

Trading Standards Briefing

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Prosecutions

Rogue builder in court after ripping off Cradley householder

A Rogue builder who charged a Cradley resident £12,000 for sub-standard work – almost double the recommended amount – has landed a huge court bill and a ban from going out at night.

Clifford Wyatt, from Halesowen, was ordered to pay £3,464 costs and given a six-month curfew between the hours of 7pm and 7am.

Dudley Magistrates Court heard how he over charged the resident for building work and then carried out sub-standard work in June last year.

He failed to apply for Building Regulations approval and failed to install adequate drainage and a beam with proper support.

Wyatt, of West Road, also admitted he knew nothing about consumers' cancellation rights and pleaded guilty to failing to inform the customer of their right to cancel the transaction.

The 54-year-old also charged £12,000 for the work which should have cost no more than £6,500, the court was told.

He pleaded guilty to five charges under the Consumer Protection from Unfair Trading Regulations last week in a prosecution brought by Dudley Council's trading standards.

Councillor Rachel Harris, Dudley Council's cabinet member responsible for health, said: "This prosecution sends out a clear message that we will protect consumers from the activity of rogue traders who flout the law and carry out sub standard work.

"This kind of activity causes a huge amount of distress to the victims who have worked hard and saved to pay for improvements to their home and are then badly let down."

Halesowen News
October 2014

Food firm fined after Chesterfield takeaway unknowingly sold cheap chicken as lamb

A food company has been fined more than £6,000 for supplying doner kebab meat to a Chesterfield takeaway labelled as containing 70 per cent lamb but found to contain less than one per cent of the meat.

The takeaway business, based on a busy Chesterfield street, unknowingly sold the doner kebab meat to customers, advertising it on their menu as lamb.

When the meat was later analysed it was found to be made up of predominately mechanically recovered chicken, with some minor beef and sheep meat components.

Trading standards officers from Derbyshire County Council brought the successful prosecution against the Good Food Company (North East) Limited, which had supplied the meat to the takeaway.

The company, based in Peterlee, County Durham, pleaded guilty at Chesterfield magistrates' court last Wednesday to an offence under section 14 of the Food Safety Act 1990 and was fined a total of £6,667 and ordered to pay court costs of £5,227.

County council trading standards brought the prosecution after an enforcement officer bought a doner kebab from the takeaway and sent it away to experts to be analysed.

The court heard that the Good Food Company (North East) Limited had listed the ingredients of the meat to the takeaway as containing 70 per cent lamb, 10 per cent poultry and 10 per cent beef.

Analysts showed that it contained less than one per cent of lamb and the majority of the product was made up of mechanically recovered chicken, which is cheaper, and cannot be legally classed as meat.

Magistrates told the company that they were "revolted" by the findings and that the public should expect to get what they had paid for.

The county council's cabinet member for health and communities, Councillor Dave Allen, said: "This is a shocking case and I am not surprised that Magistrates said they were revolted by what they heard.

"Our trading standards officers regularly carry out these checks on food businesses, making sure that customers are getting what they are paying for and what they are expecting.

"In this case, the customer was badly let down, as was the takeaway business that was unwittingly selling what it genuinely believed to be lamb meat.

"After the national horsemeat scandal we are working harder than ever to ensure customers are protected and this successful prosecution shows that businesses that do this will pay the price."

Derbyshire Times
October 2014

News

The dangers of a toy – Worry Dolls

Parents are being warned of a potentially dangerous a toy called Worry Dolls, after three of the four products failed basic safety tests.

Leicestershire Trading Standards tested four of the dolls, which were purchased online, and found that some of the dolls could be a choking hazard for younger children and some had concealed sharp points.

Children tell the small doll their worries and put it under their pillow before they go to sleep after which a parent will carefully remove it. The child wakes in the morning to find the doll has gone, taking their worries with it.

David Bull, head of the county council's Trading Standards Service said: "Three of the four dolls we tested, failed

to comply with toy safety regulations.

“The dolls posed a choking hazard for young children and some were made with thread wrapped around sharp wires. There was also inadequate labelling, to warn consumers about the risks the toy posed to very young children and to allow the manufacturers to be traced. All these products have been removed from sale by the suppliers.

“I am asking parents or guardians to check their children’s worry dolls and if you are in any doubt - throw it away. We cannot be sure that all items in the supply chain have either been removed or recalled, as there are many other suppliers.”

