

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am
on Tuesday, 26 June 2018

Present:

Members: Councillor P Hetherton (Chair)
Councillor J Clifford
Councillor G Crookes
Councillor B Kaur
Councillor D Kershaw
Councillor A Lucas
Councillor T Mayer
Councillor K Sandhu
Councillor R Thay

Employees (by Directorate):

Place: G Carter, A Harwood, C Sinclair

Apologies: Councillor J Birdi, R Brown, D Gannon and S Walsh

Public Business

1. **Declarations of Interest**

There were no declarations of interest.

2. **Minutes**

The minutes of the meeting held on 24 April 2018 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 item 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
6	General store found to be in possession for sale illegal tobacco products	7
7	Illegal Tobacco Goods (2)	7
8	Illegal Tobacco Goods (3)	7
9	Illegal Tobacco Goods (4) and Alcohol	7

10	Underage sale of E-Cigarette liquid	7
11	Underage sale of Cigarettes	7
12	Dangerous Toys	7
13	Review of Hackney Carriage Driver's Licence	1, 3

4. Outstanding Issues Report

There were no outstanding issues.

5. 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.

Private Business

6. General store found to be in possession for sale 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 the appropriate person in respect of the illegal tobacco products found at Aqua Supermarket, 256 Harnall Lane East, Coventry, CV1 5AY.

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.

7. Illegal Tobacco Goods (2)

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 the appropriate person in respect of the illegal tobacco products found at Bell Green Store, 8 Hall Green Road, Coventry, CV6 7BW.

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. Illegal Tobacco Goods (3)

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 the appropriate person in respect of the illegal tobacco products found at 43 Trentham Road, Hillfields, Coventry and in motor vehicle registration number DE59 UVZ.

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.

9. Illegal Tobacco Products (4) & Alcohol

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 the appropriate persons in respect of the supply of illegal tobacco goods, bottles of spirits and beer found at 85 Watersmeet Road, Coventry.

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. Underage sale of E-Cigarette liquid

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under the Children and Families Act 2014 s.92(2) against the appropriate persons (alleged offenders 1, 2 and 3) in respect the sale of a bottle of liquid for refilling an e-cigarette which contained 3mg/ml of nicotine to a young person aged 16 at Acti-vape UK Ltd, 142 Walsgrave Road, Coventry, CV2 4AX.

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. Underage sale of Cigarettes

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

(a) Institute legal proceedings under the Children Young Persons Act 1933 against the appropriate persons (alleged offenders 1 and 2) in respect of the sale of a packet of 20 Marlboro cigarettes to a young person aged 16 at Sam mini-market, 681 Foleshill Road, Coventry.

(b) Authorise the issue of a simple caution to alleged offender 3

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. **Dangerous Toys**

RESOLVED that, having considered a report of the Deputy Chief Executive (Place), the Council Solicitor be authorised to institute legal proceedings under the Toy Safety Regulations 2011, the General Product Safety Regulations 2005 and The Reach Enforcement Regulations 2008 against appropriate persons in respect of dangerous toys at The Swag Shop, 4 Upper Precinct, Coventry, CV1 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.

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 Hackney Carriage driver's licence held by Mr Samiudin Safi be suspended for a period of one month and that he attend a training course specific to wheelchair carriage, to be organised by the Taxi Licensing department within the period of suspension.

(Note: Mr Safi attended the meeting in support of his case, together with his legal representative, Mr Skudra, his daughter (as an interpreter if needed) and a colleague taxi driver to support him).

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 12.00 pm)