

Annex A: Summaries of Formal Enforcement Action 1st March 2016 to 31st March 2017

Public Protection (including Environmental Health, Trading Standards and Licensing)

Defendant	Legislation	Nature of Case	Penalty	Costs
Paul Edward Harris	Licensing Act 2003	Noise from premises breaching licence conditions	£1500 (plus £120 surcharge)	£1377.15
Hayati Kucukkoylu (trading as Macumba)	Environmental Protection Act 1990	Breach of noise abatement notice	£390 (£39 victim surcharge)	£1105
Stephen Dockerty	Consumer Protection Act 1987	Supply of foreign labelled tobacco – no health warnings	12 week curfew between 6pm and 6am (£60 victim surcharge)	£260
AX1 Ltd (trading as Alexander Snee Vehicles)	Road Traffic Act 1988 Consumer Protection from Unfair Trading Regulations 2008 Consumer Protection Act 1987	Supply of an unroadworthy vehicle and poor after sales service. Also supply of a vehicle in breach of a safety suspension notice.	£2000 (£1450 compensation to customers)	No costs awarded
Mamaz Pizzeria Takeaway Ltd	Food Safety and Hygiene (England) Regulations 2013	Breaches of food safety requirements and failure to comply with a food hygiene improvement notice.	£770 (£70 victim surcharge)	£1050
Yasar Altin	Food Safety and Hygiene (England) Regulations 2013	Director of Mamaz Pizzeria Ltd - breaches of food safety requirements and failure to comply with a food hygiene improvement notice.	£770 (£70 victim surcharge)	£1050
Mohammed Nawaz	Town Police Clauses Act 1847	Private hire vehicle illegally plying for hire	£79 (£30 victim surcharge)	£427
Joseph Rowntree	Health and Safety at Work etc. Act 1974	Failing to provide a sufficient health and safety risk	£50,000	£28,000

Housing Trust		assessment at Red Lodge		
Robert Henry Holly	Fraud Act 2006	Mis-selling of wills, property trusts and similar legal products	15 months imprisonment	No costs awarded
Michael John Wild	Fraud Act 2006	Mis-selling of wills, property trusts and similar legal products	15 months imprisonment	No costs awarded

1 x '48 hour premise closure order' in lieu of prosecution for two illegal sales of alcohol within two months.

3 x simple cautions were issued for breaches of food safety requirements

3 x simple cautions were issued for selling alcohol to a person under the age of 18.

2 x taxi/private hire drivers licences revoked – no longer considered 'fit and proper' persons to hold a licence.

*Please note that a Simple Caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue.

Regional Trading Standards team/eCrime

Defendant	Legislation	Nature of Case	Penalty	Costs
Martin Sersen	Consumer Protection from Unfair Trading Regulations 2008	Providing customers false information as to source, quality, manufacture or supply of kitchen units and nature of sales process and delivery.	2 x 15 months imprisonment concurrent	No Costs awarded
David Alan Hourigan	Consumer Protection from Unfair Trading Regulations 2008	Providing customers false information as to source, quality, manufacture or supply of kitchen units and nature of sales process and delivery.	2 x 18 months imprisonment concurrent	No Costs awarded
Richard Brundrett	Consumer Protection from Unfair Trading Regulations 2008	Proving customers with false information about the nature of sales process and delivery of kitchen units.	9 months imprisonment	No Costs awarded
Nicola Brodie	Trade Marks Act 1994 Consumer Protection from Unfair Trading Regulations 2008	Unauthorised use of B&Q trademark and providing customers false information as to source, quality, manufacture or supply of kitchen units.	2 x 12 months imprisonment concurrent	No Costs awarded
Matthew James Leak	Consumer Protection from Unfair Trading Regulations 2008	Providing customers false information as to source, quality, manufacture or supply of kitchen units and nature of sales process and delivery.	2 x 6 months imprisonment concurrent	No Costs awarded
Karen Stocks	Trade Marks Act 1994 Consumer Protection from Unfair Trading Regulations 2008	Unauthorised use of B&Q trademark. Offences relating to the advertising and marketing and nature of sales process and delivery.	9 months imprisonment (5 months and 2 months imprisonment concurrent)	No Costs awarded
Peter Kelly (Trading as RS Bitumen, Road Surfacing and Tarmac UK)	Common Law	Cold Calling and targeting vulnerable victims to lay tarmac driveways by misleading as to price. Conspiracy to defraud elderly victims.	2 years imprisonment £3,950 compensation	£10,000

