

PUBLIC PROTECTION ENFORCEMENT ACTIVITY - STATUTORY NOTICES

Legislation	Description	NOTICES 01/04/12- 30/09/12	NOTICES 01/10/12- 31/03/13	NOTICES 01/04/13- 30/09/13
Environmental Protection Act 1990 S.80	Noise from amplified music (domestic premises)	6	6	14
Environmental Protection Act 1990 S.80	Noise from amplified music (commercial premises)	3	4	3
Environmental Protection Act 1990 S.80	Noise from intruder/vehicle alarms	8	6	4
Environmental Protection Act 1990 S.80	Other noise	3	2	4
Environmental Protection Act 1990 S.80	Bonfires	5	9	3
Environmental Protection Act 1990 S.80	Other nuisance	0	1	0
Environmental Protection Act 1990 S.80	Nuisance from premises	1	2	0
Environmental Protection Act 1990 S.80	Nuisance from light	0	1	0
Environmental Protection Act S.80	Nuisance from accumulations	13	17	10
Environmental Protection Act 1990	Provision of waste receptacles	0	1	2
Environmental Protection Act 1990	Litter	12	14	4
Environmental Protection Act 1990	Waste Transfer documentation	2	5	3
Environmental Protection Act 1990 S.71	Request for information (relating to flytipping)	4	2	6
Environmental Protection Act 1990 S.80	Nuisance from dog barking	0	0	5
Prevention of Damage by Pests Act 1949 S.04	Removal of rubbish and treatment for pests	39	42	37
Public Health Act 1936 S.287	Notice of intention to enter premises	2	4	5
Public Health Act 1936 S.83	Filthy and verminous premises	4	6	3
Public Health Act 1936 S.78	Cleansing alleyways	5	0	23
Control of Pollution Act 1960 S.60	Pollution from construction sites (noise/dust, etc)	2	2	2
Local Government (Misc Provisions) Act 1976 S.16	Requisition for information	7	17	16
Local Government (Misc Provisions) Act 1976 S.20	Sanitary accommodation	0	0	0
Local Government (Misc Provisions) Act 1976 S.35	Clearing obstructions in drains	1	0	0

Local Government (Misc Provisions) Act 1976 S.29	Securing empty premises	1	0	0
Housing Act 2004	Improvement notice	1	2	1
Housing Act 2004	Prohibition notice	0	1	1
Housing Act 2004	Hazard Awareness	0	1	1
Housing Act 2004	Decision to grant a (HMO) licence	0	9	10
Housing Act 2004	Proposal to grant a (HMO) licence	0	8	11
Health & Safety at Work etc Act 1974	Prohibition Notices	6	6	2
Health & Safety at Work etc Act 1974	Improvement notices	0	6	1
Food Safety – Food Hygiene Regulations	Food Hygiene Improvement Notices	14	21	12

ANTI-SOCIAL BEHAVIOUR ENFORCEMENT ACTIVITY

Anti-Social Behaviour Act 2003	Acceptable Behaviour Commitments (ABC's) served	16	10	3
Anti-Social Behaviour Act 2003	Early intervention warning notices	n/a	n/a	3
Anti-Social Behaviour Act 2003	ASBOs served	3	0	0

REGULATION OF INVESTIGATORY POWERS ACT 2000

Age-Related Sales Legislation	Test purchasing campaigns	2	2	0
Food Safety and Licensing	Food hygiene	0	1	0
Anti-Social Behaviour Act	Collection of evidence	2	1	0
Trading Standards	Collection of evidence – communications data	0	1	2

PROSECUTIONS (All heard at Bromley Magistrates Court unless otherwise stated)

Legislation	Description	Penalty
Fraud Act 2006	Trading Standards investigation: Bromley plumber charged with two offences in connection with a gross over-charge, where elderly victim charged for unnecessary work.	Sent to Croydon Crown Court for sentencing
Environmental Protection Act 1990 Section 33 (1) (a)	Illegal deposit of waste (10 offences)	Costs £6,031; clear-up costs £2,184; 240 hours community service
Local Government Act 1976 Section 16 (miscellaneous provisions)	Failure to provide information necessary for the investigation	Fine £1,000 + £120; costs £853
Environmental Protection Act 1990 Section 79 (g)	Failure to comply with a Section 80 abatement notice (noise – 4 offences)	Fines £900, £200, £300, £400; costs £1,464
Environmental Protection Act 1990 Section 79 (g)	Failure to comply with a Section 80 abatement notice (noise)	Fines £750 + £75 victim surcharge; costs £954

PROSECUTIONS PENDING

Proceeds of Crime Act 2002	Trading Standards investigation: money laundering in connection with a bogus builder scam.
Proceeds of Crime Act 2002	Trading Standards investigation: confiscation hearing under the Proceeds of Crime Act. Follows conviction of a money launderer under the act for offences related to wide scale bogus building scam.
Consumer Protection from Unfair Trading Regulations 2008 /Fraud Act/ Personal Protective Equipment ('PPE') Regulations 2002	Trading Standards investigation into the supply of unsafe escape respirator (hood): multiple charges have been laid against the director and company.

