
7 January 2020

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: 8 August 2019 – 18 December 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 8 August 2019 and 18 December 2019.

Recommendations:

That the report is noted.

List of Appendices included:

Schedule of Prosecutions concluded between 8 August 2019 and 18 December 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 Executive Director, Resources

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) 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	18.12.19	18.12.19

This report is published on the council's website:

www.coventry.gov.uk/councilmeetings

Appendices

Schedule of Prosecutions concluded between 8 August 2019 and 18 December 2019

Name(s)	Offence(s)	Date of L&R Authorisation	Plea	Date Case Concluded	Sentence	Costs Awarded
Rebuar Sharif	Possession of illegal laser pens and food beyond its use by date	25.06.19	Guilty	25.09.19	Fine £1,466 Victim Surcharge £88 Total £1,554	£853 (Full)
Adewale Adebisi	Selling an unroadworthy vehicle	25.06.19	Guilty	25.09.19	Fine £276 Victim Surcharge £30 Total £306	£1370.10 (Full)
DHL Services Ltd	Breach of Health and Safety Act 1974	02.10.18	Guilty	21.10.19	Fine: £2.6 million	£190,000 (Agreed Costs)
PGR Restaurant Ltd	Supply of food containing non-disclosed allergen	25.06.19	Guilty	23.10.19	Fine £16,667 Victim Surcharge £120 Total £16,787	£598 (Full)
Habibeh Pourali	Supply of food containing non-disclosed allergen	25.06.19	Guilty	23.10.19	Fine £1,661 Victim Surcharge £120 Total £1,781	£598 (Full)
Majed Bahgozin	Supply of food containing non-disclosed allergen	25.06.19	Guilty	23.10.19	Fine £2,169 Victim Surcharge £120 Total £2,289	£598 (Full)
Masoud Behgozin	Supply of food containing non-disclosed allergen	25.09.19	Guilty	23.10.19	Fine £2,169 Victim Surcharge £120 Total £2,289	£598 (Full)
Musleh Abdula Ismael	Possession of Illicit Cigarettes	25.06.19	Not Guilty	06.11.19	Acquitted after trial	N/A

Aziz Fatah	Possession of Illicit Cigarettes	25.06.19	Not Guilty	04.12.19	Convicted after trial Fine £375 Victim Surcharge £37 Total £412	£1490.41 (Full)
Muhammed Yaser Hanif	Private hire vehicle failing to carry a disabled passenger with an assistance dog	17.09.19	Proven in absence	11.12.19	Fine £346 Victim Surcharge £34 Compensation £300 Total £680	£500 (Partial)