Defendant	Legislation	Nature of Case	Penalty	Costs
Peter Thomas Kelly (Trading as RS Bitumen, Road Surfacing and Tarmac UK)	Common Law	Cold Calling and targeting vulnerable victims to lay tarmac driveways by misleading as to price. Conspiracy to defraud elderly victims.	2 years imprisonment	No Costs awarded
Kirk Michael Claus	Proceeds of Crime Act 2002	Failed to pay back money under confiscation award.	2,266 days imprisonment	No Costs awarded
Paul Wray (Company Secretary of Dreamwell Ltd)	Consumer Protection from Unfair Trading Regulations 2008	Engaged in aggressive commercial practices to mis-sell unnecessary, unsuitable and expensive mobility-related products to elderly and vulnerable customers of Dreamwell Ltd.	28 months imprisonment Disqualified from being a Director for nine years.	No Costs awarded
Claire Wray (Director of Dreamwell Ltd)	Consumer Protection from Unfair Trading Regulations 2008 Proceeds of Crime Act 2002	Engaged in aggressive commercial practices to mis-sell unnecessary, unsuitable and expensive mobility-related products to elderly and vulnerable customers of Dreamwell Ltd. Money Laundering.	12 months imprisonment Disqualified from being a Director for seven years.	No Costs awarded
Ramiro Rohan Depas (Director of Impetus Solutions Ltd)	Consumer Protection from Unfair Trading Regulations 2008	Copycat website for Blue Badges. Disabled people were misled into paying £49 for non existent Blue Badges.	£1,230 Fine £5,139.98 Compensation (Victim Surcharge £120)	£4,847.37
Impetus Solutions Ltd	Consumer Protection from Unfair Trading Regulations 2008	Copycat website for Blue Badges. Disabled people were misled into paying £49 for non existent Blue Badges.	£4,000 Fine (Victim Surcharge £120)	No Costs awarded
Craig Brannigan	Proceeds of Crime Act 2002	Section 22 'Uplift' relating to Motorshop car matching scam.	Further Confiscation award of £20,000	N/A

A simple caution was issued under Common Law for conspiracy to defraud elderly victims.

Housing Services

Anti Social Behaviour

Defendant	Legislation	Nature of Case	Penalty	Costs
Susan Fairress	Housing Act 1985	Possession Application	Adjourned generally with liberty to restore	No order for costs
Sean Harman	Housing Act 1985	Possession Application	Possession Forthwith	£155.00
Janice Norburn	Housing Act 1985	Possession Application	Possession Forthwith	Costs, not to be enforced without leave of the court
Simon Illingworth	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Tracey Fowler	Housing Act 1985	Possession Application	Possession Forthwith	No order for costs
Brenda Waugh	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Arthur & Roseanne Smith	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Denise Ibbotson	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Grant McDonald	Housing Act 1985	Possession Application	Possession Forthwith	£432.00
Natalie Donaldson	Housing Act 1985	Possession Application	Postponed Possession Order	No order for costs
Sara Green	Housing Act 1985	Warrant Application	Application dismissed – evicted	No order for costs
Daniel White	Housing Act 1985	Possession Application		No order for costs
Laura Nicholson	Anti Social Behaviour, Crime & Policing Act 2014	Injunction Application	Injunction Order and Power of Arrest granted	No order for costs
Gary Kendrick	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Philip Zooman	Anti Social Behaviour, Crime & Policing Act 2014	Injunction Application	Injunction Order and Power of Arrest granted	No order for costs
Emma Kasiuk	Housing Act 1985	Possession Application	Suspended Possession	No order for costs
Darren Barrett	Housing Act 1985	Possession Application	Possession in 7 days	Costs, not to be enforced without leave of the court

Ian Muir	Housing Act 1985	Warrant Application	Warrant suspended on terms	£110.00
Carla Dundas	Housing Act 1985	Possession Application	Suspended Possession Order	No order for costs
Nicholas Hall	Housing Act 1985	Possession Application	Suspended Possession Order	No order for costs
Nicholas Hall	Anti Social Behaviour, Crime & Policing Act 2014	Injunction Application	Injunction Order	No order for costs
Donna Hudson	Housing Act 1985	Possession Application	Suspended Possession Order	£432.00
Karl Dobson	Housing Act 1985	Warrant Application	Warrant suspended on terms	No order for costs
Sarah Allan	Anti Social Behaviour, Crime & Policing Act 2014	Injunction Application	Injunction Order and Power of Arrest	No order for costs
Shayne Garnett & Shantel Laing	Housing Act 1985	Possession Application	Possession Forthwith	£432.00
Royston & Pauline Thomas	Housing Act 1985	Possession Application	Suspended Possession Order	£432.00
Christopher Welburn	Housing Act 1985	Possession Application	Suspended Possession Order	£432.00
Davide Smiley	Housing Act 1985	Possession Application	Suspended Possession Order extended	£255.00

Rent (CYC) Held in Chambers (Private) so details as to names cannot be disclosed.

