

PUBLIC PROTECTION ENFORCEMENT ACTIVITY - STATUTORY NOTICES

Legislation	Description	Notices 01/10/14- 31/03/15	Notices 01/04/15- 30/09/15	Notices 01/10/15- 31/03/16	Notices 31/3/2016- 1/4/2017 *
Environmental Protection Act 1990 S.80	Noise from amplified music (domestic premises)	6	3	5	7
Environmental Protection Act 1990 S.80	Noise from amplified music (commercial premises)	2	1	2	3
Environmental Protection Act 1990 S.80	Noise from intruder/vehicle alarms	2	2	7	5
Environmental Protection Act 1990 S.80	Other noise	0	7	1	11
Environmental Protection Act 1990 S.80	Bonfires	0	4	1	4
Environmental Protection Act 1990 S.80	Other nuisance	1	0	0	2
Environmental Protection Act 1990 S.80	Nuisance from premises	2	0	0	1
Environmental Protection Act 1990 S.80	Nuisance from light	0	0	0	0
Environmental Protection Act S.80	Nuisance from accumulations	6	1	1	3
Environmental Protection Act 1990	Provision of waste receptacles	0	0	0	0
Environmental Protection Act 1990	Litter	1	0	N/A – powers repealed	N/A
Environmental Protection Act 1990	Waste Transfer documentation	2	1	fly-tipping enforcement moved to Street Services to be reported to Environment Committee	N/A
Environmental Protection Act 1990 S.71	Request for information (relating to flytipping)	2	0	1	N/A
Environmental Protection Act 1990 S.80	Nuisance from dog barking	0	0	0	0
Prevention of Damage by Pests Act 1949 S.04	Removal of rubbish and treatment for pests	17	31	3	37
Public Health Act 1936 S.287	Notice of intention to enter premises	4	1	1	0
Public Health Act 1936 S.83	Filthy and verminous premises	2	1	0	0
Public Health Act 1936 S.78	Cleansing alleyways	0	0	5	0
Control of Pollution Act 1960 S.60	Pollution from construction sites (noise/dust, etc)	2	4	13	23
Local Government (Misc Provisions) Act 1976 S.16	Requisition for information	12	6	0	16
Local Government (Misc Provisions) Act 1976 S.20	Sanitary accommodation	0	0	0	0

Local Government (Misc Provisions) Act 1976 S.35	Clearing obstructions in drains	0	0	0	0
Local Government (Misc Provisions) Act 1976 S.29	Securing empty premises	0	1	0	2
Housing Act 2004	Improvement notice	1	3	1	0
Housing Act 2004	Prohibition notice	0	2	0	0
Housing Act 2004	Hazard awareness	3	1	0	0
Housing Act 2004	Decision to grant a (HMO) licence	2	4	1	16
Housing Act 2004	Proposal to grant a (HMO) licence	4	2	1	16
Health & Safety at Work etc Act 1974	Prohibition notices	6	7	12	12
Health & Safety at Work etc Act 1974	Improvement notices	3	14	10	15
Food Safety – Food Hygiene Regulations	Food Hygiene Improvement Notices	13	6	25	55
Food Safety	Emergency Hygiene Prohibition Notices and Orders	2	0	0	0
Food Safety	Seizure and destruction of food	0	1	0	1

ANTI-SOCIAL BEHAVIOUR ENFORCEMENT ACTIVITY

Anti-Social Behaviour Act 2003	Acceptable Behaviour Commitments (ABCs) served	18	16	12	25
Anti-Social Behaviour Act 2003	Early intervention warning notices	2	0	10	1
Anti-Social Behaviour and Policing and Crime Act 2014	Final warning under Community Protection Remedy	1	1	1	0
Community Trigger	Number of complaints received in which Community Trigger legislation is invoked	0	2	5	0
Community Trigger	Number of complaints that are Community Trigger issues	0	0	0	0

REGULATION OF INVESTIGATORY POWERS ACT 2000

Age-Related Sales Legislation	Test purchasing campaigns	1	1	2	5
RIPA applications	Telephone checks	n/a	n/a	n/a	7
Public Health and Nuisance	Fly-tipping	0	0	N/A – moved to Street Services to be reported to Environment Committee	N/A