Joe Orson, county council cabinet lead member for Trading Standards said: “Parents and carers should look for a CE mark on labelling, never give them to children under three, and feel for any sharp points. Remember that children aren’t good at recognising hazards, especially when they are sleepy.”

People can report products they think might be unsafe to the Trading Standards Service Citizens Advice Helpline on 03454 04 05 06; trading standards work with this Helpline to identify unsafe products.

Leicestershire County Council
October 2014

Cornwall Trading Standards targets illegal vehicle diagnostic software

Trading Standards officers from Cornwall Council’s Fair Trading team have been paying unannounced visits to car servicing garages over the past week on the hunt for illegal and unlicensed vehicle diagnostic software.

Senior Cornwall Trading Standards Officer, Gary Webster said: “The servicing and repair of modern cars often requires specialist diagnostic equipment and computer software. We are concerned that garages may be tempted to use illegal copies of the software which not only gives them an unfair commercial advantage over their competitors, but also potentially puts the safety of their customers at risk. Many of these copied versions are very out of date, and don’t flag up any current safety and recall warnings for specific vehicles.”

The officers have been working with specialists from the motor industry to identify users of the illegal software and raise awareness of the issues with garage owners. Where unlicensed copies have been found, the owners have been asked to remove the software voluntarily.

Gary goes on to say “We know that garages have been approached by individuals offering to install the software at a very low price. In some cases the illegal software installation has caused conflicts with other programs and introduced computer viruses. On this occasion we have been offering an amnesty to those garage operators found in possession of unlicensed systems, provided that they agreed to the removal of the software on the spot. In future, anyone found to be knowingly using unlicensed software of this kind may face prosecution.”

Garages who think that they may have got unlicensed or illegal copies of diagnostic software are urged to contact Trading Standards on 0300 1234 191, who will put them in touch with the relevant specialists to assist in the removal of the product.

Cornwall Council
October 2014

Good neighbours stop rogue traders campaign countdown begins

The countdown for the 2014 National Consumer Week (NCW) 'Good Neighbours Stop Rogue Traders' campaign has started with the official closing of the £1,000 video competition. On 22 October, video finalists will be uploaded to YouTube for public voting and feedback. The winner will be announced at the launch of NCW on 3 November in London.

The 'Good neighbours stop rogue traders' campaign focuses on preventing doorstep crime by encouraging neighbours, family, friends and carers to look out for those most at risk in their communities. Despite vast underreporting of doorstep crime, latest research shows there could be as many as 170,000 incidents of doorstep crime each year. Doorstep criminals exploit vulnerable citizens by convincing them to pay for shoddy or

incomplete repair work, charging extortionate fees for their services, or threatening residents who do not comply.

The campaign is a partnership led by the Trading Standards Institute (TSI), Citizens Advice and the National Trading Standards Board, but we are keen for other organisations to support the campaign.

How can we get involved?

You can support the 'Good Neighbours Stop Rogue Traders' campaign in the following ways:

Promote the film competition

On 3 November the winner of the national film competition, which is sponsored by the Institute of Professional Willwriters (IPW), will be announced. To help spread the word you can:

- Share the winning film with local communities and online

Take local action

- Organise an informal tea and chat with community members and local organisations to discuss doorstep crime and share informational materials, which can be read and downloaded here
- conduct a doorstep crime workshop with people at risk of doorstep crime or those who support the
- encourage neighbours to volunteer for the Nominated Neighbour scheme if there is one in your area.

Spread the word

- Place campaign materials on your website and with internal and external networks
- get local media coverage – materials will be available but a strong local case study will help
- if you already have a case study that could tell their story in national press, please get in touch
- join the conversation on social media under #stoproguetraders or follow @ tsi_uk and @citizensadvice.

Trading Standards Institute October 2014

Newport raid nets haul of 'illegal' drink and cigarettes

Raid seizing thousands of cigarettes and hundreds of litres of alcohol took place in Newport this week.

The operation, involving police, customs, immigration and trading standards, aimed to disrupt the sale and supply of what is suspected to be illegal tobacco and alcohol led to products being taken from 14 retail premises in Newport City Centre on Monday.

The raid uncovered 35,000 cigarettes, six kilos of hand-rolling tobacco and 400 litres of alcohol along with £12,700 duty and VAT-evaded cash.

