771  (£771 requested)	Pleaded guilty to one offence of depositing or knowingly causing controlled waste (fly tipping), namely waste arising from renovation works taking place at 2 Tilshead Close, to be deposited on a grassed area of Manningford Road between Gomeldon Avenue and Tilshead Close.

10	Abida Parveen Ashraf 55 Chester Road Castle Bromwich Birmingham B36 9DP	17/9/15	Birmingham Magistrates	Environmental Protection Act 1990	12 month conditional discharge	£200  (£714 requested)	Pleaded guilty to one offence of depositing or knowingly causing controlled waste (fly tipping), namely two pieces of brown cardboard relating to Abis, 219 High Street, Erdington to be deposited in the entrance way adjacent to 3 York Road, Erdington.
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### **ANIMAL WELFARE OFFENCES**

	<b>Name &amp; Address</b>	<b>Date Case Heard</b>	<b>Court</b>	<b>Legislation</b>	<b>Fine/Penalty</b>	<b>Costs</b>	<b>Offence details</b>
<b>1</b>	Mateasha Tomlinson 187 Darley Avenue Shard End Birmingham B34 6JN	14/8/15	Birmingham Magistrates Court	The Fouling of Land by Dogs Order 2014	£80	£175  (£288 requested)	Found guilty in her absence of one offence of being in charge of a dog which defecated on the grass verge in Heath Way, Shard End and failing to remove the faeces.
<b>2</b>	James Glasheen 590 Church Road Stechford Birmingham B33 8HD	14/8/15	Birmingham Magistrates Court	The Fouling of Land by Dogs Order 2014 & The Dogs on Leads Order 2014	Total £160  (£80 x 2)	£100  (£308 requested)	Pleaded guilty to two offences; one offence of failing to ensure a dog was kept on a lead in Church Road, Stechford and one offence of being in charge of the dog which defecated on the pavement in Church Road, Stechford and failing to remove the faeces.

3	Lee Robins 3A Perry Common Erdington Birmingham B23 7AB	17/9/15	Birmingham Magistrates Court	The Fouling of Land by Dogs Order 2014	£220	£262  (£262 requested)	Found guilty in his absence of one offence of being in charge of a dog which defecated on the footway adjoining Short Heath Road, Erdington and failing to remove the faeces.
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### **FOOD HYGIENE OFFENCES**

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
1	Canalside Café Ltd Clearline 552-554 Bristol Road Selly Oak Birmingham B29 6BD  Valerie Jane Hall 538A Hagley Road West Oldbury West Midlands B68 0BZ	5/8/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013 & Food Safety Act 1990	Total £8,050  (Company £1,000 x 7)  (Director £150 x 7)  Valerie Hall was prohibited from participating in the management of a food business	£1,760 (£880 each)  (£1,760 requested)	The Company and Director pleaded guilty to seven offences; six offences relating to the conditions at Canalside Café, Canalside Cottage, 35 Worcester Bar, Birmingham. There were no procedures based on HACCP and food handlers were not supervised or trained in food hygiene matters. The layout of the premises did not allow a natural flow of production from raw to ready to eat foods. One offence of offering for sale an Apple Pie which was passed its use by date.



2	Martin McLoughlin 64 Aldbury Road Birmingham B14 4NH	6/8/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £600  (£600 – offence 1)  No separate penalty for offences 2 & 3	£500  (£1,056 requested)	Pleaded guilty to three offences relating to conditions at Sunrise Café, 143 Blythswood Road, Birmingham. There were no procedures in place to control pests. Food debris was found on the floor providing rodents with a food supply and mouse droppings were found on shelves and on the floor in the kitchen. An accumulation of dirt was found throughout the premises particularly at floor wall junctions. Gaps, cracks and crevices found within the structure of the building could allow the ingress of pests.
3	Arshad Zaman 95 Kingswood Road Moseley Birmingham B13 9AW  Shafqat Zaman 95 Kingswood Road Moseley Birmingham B13 9AW	12/8/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £3,300  (Both defendants £750 x 1, £100 x 2,3 & 4 and £200 x 5,6 & 7)	£1,000  (£500 each)  (£2,111 requested)	Each defendant pleaded guilty to seven offences relating to conditions at Quickfry Chippy, 153 Anderton Road, Birmingham. Two offences of failing to comply with Improvement notices requiring food to be kept at the correct temperature and to put in place procedures based on HACCP. The premises were dirty with a build-up of dirt on the floors and walls throughout the premises. No soap or hand drying facilities were provided to the kitchen and staff WC. A chopping board was found to be mouldy and badly scored.