Legislation	Nature of Case	Penalty	Costs	Number of Cases
Housing Act 1985	Possession Application	Outright Possession Order	£319.50	14
Housing Act 1985	Possession Application	Outright Possession Order	No order for costs	0
Housing Act 1985	Possession Application	Suspended Possession Order (SPO)	£319.50	72
Housing Act 1985	Possession Application	Suspended Possession Order (SPO)	No order for costs	1
Housing Act 1985	Possession Application	Adjourned generally with liberty to restore	£319.50	24
Housing Act 1985	Possession Application	Adjourned generally with liberty to restore	£250.00	0
Housing Act 1985	Possession Application	Adjourned generally with liberty to restore	No order for costs	7
Housing Act 1985	Possession Application	Application dismissed	No order for costs	0

Housing Act 1985	Application to suspend warrant	Warrant suspended	£110.00	23
Housing Act 1985	Application to suspend warrant	Warrant suspended	No order for costs	9
Housing Act 1985	Application to suspend warrant	Application dismissed – evicted	£110.00	6
Housing Act 1985	Application to suspend warrant	Application dismissed – evicted	No order for costs	3

Other Possessions (CYC)

Defendant	Legislation	Nature of Case	Penalty	Costs
Danielle Smith		Trespass Case	Possession forthwith	No order for costs (Legal Aid)
Debbie Coggin	Housing Act 1996	Possession for Trespass	Possession Forthwith	£349.50
Neil Mizon	Housing Act 1996	Possession for Trespass	Possession Forthwith	£424.50
Karma Brown	Housing Act 1996	Possession from Temporary Accommodation	Possession Forthwith	£424.50
Claire Brownhill	Housing Act 1996	Possession from Temporary Accommodation	Possession in 14 days	£424.50
Kamila Koziarska	Housing Act 1996	Possession from Temporary Accommodation	Possession in 14 days	£424.50
Ryan Dobson	Housing Act 1996	Introductory Tenancy	Possession Forthwith	£424.50
Sakir Koc	Housing Act 1996	Introductory Tenancy	Possession Forthwith	£424.50

A simple caution was offered in respect of the Protection from Eviction Act 1977.

16 x civil penalty notices served on letting agents failing to properly disclose their fees.

4 x improvement notices and 2 prohibition notices under the Housing Act 2004

Community Safety

Domestic Waste Presentation Offences:

192 x Section 46 Environmental Protection Act 1990 (EPA) Warning Notices served
4 x Section 46 EPA Fixed Penalty Notices served

Persistent anti-social behaviour/unreasonable conduct:

98 x Community Protection Notice (CPN) Warnings served
14 x Community Protection Notices served

Fly-tipping:

11 x Section 33 EPA warning letters sent
6 x Section 33 EPA Fixed Penalty Notices (small scale fly-tipping) served
5 x Section 33 EPA Prosecutions

Waste – Duty of Care offences:

56 x Section 34 EPA Notices served
15 x Section 34 Fixed Penalty Notices (FPN's) served

Dog-related offences:

6 x Dog fouling FPNs served
2 x Micro chipping Notices served
2 x Dangerous dog prosecutions

Littering offences

10 x litter FPNs served

Fly-posting

126 x removal Notices served

Illegal Encampments

16 x Directions to leave Notices served

Statutory Noise nuisance (domestic)

62 x Noise Abatement notices served

Repairing vehicle on the public highway

1 x FPN served

Surveillance Activity

	Activity	Reason
Public Protection	1 x directed surveillance	Recording attempted test purchases of alcohol by children
Public Protection	7 x communications data	To further investigations into unfair trading
Community Safety	1 x communications data	To further investigation into fly tipping
National Trading Standards Regional Investigation and National Trading Standards eCrime teams	9 x communications data	To further investigations into unfair trading