Around 54 officers from HM Revenue and Customs (HMRC) along with Gwent Police, Home Office Immigration, Trading Standards and detection dogs, visited 42 retailers in the city throughout the course of the morning. The suspected illegal products were seized from 14 of the premises.

The visits took place as part of HMRC's Tobacco Taskforce activity, a strategy to tackle tobacco smuggling in order to address the source, supply and demand for illicit tobacco products across the UK.

Colin Spinks, HMRC assistant director of criminal investigations said: "Disrupting criminal trade is at the heart of our strategy to clampdown on the illicit tobacco market, which costs the UK around £2 billion a year, and the sale of illicit alcohol which costs the UK around £1 billion per year. This is theft from the taxpayer and undermines legitimate traders.

Due to the ongoing investigations no retailers can be named and any of the premises which were raided yesterday have not been revealed. In a statement released by HMRC they confirmed that no arrests have been

made.

HMRC is encouraging anyone with information about the illegal sale of tobacco or alcohol to contact the Customs Hotline on 0800 59 500.

**South Wales Argus
October 2014**

Legislation Diary

Legislation Diary 2014

CIF	Title	Region
10/07/2014	Communications, disclosure of information Act 2003, order 2014	
11/07/2014	Misuse of drugs Amendment, regulations 2014	I
11/07/2014	Misuse of drugs Designation, amendment, order 2014	I
11/07/2014	Companies, striking off, electronic communication Order 2014	E/NI/S/W
14/07/2014	Feed-in tariffs Amendment, order 2014	E/NI/S/W
15/07/2014	Intellectual property Act 2014	E/NI/S/W
15/07/2014	Intellectual property Act 2014, commencement no 1, order 2014	E/NI/S/W
16/07/2014	Gambling, licensing and advertising Act 2014, transitional provisions, order 2014	E/NI/S/W
16/07/2014	Gambling, licensing and advertising Act 2014, transitional provisions, amendment, order 2014	E/NI/S/W
17/07/2014	Food hygiene and official feed and food controls, Scotland amendment regulations 2014	S
17/07/2014	Electricity and gas Billing, regulations 2014	E/S/W
17/07/2014	Energy savings opportunity scheme Regulations 2014	E/NI/S/W
21/07/2014	Public health, sunbeds Act 2014	I
21/07/2014	Criminal justice Act 1988, reviews of sentencing, amendment, order 2014	E/W
25/07/2014	European Union, energy labelling Amendment, regulations 2014	I
25/07/2014	Waste electrical and electronic equipment and restriction of the use of certain hazardous substances in electrical and electronic equipment Amendment, regulations 2014	E/NI/S/W
28/07/2014	European Communities, official controls on the import of food of non-animal origin Amendment, no 3, regulations 2014	I
28/07/2014	Bus and coach passengers rights and obligations, Northern Ireland Designation of terminals, tour operators and enforcement, regulations 2014	NI

28/07/2014	Financial services and markets Act 2000, regulated activities, amendment, no 3, order 2014	E/NI/S/W
30/07/2014	Police and criminal evidence, codes of practice, Northern Ireland 1989 order, temporary modification to code A, order 2014	NI
31/07/2014	Animal by-products, Northern Ireland Enforcement, amendment, regulations 2014	NI
31/07/2014	Trade in animals and related products, Northern Ireland Amendment, regulations 2014	NI
31/07/2014	Plant health, export certification, Wales Amendment, order 2014	W
01/08/2014	Finance Act 2014	
01/08/2014	Electricity capacity Regulations 2014	E/S/W
01/08/2014	Electricity market reform, general Regulations 2014	E/NI/S/W
01/08/2014	Contracts for difference, electricity supplier obligations Regulations 2014	E/NI/S/W
01/08/2014	Contracts for difference, standard terms Regulations 2014	E/S/W
01/08/2014	Contracts for difference, allocation Regulations 2014	E/S/W
01/08/2014	Contracts for difference, definition of eligible generator Regulations 2014	E/NI/S/W
01/08/2014	Intellectual property Act 2014, commencement no 2, order 2014	E/NI/S/W
01/08/2014	Housing, Scotland Act 2014	S
02/08/2014	Plant health, fees, Wales Regulations 2014	W
06/08/2014	Openness of local government bodies Regulations 2014	E
08/08/2014	Food hygiene, Wales Amendment, regulations 2014	W
08/08/2014	Sea fishing, licences and notices, Northern Ireland Regulations 2014	NI
14/08/2014	Diseases of swine Regulations 2014	E/S/W
15/08/2014	Food information Regulations 2014	E
18/08/2014	European Communities, designation No 2, order 2014	E/NI/S/W
18/08/2014	Seed, fees, Scotland Regulations 2014	S
20/08/2014	Agriculture Miscellaneous revocations, regulations 2014	E/NI/S/W
20/08/2014	Road vehicles, construction and use Amendment, no 2, regulations 2014	E/S/W
26/08/2014	Official feed and food controls, England, and the 'Food safety and hygiene, England, amendment, regulations 2014'	E
29/08/2014	European Union, paints, varnishes, vehicle refinishing products and activities Amendment, regulations 2014	I
29/08/2014	Sulphur content of liquid fuels, England and Wales Amendment, regulations 2014	E/W
02/09/2014	Control of explosives precursors etc, Northern Ireland Regulations 2014	NI
02/09/2014	Control of explosives precursors Regulations 2014	E/S/W