4	SMT Village Café Ltd 6 Ladywell Walk Birmingham B5 4ST	3/9/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £1,000  (£500 x 2)	£876  (£876 requested)	Pleaded guilty to two offences relating to conditions at The Village Café, 6 Ladywell Walk, Birmingham. Live cockroaches were found throughout the kitchen where food was being prepared and dead cockroaches were found on the floor of the dried food storage area. The premises were dirty and there was a build-up of grease on the surface of the ribs chopping block.
5	Eklamur Rahman 68 Cartland Road Birmingham B30 2SE	7/9/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £1,376  (£1,376 – Offence 1)  No separate penalty for remaining offences	£2,671  (£2,671 requested)	<p>Pleaded <u>guilty</u> to two offences relating to conditions at Bangla Food Services, 1 Walford Road. There was a large hole in the ceiling which could allow access to pests and mouse droppings were found throughout the premises.</p> <p>Pleaded <u>not guilty</u> to two offences of failing to comply with improvement notices requiring him to ensure staff received sufficient Food Hygiene training and requiring him to implement a documented Food Safety Management System.</p> <p>Found guilty of these two offences after trial.</p>

6	PR Entertainments Limited 5 Hill Rise Richmond Surrey TW10 6UQ	17/9/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £12,500 (£2,500 X 5)	£2,145  (£2,145 requested)	Pleaded guilty to five offences relating to the poor conditions at Bar Estilo, The Mailbox, 110-114 Wharfside Street. The premises were not kept clean and food debris, dirt and mouse droppings were found throughout. Prepared food was stored directly beneath the sanitizer, soap and hand towels dispenser, posing a risk of contamination to food. Food containers were stored on the dirty floor in the boiler room and juice bottles were stored as 'clean' in a bucket in the bar but were dirty with staining and food residue.
7	Broadway Kebab & Grill Limited 215 Bacchus Road Birmingham B18 4RE	17/9/15	Birmingham Magistrates Court	Food Safety and Hygiene (England) Regulations 2013	Total £2,400 (£800 x 3)	£1,127  (£1,127 requested)	Pleaded guilty to three offences relating to conditions at Broadway 3, 237-239 Witton Road. The premises were not kept clean and there was an excessive accumulation of refuse in the rear yard. The floor covering in the food preparation room/kitchen was dirty especially at floor/wall junctions and behind equipment. The pizza oven, gas cooker and tandoori oven were dirty and covered in food debris.

## APPEALS AGAINST CONVICTION AND SENTENCE

	Name & Address	Date Case Heard	Court	Legislation	Fine/Penalty	Costs	Offence details
<b>1</b>	Vincent Caines Flat 4 20 Grosvenor Road Birmingham B20 3NP	21/8/15	Birmingham Crown Court	Environmental Protection Act 1990	Total £1,400  (£700 x 2)  Sentence remains unchanged	Total £2,499  Additional costs of £1,007 were awarded by the Appeal Court  (£1,492 previously awarded by the Magistrates)	Appeal against conviction and sentence heard in absence of defendant.  The Appeal Court were satisfied that the offences of failing to comply with an abatement notice requiring him to prohibit the recurrence of a noise nuisance arising from the playing of amplified music from Flat 4, 20 Grosvenor Road, Birmingham were proven and dismissed the appeal.
<b>2</b>	Mushtaq's Ltd 451 Stratford Road Sparkhill Birmingham B11 4LD	14/9/15	Birmingham Crown Court	Food Hygiene (England) Regs 2006	Total £20,000  (£5,000 x 3 £1,000 x 1 £4,000 x 1)  Sentence for offences 1-5 remains unchanged	Total £9,624  Additional costs of £2,375 were awarded by the Appeal Court  (£7,249 previously awarded by the Magistrates)	Appeal against conviction and sentence.  The defendant company abandoned its appeal in respect of charges 1-5 relating to the conditions found at Mushtaq's, 451 Stratford Road on 5 <sup>th</sup> March 2013. The premises were found to be in a dirty condition and food handlers were not adequately trained. The original conviction still stands in respect of these offences.  The Appeal Court allowed the appeal on charges 6 and 7.

