

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 27 June 2017

Present:

Members: Councillor T Khan (Chair)
(Shadow Cabinet Member)

Councillor J Clifford
Councillor G Crookes
Councillor D Gannon
Councillor L Harvard
Councillor D Kershaw
Councillor M Lapsa
Councillor A Lucas
Councillor T Mayer
Councillor G Ridley
Councillor R Thay
Councillor C Thomas
Councillor S Walsh

Non-Voting Opposition

Members:

Co-Opted Members:

Other Members: Councillors

Employees (by Directorate):

Apologies: Councillor B Kaur

Public Business

1. Declarations of Interest

Councillors Clifford, Crookes and Lucas declared an 'Other Interest' in the matter referred to in minute 8 below (Counterfeit and illicit cigarettes and tobacco (2)). The interest arose as they had sat on the Sub-Committee Hearing Panel that considered the Application Review on 12 June 2017. They withdrew from the meeting during consideration of this item.

2. Minutes

The Minutes of the Committee meeting held on 25 April 2017 and the Sub-Committee meeting held on 8 May 2017 were signed as a true record.

3. Exclusion of Press and Public

RESOLVED that, under Section 1004(A) of the Local Government Act 1972, the public be excluded from the meeting for the items of business indicated below, on the grounds that those items involve the likely disclosure of exempt information, as defined in Schedule 12A of that Act, in particular those paragraphs of Part 1 of the Schedule as indicated:

Minute No.	Subject	Relevant Paragraph of Part 1 of Schedule 12A
7	Counterfeit and illicit cigarettes and tobacco	7
8	Counterfeit and illicit cigarettes and tobacco (2)	7
9	Illegal tobacco products	7
10	Illegal tobacco products (2)	7
11	Storage Unit – Illegal Tobacco	7
12	Un-roadworthy Vehicle	7
13	Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences	1 and 3

4. Report of Recent Prosecutions: 28 February 2017 - 31 May 2017

The Committee noted a report of the Deputy Chief Executive of Place which provided an update on any prosecutions authorised by Committee that had concluded at Court between 28 February and 31 May 2017.

5. Outstanding Issues Report

There were no outstanding issues.

6. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

7. Counterfeit and illicit cigarettes and tobacco

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under the Trade Marks Act 1994, Regulation 48 of the Tobacco and Related Products Regulations 2016 and the Consumer Protection from Unfair Trading Regulations 2008 against appropriate persons in respect of the illegal tobacco products found at Riley Square International Mini Mart, 6 Henley Road, Coventry, CV2 1LP.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

8. **Counterfeit and illicit cigarettes and tobacco 2**

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under Regulation 48 and 52 of the Tobacco and Related Products Regulations 2016 and the Consumer Protection from Unfair Trading Regulations 2008 against appropriate persons in respect of the illegal tobacco products found at Sam Mini Market, 681 Foleshill Road, Coventry, CV6 5JQ.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

(Note: Councillors Clifford, Crookes and Lucas withdrew from the meeting during consideration of this matter).

9. **Illegal Tobacco products**

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under the Trade Marks Act 1994, Regulation 48 of the Tobacco and Related Products Regulations 2016 and the Consumer Protection from Unfair Trading Regulations 2008 against appropriate persons in respect of the illegal tobacco products found at Morris Eastern European Mini Market, 108 Caludon Road, CV2 4LP.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

10. **Illegal tobacco products (2)**

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under Regulation 48 of the Tobacco and Related Products Regulations 2016, the Consumer Protection from Unfair Trading Regulations 2008 and the Proceeds of Crime Act 2002 against Hemin Hassan Abass, 12 Swancroft Road, Coventry, CV2 4QW, in respect of the illegal tobacco products found.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

11. **Storage Unit - Illegal Tobacco**

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings

under the Trade Marks Act 1994, and Regulation 48 of the Tobacco and Related Products Regulations 2016 against appropriate persons in respect of the illegal tobacco products found at Safestore Coventry, Unit 1, Cyan Business Park, Phoenix Way, Coventry, CV2 4QP.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

12. Un-roadworthy Vehicle

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under the Consumer Protection from Unfair Trading Regulations 2008 and the General Product Safety Regulations 2005 against appropriate persons in respect of the un-roadworthy vehicle purchased at Prestige Cars Coventry Limited, 172 Lockhurst Lane, Coventry, CV6 5NU.

In addition, it was agreed to delegate powers to the Director of Streetscene and Regulatory Services to authorise legal proceedings for any further offences which may come to light before the case under consideration has been resolved in court.

13. Applications for the Grant/Suitability to hold Hackney Carriage & Private Hire Drivers' Licences

RESOLVED that having considered the circumstances set out in the reports of the Deputy Chief Executive, Place now submitted:

- (a) The application for grant of a Hackney Carriage Driver's Licence by Mr Baljinder Singh Dhadwal be approved**

(Note: Mr Dhadwal attended the meeting in support of his application).

- (b) The Hackney Carriage Driver's and Private Hire Driver's Licence held by Mr Mishael Kiflom be revoked with immediate effect.**

(Note: Mr Kiflom attended but decided to leave before the matter was heard. He provided a written representation to be considered by the Committee in his absence).

- (c) The Hackney Carriage Driver's Licence held by Mr Hazratgul Jabarkhel be renewed.**

(Note: Mr Jabarkhel and his friend/translator attended the meeting in support of his application).

14. Any other items of private business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of private business.

(Meeting closed at 12.45 pm)