TRADING STANDARDS FORMAL CAUTIONS/UNDERTAKING/ASSURANCE GIVEN UNDER THE ENTERPRISE ACT 2002

The Cancellation of Contracts made in a Consumer's Home or Place of Work etc. Regulations (2008)	9 assurances or written warnings: failure to give a consumer statutory notice regarding cancellation rights
Licensing Act 2003	1 x warning in relation to the sale of alcohol to person under 18
Consumer Protection from Unfair Trading Regulations 2008/Unfair Terms in consumer Contracts Regulations 1999	2 x warnings in relation to the attempt to restrict consumer's rights through use of unfair terms
Trade Marks Act 1994	4 x warnings in relation to offering to sell counterfeit goods
Consumer Protection from Unfair Trading Regulations 2008/Trade Marks Act 1994	3 x assurance of future conduct/warning in relation to the unlawful use of a trade association logo
Consumer Protection from Unfair Trading Regulations 2008	1 x warning in relation to the misleading omission relating to a consumer transaction
Toy Safety Regulations 2013	1 x warning in relation to offering to supply unsafe toys
Consumer Protection from Unfair Trading Regulations 2008	1 x warning in relation to an unfair trading practice
Consumer Protection from Unfair Trading Regulations 2008	1 x warning in relation to an aggressive commercial practice
General Product Safety Regulations	1 x warning in relation to the supply of unsafe sunglasses
Licensing Act 2006	4 x simple caution following sale of alcohol to a minor
Trade Marks Act 1994	1 x simple caution in relation to possession of counterfeit goods
Tobacco (Safety) Regulations 2007	1 x simple caution in relation to sale of illicit tobacco products

WORKS IN DEFAULT

No. of works in default undertaken	7
No. of noise equipment seizures undertaken	1

LICENSING REVIEWS

Expedited review of Black Horse, Main Road, Biggin Hill	23 May 2013	Expedited review of licence by Met Police following drugs raid. Licence was suspended initially
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		at the expedited review hearing, then allowed to continue at the full hearing.
News Plus, 117 Maple Road, Penge.	12 June 2013	Review brought by Trading Standards for underage sales.

LICENSING APPLICATION HEARD

	Applications heard by the Licensing Sub Committee / Appeals at Magistrates Court	Type of application and outcome
16/04/2013	Sainsbury's, Beckenham	Following consultation by Solicitors acting on behalf of Sainsbury's, the variation application made in respect of Sainsbury's, 181, High Street, Beckenham, Kent, BR3 1AH for variation of hours for the sale of alcohol has been withdrawn.
16/04/2013	Tesco, Holmsdale Road	Variation to licensed hours granted with conditions
16/04/2013	Co-Op, Cotmandene Crescent	Variation to licensed hours granted after objections withdrawn
30/04/2013	Sainsbury's, West Wickham	Variation to licensed hours and addition of late-night refreshment withdrawn
30/04/2013	Black Horse, Main Road, Biggin Hill	Expedited review by Police (Crime & Disorder). Licence suspended at the interim hearing. At the full review the licence was restored and conditions added.
30/04/2013	Sainsbury's, 73 High Street, Chislehurst	Variation to licensed hours and addition of late night refreshment granted as amended at the hearing
30/04/2013	Co-Op, Main Road, Biggin Hill	Variation to licensed hours and addition of late night refreshment withdrawn
29/05/2013	Deli Nene, High Street, Beckenham	New licence application, amended to remove music – granted for alcohol
12/06/2013	News Plus, 117 Maple Road, Penge	Review by Trading Standards for underage sales – conditions added
12/06/2013	Texa Jacks, 238 High Street, Bromley	Variation licence to permit recorded music: application granted.
12/06/2013	Downe Scout Activity Centre	Temporary Premises licence for bar tent for CampDowne 2013 granted
08/07/2013	Ms Kelly Hughes	Personal licence refused
08/07/2013	Refreshers, 27a Station Road, Petts Wood	New licence (off sales) granted
08/07/2013	Surf N Turf 7 Royal Parade, Chislehurst	New licence (restaurant) granted with amended hours
07/08/2013	Greyhound, High Street, Bromley	Variation to the existing licence to remove certain conditions and extend hours granted after objectors withdrew
07/08/2013	Hisar Meze Bar, High Street, Beckenham	New premises licence granted as altered at the hearing
21/08/2013	Kaplan Kebab, High Street, Beckenham	Variation to extend hours for late night refreshment granted with conditions added
06/09/2013	Old Elthamians,	Application for a premises licence amended for a

	Chislehurst	single event only granted as amended at hearing
06/09/2013	Ask, 132 High Street, Orpington	New premises licence granted
20/09/2013	Penge Conservative Club	Variation to Club Premises Licence to extend hours granted with conditions
20/09/2013	Lale Sar, 142 High Street, Beckenham	Application for new premises licence (restaurant) granted with conditions