

**PUBLIC PROTECTION ENFORCEMENT ACTIVITY - STATUTORY NOTICES**

Legislation	Description	NOTICES 01/10/12- 31/03/13	NOTICES 01/04/13- 30/09/13	NOTICES 01/10/13- 31/03/14
Environmental Protection Act 1990 S.80	Noise from amplified music (domestic premises)	6	14	4
Environmental Protection Act 1990 S.80	Noise from amplified music (commercial premises)	4	3	0
Environmental Protection Act 1990 S.80	Noise from intruder/vehicle alarms	6	4	5
Environmental Protection Act 1990 S.80	Other noise	2	4	9
Environmental Protection Act 1990 S.80	Bonfires	9	3	1
Environmental Protection Act 1990 S.80	Other nuisance	1	0	1
Environmental Protection Act 1990 S.80	Nuisance from premises	2	0	0
Environmental Protection Act 1990 S.80	Nuisance from light	1	0	0
Environmental Protection Act S.80	Nuisance from accumulations	17	10	16
Environmental Protection Act 1990	Provision of waste receptacles	1	2	0
Environmental Protection Act 1990	Litter	14	4	2
Environmental Protection Act 1990	Waste Transfer documentation	5	3	2
Environmental Protection Act 1990 S.71	Request for information (relating to flytipping)	2	6	5
Environmental Protection Act 1990 S.80	Nuisance from dog barking	0	5	0
Prevention of Damage by Pests Act 1949 S.04	Removal of rubbish and treatment for pests	42	37	24
Public Health Act 1936 S.287	Notice of intention to enter premises	4	5	6
Public Health Act 1936 S.83	Filthy and verminous premises	6	3	7
Public Health Act 1936 S.78	Cleansing alleyways	0	23	0
Control of Pollution Act 1960 S.60	Pollution from construction sites (noise/dust, etc)	2	2	3
Local Government (Misc Provisions) Act 1976 S.16	Requisition for information	17	16	9
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	0	0	0

Local Government (Misc Provisions) Act 1976 S.29	Securing empty premises	0	0	0
Housing Act 2004	Improvement notice	2	1	2
Housing Act 2004	Prohibition notice	1	1	0
Housing Act 2004	Hazard awareness	1	1	2
Housing Act 2004	Decision to grant a (HMO) licence	9	10	9
Housing Act 2004	Proposal to grant a (HMO) licence	8	11	9
Health & Safety at Work etc Act 1974	Prohibition notices	6	2	8
Health & Safety at Work etc Act 1974	Improvement notices	6	1	12
Food Safety – Food Hygiene Regulations	Food Hygiene Improvement Notices	21	12	18

### **ANTI-SOCIAL BEHAVIOUR ENFORCEMENT ACTIVITY**

Anti-Social Behaviour Act 2003	Acceptable Behaviour Commitments (ABCs) served	10	3	21
Anti-Social Behaviour Act 2003	Early intervention warning notices	n/a	3	10
Anti-Social Behaviour Act 2003	ASBOs served	0	0	3

### **REGULATION OF INVESTIGATORY POWERS ACT 2000**

Age-Related Sales Legislation	Test purchasing campaigns	2	0	3
Food Safety and Licensing	Food hygiene	1	0	0
Anti-Social Behaviour Act	Collection of evidence	1	0	1
Trading Standards	Collection of evidence – communications data	1	2	5

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

Legislation	Description	Penalty
LG(MP)A 1974 s16	Failure to provide information	£3,000 fine, £687 costs awarded, and £120 victim surcharge
EPA 1990 s80	Breach of abatement notice (noise) x10 breaches	£500 fine, £600 costs awarded and £20 victim surcharge
EPA 1990 s80	Breach of abatement notice (noise)	£165 fine, £165 costs awarded, and £10 victim surcharge
EPA 1990 s71	Failure to provide information	£1,000 fine, £500 costs awarded, and £100 victim surcharge
EPA 1990 s80	Breach of abatement notice (noise)	£1,800 fine, £1,204.67 costs awarded, and £180 victim surcharge
EPA 1990 s33	Fly-tipping	Conditional discharge, £1,088 costs awarded and £20 victim surcharge