## **ENVIRONMENTAL HEALTH SIMPLE CAUTIONS**

During August and September 2015 one simple caution was administered.

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

One caution was issued for failing to comply with Food Hygiene Regulations.

## TRADING STANDARDS CASES

## APPENDIX 3

	Name & Address	Date Case Heard	Court	Legislation	Fine /Penalty	Costs	Offence details
1	Neil Gaffney 8 Burley Way Kings Norton Birmingham B38 8JN	4/8/15	Birmingham Crown Court	Consumer Protection from Unfair Trading Regulations 2008	5 months imprisonment	None awarded  (£11,740 requested)	Pleaded guilty to one offence relating to the marketing and sale of a 2001 Nissan Terrano motor vehicle which was a misleading action in that the overall presentation was likely to deceive the average consumer in relation to the identity of the seller, the status of the seller, the nature of the vehicle, the risks of the vehicle and/or the fitness for purpose of the vehicle
2	Mohammed Ibrar T/A Bling Bling Phones 408 Alum Rock Road Alum Rock Birmingham B8 3HT	4/8/15	Birmingham Magistrates Court	Consumer Protection Act 1987 & Trade Marks Act 1994	16 weeks imprisonment x 9 (to run concurrently)	None awarded  (£1,530 requested)	Pleaded guilty to nine offences; five relating to the supply of electrical equipment, namely AC/DC Adaptors, which were found to be unsafe and four offences of having in possession for the purpose of supply goods, namely phone covers and cases, at 408 Alum Rock Road, Birmingham, which bore registered trademarks, namely Apple and Porsche, without the consent of the trade mark proprietors.

3	Wah Wah Mirchi Ltd 151-153 Soho Road Handsworth Birmingham B21 9SU	6/8/15	Birmingham Magistrates Court	Cosmetic Products Enforcement Regulations 2013	Total £300  (£100 x 3)	£360  (£1,896 requested)	Pleaded guilty to three offences; one offence of offering cosmetic products, namely 45 Oriental Black Hair Colour, for supply at 151-153 Soho Road, Handsworth, Birmingham which failed to comply with labelling requirements and two offences of possessing cosmetic products for supply which contained banned substances, namely Di Amino Toluene Sulphate.
4	Rehan Birmingham UK Ltd 318-320 Green Lane Birmingham B9 5DP  Fozia Ali 19 Inglefield Road Stechford Birmingham B33 8DF	6/8/15	Birmingham Magistrates Court	Cosmetic Products Enforcement Regulations 2013  Electrical Equipment (Safety) Regulations 1994	Total £6,200  (Both company and Director £3,000 x 1 Mercury offence £100 x 1 Electrical Safety Regs)  No separate penalty for remaining offences	£3,000  (£1,500 each)  (£3,914 requested)	Each defendant pleaded guilty to 21 offences; 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.

