

**Environmental Health, Trading Standards and Licensing  
Formal Enforcement Action 1<sup>st</sup> October 2010 – 31<sup>st</sup> December 2010**

### Animal Health

| Defendant                                | Legislation                                    | Nature of Case  | Penalty                     | Costs   |
|--|--|---|-----------------------------|---------|
| William BARLOW<br>(Private Individual)   | Dogs Act 1871 as amended by Dangerous Dogs Act | Dangerous dog   | Control Order               | £245.00 |
| Stephen LAURENCE<br>(Private Individual) | Dogs Act 1871 as amended by Dangerous Dogs Act | Dangerous dog   | Control Order               | £200.00 |
| Graham THOMPSON<br>(Private Individual)  | Animal Welfare Act 2006                        | Failure to provide dog with veterinary treatment/causing unnecessary suffering. | 150 hours community service | £566.47 |
| Joanne THOMPSON<br>(Private Individual)  | Animal Welfare Act 2006                        | Failure to provide dog with veterinary treatment/causing unnecessary suffering. | 150 hours community service | £566.46 |

A simple caution was issued under the Animal Welfare Act 2006 for causing unnecessary suffering to horses.

### Food

A simple caution was issued under the Food Hygiene (England) Regulations 2006 to a Director for failing to comply with a Hygiene Improvement Notice.

A simple caution was issued under the Food Hygiene (England) Regulations 2006 to the Secretary and Manager of a business for failing to keep a food premises clean and maintained in good repair and condition.

Two simple cautions were issued under the Food Labelling Regulations 1996 for possessing food after the 'use-by' date.

### Health & Safety/Licensing

1 x £50 fixed penalty notice was issued under the Health Act 2006 for smoking in a vehicle/premise.

### Environmental Protection

| Defendant                              | Legislation                                  | Nature of Case                                   | Penalty      | Costs   |
|--|--|--|--------------|---------|
| Louise JACKSON<br>(Private Individual) | Environmental Protection Act 1990 as amended | Breach of an abatement notice for noise nuisance | Fine £450.00 | £730.00 |

Between 22-24 November 2010 an appeal against noise abatement notices served on Elvington Events Ltd and Elvington Parks Ltd was heard at York Crown Court. The appeal was dismissed and costs of £9,441.26 awarded to City of York Council.

## Regional Scambuster Team

| <b>Defendant</b>          | <b>Legislation</b> | <b>Nature of Case</b>  | <b>Penalty</b>   | <b>Costs</b> |
|---------------------------|--------------------|--|--|--------------|
| John Smith<br>(Builder)   | Fraud Act 2006     | Operating a fraudulent<br>business promoting<br>energy efficiency grants | 2 year<br>Community<br>Order<br><br>Compensation<br>£1030.00 | £5000.00     |
| Dennis Price<br>(Builder) | Fraud Act 2006     | Operating a fraudulent<br>business promoting<br>energy efficiency grants | 2 year<br>Community<br>Order<br><br>Compensation<br>£1030.00 | £5000.00     |

Please note: all fines imposed by the Courts are now subject to an additional £15 victim surcharge.