

20 August 2019

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Deputy Chief Executive, Place

Ward(s) affected:

Not applicable

Title:

Report of Recent Prosecutions: 1 February 2019 – 7 August 2019

Is this a key decision?

No

Executive Summary:

The purpose of this report is to update Members on any prosecutions authorised by Licensing and Regulatory committee that have concluded at Court between 1 February 2019 and 7 August 2019.

Recommendations:

That the report is noted.

List of Appendices included:

Schedule of Prosecutions concluded between 1 February 2019 and 7 August 2019.

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

1. Context (or background)

- 1.1 At a Licensing and Regulatory Committee meeting on 24th January 2017, Members indicated that they would like to receive feedback of the results of any prosecutions that were authorised by the Committee once they had concluded at Court. It was subsequently decided that the most appropriate way of achieving this would be a Public Report to the Licensing and Regulatory Committee on a quarterly basis.

2. Options considered and recommended proposal

- 2.1 *Not applicable*

3. Results of consultation undertaken

- 3.1 *Not applicable*

4. Timetable for implementing this decision

- 4.1 *Not applicable*

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

Upon conviction before the Court, an application is made to recover investigation and legal costs in full. A Court will consider the application in conjunction with the defendant's financial means, if known, and make an Order for costs. There is no guarantee that full costs, or indeed any costs, will be awarded at the conclusion of a Prosecution case.

5.2 Legal implications

Each defendant convicted of an offence in the Magistrates Court has an automatic right of appeal to the Crown Court against conviction or sentence within 21 days. As some of the cases contained within this report are still subject to this 21 day period, it is possible that appeals may be lodged subsequent to this Committee meeting. Members will be updated on future reports if this is the case.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable

6.2 How is risk being managed?

Not applicable

6.3 What is the impact on the organisation?

Not applicable

6.4 Equalities / EIA

Not applicable

6.5 Implications for (or impact on) Climate Change or the environment

Not applicable

6.6 Implications for partner organisations?

Not applicable

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Directorate: Place

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Names of approvers for submission: (officers and members)				
Legal: Gill Carter	Senior Solicitor	Place	07.08.19	07.08.19

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Appendices

Schedule of Prosecutions concluded between 1 February 2019 and 7 August 2019

Name(s)	Offence(s)	Date of L&R Authorisation	Plea	Date Case Concluded	Sentence	Costs Awarded
Bartomiej Karczewski	Possession with intent to supply illicit cigarettes and alcohol	26.06.18	Guilty	15.02.19	6mths imprisonment suspended for 12mths with 150 hours unpaid work	£1000 (Partial)
Paulina Karczewska	Possession with intent to supply illicit cigarettes and alcohol	26.06.18	Guilty	15.02.19	Community Order with 100 hours unpaid work	£1000 (Partial)
Fargo Retail Ltd	Displaying food for sale beyond use by date	18.12.18	Guilty	20.02.19	Fine £14,400 Victim Surcharge £170	£1,204.00 (Full)
Mohammed Shazad	Displaying food for sale beyond use by date	18.12.18	Guilty	20.02.19	Fine £10,400 Victim Surcharge £170	£0 (Costs paid awarded in full to be paid by company above)
Jaspal Singh Dillon	Food safety and hygiene offences	20.11.18	Guilty	03.04.19	Fine £2,500 Victim Surcharge £170	£1,555.50 (Full)
Abdul Qayyum Khan	Failing or refusing to carry a disabled passenger with an assistance dog	23.10.18	Not guilty	08.05.19	Fine £750 Victim Surcharge £75	£750 (Partial)
Abdul Basit	Food Hygiene Offences (glass in take away food)	26.02.19	Guilty	07.08.19	Fine £961.00 Victim Surcharge £96.00	£2,384.66 (Full)
Zaakir Hussain	Food Hygiene Offences (severe rat infestation)	02.04.19	Guilty	07.08.19	Fine £1,260.00 Victim Surcharge £31.00	£1,154.75 (Full)
Rathanam Sinnathamby	Food Hygiene Offences (broken boiler and filthy conditions)	02.04.19	Guilty	07.08.19	Fine £500.00 Victim Surcharge £50.00	£1154.75 (Full)