

Annual Report and Resource Accounts 2009-10

Annexe G

Local Authority prosecutions, 1 April 2009 to 31 March 2010

Local Authority prosecutions under the Consumer Protection from Unfair Trading Regulations 2008 ('the CPRs'), 2009-10

Table G.1: Local Authority prosecutions under the CPRs, Regulations 3(3) and 8

Sector	Number of reported cases	Fines (£)	Compensation (£)
AB - Home maintenance and Improvements	5	250	6,700
CA – Clothing and clothing fabric	4	1,000	
Second Hand Cars	3	2,750	
Total	12	4,000	6,700

Table G.2: Local Authority prosecutions under the CPRs, Regulations 5 and 9

Sector	Number of reported cases	Fines (£)	Compensation (£)
AB – Home maintenance and improvement	12	11,550	4,345
AT – Repairs to domestic appliances	3	650	330
BA – Food and drink	3	3,850	
BJ - DIY Materials	1	240	
BQ -Gardening products and services	3	750	
CA – Clothing and clothing fabric	2	5,000	
CB - Disability aids	1	1,500	900
CF – Jewellery, silverware, clocks and watches	1	600	
CZ – Other personal goods services	2	4,300	
DY - Professional Services	3	400	
EE - Second Hand Cars	19	10,200	5,580
EF - Car repairs and servicing	1	500	131
EG - Other Motor vehicle purchases	1	1,500	
EY - Boats, Caravans, trailers	1	750	

FH - Entertainment, catering and accommodation	3		1,215
FK - Books, newspapers and magazines	1	1,000	
FO - Pets and veterinarian products/services	2	230	1,389
GA - Industrial/commercial goods and services	2	1,000	
Total	61	44,020	13,890

Table G.3: Local Authority prosecutions under the CPRs, Regulations 6 and 10

Sector	Number of reported cases	Fines (£)	Compensation (£)
AB - Home maintenance and Improvements	11	650	660
EE - Second Hand Cars	4	4,050	900
Total	15	4,700	1,560

Table G.4: Local Authority prosecutions under the CPRs, Regulations 7 and 11

Sector	Number of reported cases	Fines (£)	Compensation (£)
AB - Home maintenance and Improvements	9	1,980	2,500
DE – Ancillary credit business	1	600	
Total	10	2,580	2,500

Table G.5: Local Authority prosecutions under the CPRs, Regulation 12 (offences under CPR Schedule 1)

Sector	Number of reported cases	Fines (£)	Compensation (£)
AA – House construction	2	1,200	0
AB - Home maintenance and Improvements	28	10,900	0
AC - Glazing Products and Installations	2	300	0
AN - Large Domestic Appliances	1	500	0
CZ - Other Personal Goods and Services	1	10,000	

DP - Estate Agents & House Purchase services	4	3,000	15
EE - Second Hand Cars	22	7,350	0
EF - Car repairs and servicing	1	2,500	1,000
FH - Entertainment, catering and accommodation	2	1,320	0
FQ - Pets and veterinarian products/services	1	600	£600
Total	64	37,670	1,015

Table G.6: Local Authority prosecutions under the CPRs, Regulation 15 (offences by officers of a body corporate)

Sector	Number of reported cases	Fines (£)	Compensation (£)
AB - Home maintenance and Improvements	11	1,100	275
Total	11	1,100	275

Table G.7: Total Local Authority prosecutions under the CPRs

	Number of reported cases	Fines (£)	Compensation (£)
Grand total	173	94,070	25,940

In addition to the information shown above:

- 6 defendants received community order sentences
- 1 defendant received a community punishment order
- 4 defendants were asked to pay compensation to victim
- 15 defendants were conditionally discharged
- 8 defendants received curfew orders
- 1 defendant received a forfeiture and destruction order
- 5 defendants received prison sentences
- 5 defendants received suspended sentences

Local Authority prosecutions under other legislation, 2009-10

Table G.8: Local Authority prosecutions under the Fair Trading Act 1973, 2009-10

		Restriction on Statements Order			Business Advertisements Disclosure Order		
		Numbers	Fines	Compensation	Numbers	Fines	Compensation
Sectors							
CZ	Other Personal Goods & Services	1	3,750	0	0	0	0
EE	Second hand cars	12	400	16,360	13	200	0
Totals		13	4,150	16,360	13	200	0

Source: Office of Fair Trading, based on figures supplied by local authority trading standards and environmental health departments

In addition to the information shown above:

(1) Restriction on Statements Order:

8 defendants received community punishment orders.

(2) Business Advertisements Disclosure Order:

5 defendants received a conditionally discharged sentence.