### **PROSECUTIONS PENDING**

28 Nov 2013 Anees Akbar (Trading as Mr Meat) High Street	Breach of Health & Safety Prohibition notices on the use of band saw
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Penge	
Rogers – EPA 1990 s33 - fly-tipping offence	Hearing date 18.6.14
Proceeds of Crime Act	Offences relating to fraudulent rogue trader activity
Trade Marks Act 1985	Sale of counterfeit goods from a boot sale
Trade Marks Act 1985	Sale of counterfeit goods from a retail premises
Fraud Act 2006	Fraud by false representation
Rogers – EPA 1990 s33 - fly-tipping offence	Hearing date 18.6.14
Pyrotechnic Articles Regulations	Sale of fireworks to persons under 18
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Pyrotechnic Articles Regulations	Sale of fireworks to persons under 18
Children and Young Persons Act	Sale of tobacco products to person under 18

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

Licensing Team have had 7 formal interviews with businesses to address serious short comings	
Advice letter re sale of vehicles	Warning letter
Failed to supply notice of cancellation rights, misleading actions, misleading omissions, aggressive practice	Formal undertaking
Unfair trading practices	Formal undertaking
Unlawful use of logos	Judicial Disposal letter
Sale of alcohol to a person under 18 years old	Simple caution
Sale of alcohol to a person under 18 years old	Simple caution
Sale of alcohol to a person under 18 years old	Simple caution
Sale of alcohol to a person under 18 years old	Simple caution
Sale of alcohol to a person under 18 years old	Simple caution
Possession of counterfeit goods	Simple caution
Sale of firework to a person under 18 years old	Simple caution
Sale of alcohol to underage person	Simple caution
Sale of alcohol to a person under 18 years old	Simple caution/REVIEW (10 JAN 14)
Sale of alcohol to a person under 18 years old	Simple caution owner/REVIEW (10 JAN 14)
Incorrect health warning	Simple caution/voluntary surrender
Supplying cosmetic product not conforming with CP regs, no PIF file available and incorrect labelling	Warning letter
misleading action regarding cut price offer	Warning letter
Giving the impression a product can be legally sold when it cannot.	Warning letter
Sale of alcohol to underage person	Warning letter
Offering fireworks for sale outside prescribed times	Warning letter
Offering to supply counterfeit goods on ebay	Warning letter
Offering to supply counterfeit goods on ebay	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Display of counterfeit Chanel jewellery	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Misleading action regarding the low ABV of a sample of Bacardi rum	Warning letter
Offering to sell counterfeit Chanel items x6	Warning letter
Failed to supply notice of cancellation rights	Warning letter
Failed to supply notice of cancellation regulations	Warning letter
Unsafe storage of explosives	Warning letter
Misleading information	Warning letter
Misleading information/omission	Warning/Formal assurance letter

Failed to supply notice of cancellation rights	Warning/Informal assurance letter
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### **WORKS IN DEFAULT**

No. of works in default undertaken	2 (PHNT)
No. of noise equipment seizures undertaken	2

### **LICENSING REVIEWS**

Nov and Dec 2014 The Glam Club Flamingo Park A20 Sidcup	Expedited review heard by Sub committee	Licence revoked. Appeal made to Bromley Magistrates Court but withdrawn. Club is closed.
10 Jan 14 Jerrys 69 High Street Penge	Review hearing by Sub Committee	Review by Trading Standards following underage sale. Additional conditions added to licence.
10 Jan 14 Kent House Off Licence 198 Kent House Road	Review hearing by Sub Committee	Review by Trading Standards following underage sale. Additional conditions added to licence,
27 Jan 14 Swami News High street Penge	Review hearing by Sub Committee	Review by Trading Standards following underage sale. Additional conditions added to licence.

### **LICENSING APPLICATION HEARD**

	Applications heard by the Licensing Sub Committee / Appeals at Magistrates Court	Type of application and outcome
26 Nov 13 Las Iguanas Simpsons Road Bromley	New premises licence heard by Sub Committee	Granted with conditions
26 nov 13 O'Neil's East Street Bromley	Variation application heard by sub Committee	Granted with conditions
10 December 13 Beech tree Wellington Rd St Mary Cray	Variation application heard by sub Committee	Granted with conditions
10 December 13 Raggios Café High St Beckenham	New premises licence application heard by sub Committee	Granted with conditions
27 Jan 14 Coney Hall Supermarket West Wickham	New premises licence heard by Sub Committee	Granted with amendments and conditions
3 Feb 14 Havat 195 High Street Bromley	New premises licence heard by Sub Committee	Granted with conditions
17 Feb Bar Du Vin East Street Bromley	Variation application	Objections were withdrawn before the hearing and granted under delegated authority
28 March 14 Personal Licence Hearing: Simon Barrall	Personal licence	Objections made by the Police but withdrawn and licence granted under delegated authority