05/09/2014	Welfare of animals at the time of killing, Wales Consequential amendments, regulations 2014	W
08/09/2014	Motor vehicles, construction and use, Northern Ireland Amendment, regulations 2014	NI
08/09/2014	Gas and electricity regulated providers, redress scheme Amendment, order 2014	E/S/W
14/09/2014	Pet travel - changes to the EU scheme	
15/09/2014	Proposals for the 'Genetically modified organisms, contained use, regulations, Northern Ireland 2015'	NI
15/09/2014	Enterprise and regulatory reform Act 2013, commencement no 7 and amendment, order 2014	E
17/09/2014	Abattoirs, veterinary examination and health mark Act 1988, revocation, regulations 2014	I
18/09/2014	General betting, pool betting and remote gaming duties, registration, records and agents Regulations 2014	E/NI/S/W
18/09/2014	Anti-social behaviour, crime and policing Act 2014, consequential amendments, order 2014	E/S/W
19/09/2014	Food information, Wales Regulations 2014	W
19/09/2014	Food information, Northern Ireland Regulations 2014	NI
26/09/2014	Export control, Russia, Crimea and Sevastopol sanctions Order 2014	E/NI/S/W
26/09/2014	Consumer credit, information requirements and duration of licences and charges Amendment, regulations 2014	E/S/W
29/09/2014	European Union, energy efficiency Regulations 2014	I
29/09/2014	Intellectual property Act 2014 amendment, regulations 2014	S
29/09/2014	Gambling, licensing and advertising Act 2014, commencement no 1, amendment and consequential amendments, order 2014	E/NI/S/W
01/10/2014	Genetically modified organisms, contained use Regulations 2014	E/S/W
01/10/2014	Petroleum Consolidation, regulations 2014	E/S/W
01/10/2014	Acetylene safety, England and Wales and Scotland Regulations 2014	E/S/W
01/10/2014	Explosives Regulations 2014	E/NI/S/W
01/10/2014	Human medicines Amendment, no 2, regulations 2014	E/NI/S/W
01/10/2014	Gaming duty Amendment, regulations 2014	E/NI/S/W
01/10/2014	Video recordings Act 1984, exempted video works, regulations 2014	E/NI/S/W
01/10/2014	Goods vehicles, licensing of operators, fees Amendment, regulations 2014	E/S/W
01/10/2014	Public service vehicles, operators' licences, fees Amendment, regulations 2014	E/S/W
01/10/2014	Road vehicles, registration and licensing Amendment, regulations 2014	E/NI/S/W
01/10/2014	Goods vehicles, plating and testing Amendment, regulations 2014	E/S/W