Table G.9: Local Authority prosecutions under the Consumer Protection Act 1987, 2009-10

		Action under Part II (safety regulations)			Action under Part III (misleading prices)		
		Numbers	Fines	Compensation	Numbers	Fines	Compensation
Sectors							
AB	Home maintenance and Improvements	0	0	0	9	1,000.00	0
AD	Furniture (not upholstered or nursery), pictures, etc	1	100	0	0	0	0
AL	Audio-visual	1	3,000	0	0	0	0
AM	Personal computers, accessories, software & services	1	4,000	0	0	0	0
AR	Small domestic appliance	2	3,715	15	0	0	0
BJ	DIY Materials	3	10,200	15	0	0	0
BM	Telecommunications	2	3,800	0	0	0	0
CA	Clothing and clothing fabrics	3	9,500	15	0	0	0
CD	Medical goods and services	2	1,500	0	0	0	0
CH	Tobacco	2	200	0	0	0	0
DQ	Letting and property management services	1	5,000	0	0	0	0

EE	Second hand cars	0	0	0	3	4,500	30
FL	Sport and hobby equipment and services	1	525	15	0	0	0
FM	Toys, games and video consoles (excluding video games)	27	8,335	0	0	0	0
FZ	Other recreational goods and services including age-restricted items	8	6,300	15	1	1000	0
Total		54	56,175	75	13	6,500	30

Source: Office of Fair Trading, based on figures supplied by local authority trading standards & environmental health departments

In addition to the information shown above:

(1) Action under Part II (safety regulations):

7 defendants were conditionally discharged
1 defendant received a community order
1 defendant received a prison sentence

(2) Action under Part III (misleading prices)

7 defendants were absolutely discharged
1 defendant received a prison sentence

TABLE G.10: Local Authority prosecutions under the Consumer Credit Act 1974, 2009-10

Reported cases	Number	Fines (£)	Compensation (£)	Conditional discharge	Imprisonment	Absolute discharge	Community service	Other
S167	7	3,750	0	0	0	0	0	7
Unlicensed trading (s39)	23	4,750	0	2	3	0	3	15
Total	30	8,500	0	2	3	0	3	22

Source: Office of Fair Trading, based on figures supplied by local authority trading standards and environmental health departments

Table G.11: Local Authority prosecutions under other consumer protection legislation, 2009-10

Food Safety Act 1990

	Number of reported cases	Fines (£)	Compensation (£)
Selling food not of the nature or substance or quality demanded (s 14)	24	25,348	15
Falsely describing or presenting food (s 15)	13	3,818	0
The Food Labelling Regulations 1996	79	71,780	30
The General Food Regulations 2004	2	500	0
Total	118	101,446	45

Package Travel Regulations

	Number of reported cases	Fines (£)	Compensation (£)
Regulation 1992	2	12,000	6,853
Total	2	12,000	6,853

Other legislation

	Number of reported cases	Fines (£)	Compensation (£)
Other Legislation	1,827	703,991	357,788
Total	1,827	703,991	357,788

Property Misdescription Act 1991

	Number of reported cases	Fines (£)	Compensation (£)
Section 1	12	39,667	15
Total	12	39,667	15

Road Traffic Act

	Number of reported cases	Fines (£)	Compensation (£)
1988 Act	204	51,969	9,314
1988 (RDV C&U Regs)	3	7,300	0
Total	207	59,269	9,314.00

Weights and Measures Act

	Number of reported cases	Fines (£)	Compensation (£)
1985 Act	18	53,665	0
Total	18	53,665	0
GRAND TOTAL	2,184	970,038	374,015

Source: Office of Fair Trading, based on figures supplied by local trading standards & environmental health departments

In addition to the information shown above:

Food Safety Act 1990

2 defendants were absolutely discharged

7 defendants received prison sentences

Other legislation

117 defendants were conditionally discharged

5 defendants were absolutely discharged

228 defendants received prison sentences

145 defendants were required to undertake community service

255 defendants received suspended sentences

3 defendants received forfeiture orders

62 defendants received community punishment orders

3 defendants received community rehabilitation and punishment orders

16 defendants received curfew orders

3 defendants had confiscation orders granted against them

25 defendants received supervision orders

1 defendant received a referral order

8 defendants had compensation orders granted against them

1 defendant received a combination order

Road Traffic Act

3 defendants were conditionally discharged

1 defendant received an order to pay compensation

Weights and measures Act 1985

1 defendant was conditionally discharged

Package Holidays and Package Tours Regulations 1992

1 defendant was conditionally discharged