PROSECUTIONS

Legislation	Description	Penalty
Fraud Act 2006	S1 Fraud by misrepresentation – bogus tree work carried out by 1 of 3 males, victims elderly female living alone. One male remains at large	Sentencing due June 2017
Fraud Act 2006	S2 Fraud by misrepresentation – bogus tree work carried out by 1 of 3 males, victims elderly female living alone. One male remains at large	Sentencing due June 2017
Fraud Act 2006	Seven charges of S2 Fraud by misrepresentation – bogus building works – against vulnerable consumers	Sentenced in July 2016 to 20 months imprisonment
Fraud Act 2006	S2 Fraud by misrepresentation – elderly male cold call and tricked into signing over his house in exchange for property repairs. Guilty verdict following trial. Accomplice acquitted.	Sentenced in July 2016 to 5 years imprisonment and the house ordered to be signed back to the victim.
Fraud Act 2006 Consumer Protection from Unfair Trading Regulations 2008	Trader found guilty following a trial of nine charges: 3 charges under s1 Fraud Act 2006; 3 charges of ENGAGING IN AN UNFAIR COMMERCIAL PRACTICE, contrary to Regulation 12 of the Consumer Protection from Unfair Trading Regulations 2008. 3 charges of ENGAGING IN A COMMERCIAL PRACTICE WHICH WAS A MISLEADING ACTION, contrary to Regulation 9 of the Consumer Protection from Unfair Trading Regulations 2008. This related to misleading statements about a qualification course for students	Sentenced in June 2016. On counts 1-3, defendant was sentenced to 12 months suspended for 2 years on each count concurrent. He was also ordered to carry out 150 hours unpaid work. No separate penalty was made in respect of the other counts. Compensation order has been granted in respect to the victims.
Food Safety and Hygiene (England) Regulations 2013	Food business operator pleaded guilty to 12 charges under the Food Safety and Hygiene (England) Regulations 2013.	Sentenced 10 th August 2016. The food business operator was: Fined £5,280 (£440 per offence) Ordered to pay £3,839 in prosecution costs. <u>Total fines and costs £9,119</u>
Food Safety and Hygiene (England) Regulations 2013	Food business operator pleaded guilty to 15 charges under the Food Safety and Hygiene (England) Regulations 2013. 1 Charge of obstructing officers. 1 charge for failing to register a food business. 13 charges relating to food hygiene and safety offences.	Sentenced 25 th January 2017. The food business operator was: Fined £1,500 (£100 per offence) Ordered to pay £6,000 in prosecution costs. Victim surcharge of £30. <u>Total fines and costs £7,530</u>

EPA S80	Perpetrator attended the Appeal at Woolwich Crown Court on 6 th May 2016. The appeal against three convictions with each dismissed. The fine did not change from the Magistrates decision at the previous trial.	Ordered to pay an additional Ordered to pay £1268 towards LBB costs in addition to previous fine i.e. £225
EPA S33	7 th September 2016 perpetrator pleaded guilty to one offence of burning controlled waste	Received 12 month conditional discharge, £20 victim surcharge and £400 towards costs.
EPA S80	1 st June 2016 perpetrator pleaded guilty to four offences of breaching the Noise Abatement Notice.	Received 12 month conditional discharge, £20 victim surcharge and £400 towards costs.

LICENSING HEARINGS

Premises	Date	Applications heard by the Licensing Sub Committee / Appeals at Magistrates Court	Type of application and outcome
Shortlands Service Station 202 Bromley Beckenham	May 11 th 2016	Licensing Sub Committee	Variation of the Premises Licence Outcome: Granted with a reduction of hours and a number of additional conditions were applied.
Ronnies High Street Bromley	June 8 th 2016	Licensing Sub Committee	Review of the Premises Licence Outcome: Revocation of the premises licence
Bromley Football Club Hayes Lane Bromley	June 30 th 2016	Licensing Sub Committee	New Premises Licence Outcome: Granted with the addition of a number of conditions.
Sejal News 23a Widmore Road Bromley	Sept 7 th 2016	Licensing Sub Committee	Review of the Premises Licence Outcome: The Designated Premises Supervisor was replaced and a number of additional conditions were applied to the premises licence.
Treats Desserts High Street Orpington	Oct 6 th 2016	Licensing Sub Committee	New Premises Licence. Outcome: The Licensing Sub Committee Refused the verbal variation proposed by the applicant at the hearing and only considered the written original application which was granted with additional conditions
Budgen 209 Southborough Lane Bromley	January 26 th 2017	Licensing Sub Committee	Review of the Premises Licence Outcome: The premises licence had a number of conditions added.

Bickley Convenience Store 191 Widmore Road Bromley	January 26 th 2017	Licensing Sub Committee	Review of the Premises Licence Outcome: The premises licence had a number of conditions added.
Refreshers 216 Widmore Road Bromley	January 26 th 2017	Licensing Sub Committee	Review of the Premises Licence Outcome: The premises licence had a number of conditions added.
Widmore Express 169 Widmore Road Bromley	January 26 th 2017	Licensing Sub Committee	Review of the Premises Licence Outcome: The premises licence had a number of conditions added
Best n Express 89 Queensway Petts Wood	February 9 th 2017	Licensing Sub Committee	Variation of the Premises Licence Outcome: Refused the application to extend the opening hours for all licensable activities.

***please note that this is a 12 monthly report, whereas the previous three reports, referred to in the above table, were all six monthly reports.**