01/10/2014	Motor vehicles, tests Amendment, regulations 2014	E/S/W
01/10/2014	Intellectual property Act 2014, commencement no 3 and transitional provisions, order 2014	E/NI/S/W
01/10/2014	Forest law enforcement governance and trade Amendment, fees, regulations 2014	E/NI/S/W
01/10/2014	Tuberculosis, deer and camelid, slaughter and compensation, England Order 2014	E
01/10/2014	Tuberculosis, deer and camelid, England Order 2014	E
01/10/2014	Redress schemes for lettings agency work and property management work, requirement to belong to a scheme etc, England Order 2014	E
01/10/2014	Licensing, hearings Act 2003, amendment, regulations 2014	E/W
01/10/2014	Copyright and rights in performances, personal copies for private use Regulations 2014	
01/10/2014	Copyright and rights in performances, quotation and parody Regulations 2014	
01/10/2014	Registered designs Amendment, rules 2014	E/NI/S/W
01/10/2014	Patents Amendment, no 2, rules 2014	E/NI/S/W
01/10/2014	Tuberculosis, England Order 2014	E
01/10/2014	Tonnage tax, training requirement Amendment, regulations 2014	E/NI/S/W
01/10/2014	Licensing, permitted temporary activities, notices Act 2003, amendment, regulations 2014	E/W
01/10/2014	Licensing, mandatory licensing conditions Act 2003, amendment, order 2014	E/W
01/10/2014	Gambling, licensing and advertising Act 2014, commencement no 1, order 2014	E/NI/S/W
01/10/2014	Community interest company Amendment, regulations 2014	E/NI/S/W
01/10/2014	Copyright and rights in performances, extended collective licensing Regulations 2014	E/NI/S/W
01/10/2014	Food hygiene and official feed and food controls, Scotland Amendment regulations 2014	S
07/10/2014	Furniture and furnishings, fire, safety, regulations 1988 - consultation on proposed amendments to Schedule 5 - match test - part 1 and schedule 4 - cigarette test	
17/10/2014	Fish labelling, Scotland, amendment regulations 2014	S
20/10/2014	Revised PACE code A - stop and search	
23/10/2014	Gambling, licensing and advertising Act 2014, transitional provisions, amendment, no 2, order 2014	E/S/W
30/10/2014	Proposed revised amendments to the feed law enforcement guidance document, for Northern Ireland	NI
31/10/2014	Proposal to remove the requirement to include some information in the holding register of keepers of bovine animals in England - consultation on red tape challenge proposal to reduce the regulatory burden for livestock keepers	

31/10/2014	Motor vehicles, construction and use, Northern Ireland Amendment no 2, regulations 2014	NI
31/10/2014	Road vehicles, registration and licensing Amendment, no 2, regulations 2014	E/NI/S/W
05/11/2014	Implementation of the amended batteries directive 2013/56/EU	
13/11/2014	Sulphur content of liquid fuels, Scotland Regulations 2014	S
01/01/2015	Requirements for school food Regulations 2014	E
01/01/2015	Financial services and markets, excluded activities and prohibitions Order 2014	E/NI/S/W
06/04/2015	Legislative reform, entertainment licensing Order - draft 2014	E/W
06/04/2015	Flood reinsurance scheme administrator designation Regulations 2015	E/NI/S/W
06/04/2015	Flood reinsurance scheme designation Regulations 2015	
06/04/2015	Tobacco advertising and promotion, specialist tobacconists, Wales Regulations 2012	W
06/04/2015	Tobacco advertising and promotion, specialist tobacconists, Northern Ireland Regulations 2012	NI
01/10/2015	Batteries and accumulators, placing on the market Amendment, regulations - draft 2015	
TBC	Licensing of pavement cafes, Northern Ireland Act 2014	NI
TBC	Consumer insurance, disclosure and representations Act 2012	E/W
TBC	Health care and associated professions, indemnity arrangements Order 2013	E/NI/S/W
TBC	Categories of gaming machine Amendment, regulations 2014	
TBC	Meat products, England Regulations - draft 2014	E
TBC	Requirements for school food, England Regulations - draft 2014	E
TBC	Green deal, qualifying energy improvements Amendment, order - draft 2014	E/NI/S/W
TBC	Licensing, mandatory licensing conditions Act 2003, amendment, order - draft 2014	
TBC	Flood reinsurance scheme funding and administration Regulations 2015	
TBC	Electricity and gas, energy companies obligation Amendment, no 2, order - draft 2014	E/S/W
TBC	Fuel poverty, England Regulations - draft 2014	E
TBC	Weights and measures, food Amendment, regulations - draft 2014	
TBC	Financial services and markets, regulated activities Act 2000, amendment no X, order 2014	
TBC	Regulatory reform, Scotland Act 2014	S

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