5	Maaz Supermarket Ltd 229-233 Witton Road Aston Birmingham B6 6NU	4/9/15	Birmingham Magistrates Court	Cosmetic Products Enforcement Regulations 2013	Total £2,450  (£250 x 7 Labelling  £350 x 2 Mercury & Lead)  Forfeiture and destruction ordered of items seized	£3,686  (£3,686 requested)	Pleaded guilty to nine offences; seven of offering cosmetic products for sale at 229-244 Witton Road, Aston, Birmingham which failed to comply with labelling requirements in that the container and packaging failed display the registered name and address of the responsible person, the date of minimum durability, a list of ingredients, the function of the cosmetic product, a batch number of the product and nominal content given by weight or volume. Two offences related to Stillmans Freckle Cream offered for sale which was found to contain mercury and Kala Kola Hair Tonic offered for sale which was found to contain lead.
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6	Derkut Akram Rasool 46 Hazelbeach Road Alum Rock Birmingham B8 3HL	17/9/15	Birmingham Crown Court	Trade Marks Act 1994	24 months imprisonment x 30 offences  (to run concurrently)  Forfeiture and destruction order made for the branded goods and a forfeiture order for the unbranded goods	None awarded	Pleaded guilty to 30 offences of having items of clothing in his possession which bore registered trademarks without the consent of the trade mark holders. Large quantities of counterfeit clothing were seized from Bovingdon Market, the defendant's home address, a Mercedes Sprinter van and a self-storage unit at Fort Parkway.
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### **TRADING STANDARDS SIMPLE CAUTIONS**

During August and September 2015, no simple cautions were administered.

**CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – AUGUST & SEPTEMBER 2015**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	0	2	0	0	7	0	0	0	0	0	0	<b>9</b>
Environmental Health (FPNs) Not paid and prosecuted	0	0	1	0	74	0	0	0	0	0	0	<b>75</b>
Environmental Health (non FPNs)	1	2	3	1	8	0	1	2	1	3	0	<b>22</b>
Trading Standards	0	0	0	2	3	0	0	1	0	0	0	<b>6</b>

**CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – AUGUST & SEPTEMBER 2015**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	0	0	3	2	0	1	0	0	1	1	<b>9</b>
Environmental Health (FPNs) Not paid and prosecuted	3	2	5	6	7	3	5	4	2	5	33	<b>75</b>
Environmental Health (non FPNs)	1	1	2	1	6	0	1	3	1	2	4	<b>22</b>
Trading Standards	0	0	0	2	3	1	0	0	0	0	0	<b>6</b>

### **CASES FINALISED BY DISTRICT (PLACE OF OFFENCE) – APRIL-SEPTEMBER 2015**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	3	2	2	0	24	0	0	1	1	0	1	<b>34</b>
Environmental Health (FPNs) Not paid and prosecuted	1	0	1	0	198	1	0	0	0	0	0	<b>201</b>
Environmental Health (non FPNs)	1	7	10	2	17	0	4	4	2	4	0	<b>51</b>
Trading Standards	0	1	1	5	6	0	0	1	0	1	2	<b>17</b>

### **CASES FINALISED BY DISTRICT (DEFENDANT'S HOME ADDRESS/REGISTERED OFFICE) – APRIL-SEPTEMBER 2015**

	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	Out of Area	Total
Licensing	1	2	6	8	4	1	1	1	0	1	9	<b>34</b>
Environmental Health (FPNs) Not paid and prosecuted	10	12	10	14	18	7	10	6	4	10	100	<b>201</b>
Environmental Health (non FPNs)	2	4	8	4	9	0	4	5	1	3	11	<b>51</b>
Trading Standards	0	1	1	5	6	1	0	0	1	2	0	<b>17</b>

**WASTE ENFORCEMENT UNIT – ENFORCEMENT ACTIVITY**  
**APRIL- AUGUST 2015**

	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Total 2015/2016	
<b>Waste Investigation Outcomes</b>							
Investigations into commercial waste disposal suspected offences and offences	57	32	44	118	10	<b>261</b>	
<u>Section 34 Environmental Protection Act</u> demand notices issued: (trade waste statutory information demands)	40	25	30	90	20	<b>205</b>	
<u>Section 34 Environmental Protection Act</u> fixed penalty notices issued to businesses (£300)	2	2	4	6	5	<b>19</b>	<b>Payment rate = 33%</b>
<u>Section 87 Environmental Protection Act.</u> Fixed Penalty notices issued for commercial and residential litter offences (£80)	26	15	15	11	15	<b>82</b>	<b>Payment rate = 69%</b>
<b>Prosecutions</b>							
Prosecutions submitted to legal services	<b>59</b>						