

Appendix 2 - SRS prosecution cases concluding during 2023-24

Case	Court date	Offence(s)	Outcome
1	13.4.23	<p>A wholesale company and its sole Director each pleaded guilty to five food hygiene offences following an SRS inspection of the premises. Officers found rodent droppings behind pallets of food products and holes to the structure of the building which would allow pest access to the food store. As a result of these issues a Remedial Action Notice was served.</p> <p>Further visits over a period of months found further evidence of a pest infestation. Then in June 2022, one of the company's vehicles was subject to a multi-agency routine stop and check in Somerset, while enroute to delivering to various food businesses across the South West of England. Inspection of the vehicle discovered that products of animal origin were being supplied to other businesses more than 30 miles/50km from the Cardiff County boundary without the necessary approval from the authorising authority.</p> <p>In mitigation the defence argued that there had been co-operation with the Council, standards had improved in the premises, a new shutter door had been fitted and the level of cleanliness had significantly improved. With regards to the cutting plant, the defence accepted that there had been a clear error of judgement. They had tried to apply for a licence which was refused and so they had withdrawn from the whole thing.</p>	<p>In sentencing, the District Judge told the Director that the offences were serious, that he ran a big business which supplied a lot of people and so food safety laws should be paramount in his mind.</p> <p>The company was fined a total fine of £7,335 and order to pay costs of £1,327 together with a surcharge £190.</p> <p>The Director was fined a total of £1,000 and ordered to pay costs of £1,327 together with a surcharge £190</p>

2	21.4.23	<p>This case concerned a number of serious failings in a House in Multiple Occupation. The HMO licence holder, the property management company and its Director were each charged with a number of offences, and all three pleaded guilty.</p> <p>When the property was visited, SRS Officers found that the conditions of the licence had not been complied with as required by the Housing Act 2004 and there were also failures to comply with the Management of Houses in Multiple Occupation (Wales) Regulations 2006. These related to</p> <ul style="list-style-type: none"> • Failure to install the appropriate fire alarm system, • Failure to provide complete and functional fire doors • Failure to adequately fire protect the gas and electricity meters. • Missing smoke detectors, • Failure to maintain fire extinguishers, • Failure to maintain fire doors, • Inaccessible fire blanket, • Defective gutters to the annex side extension • Defective kitchen work surface 	<p>The licence holder was fined a total of £1,830 and ordered to pay costs of £1,000 together with a surcharge of £183.</p> <p>The property management company and its Director were both fined a total of £1,080 and ordered to both pay costs of £1,250 as well as surcharges of £108.</p>
3.	3.5.23	<p>In August 2021, SRS Officers visited the premises of a wholesale fruit supplier, and found evidence of rodents</p>	<p>The business owner entered a total of 16 guilty pleas on behalf of her two companies (4 each) and herself (8</p>

	<p>where foods were stored, including a pallet of rice contaminated with rodent urine and faeces. In addition, there were gaps to the exterior of the premises allowing access into the premises by pests, the premises were not maintained in a clean condition, there was no water supply to the premises for cleaning or for the maintenance of personal hygiene, and the business was not following their own food safety management procedures.</p> <p>During a further visit in September 2021, it was established that there had been a change in the legal ownership and management of the business. On this occasion, the following issues were identified:</p> <ul style="list-style-type: none"> • Failure to advise the authority of a change of business ownership at an approved premises • Failure to obtain approval for the supply of products of animal origin • Areas of the premises were in a dirty condition • Crabs were out of temperature control <p>A Remedial Action Notice was served but on further visit in the September 2021 the following issues were found:</p> <ul style="list-style-type: none"> • Areas of the Premises were in a dirty condition • Food equipment was in a dirty condition • Large amounts of mouldy foods were found in the chiller 	<p>offences)</p> <p>The Director was fined £250 per offence for each of her 8 offences to give a total of £2,000. She was ordered to pay costs and a surcharge of £800.</p> <p>The companies were each fined £250 per offence giving a total fine of £1,000</p>
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4.	3.5.23	<p>In March 2022, SRS received a notification from Portsmouth City Council that the defendant had supplied foodstuffs which bore no labelling in English, and which upon translation were found to be konjac jelly mini cups. The issues here were two-fold, firstly konjac in jelly cups was prohibited decades ago as it can cause a choking hazard for children. In addition, the lack of food information in English meant that consumers would be unaware of the presence of any allergens.</p> <p>On visiting the local wholesaler, SRS officers identified the following:</p> <ul style="list-style-type: none"> The defendant had failed to put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles He placed on the market food, namely durian cake and chongqing huogo hot pot, with no clear reference to the name of the substance or product He placed on the market food, namely jelly mini-cup confectionary containing konjac <p>Prior to the conclusion of this case, the limited company was dissolved, meaning that proceedings could only be brought against the Director. He pleaded guilty to four offences.</p>	The Director was fined £125 for each of 4 offences, giving a total fine of £500. He was ordered to pay costs of £400, and also a surcharge of £200. Payable at the rate of £10 per week.

5.	11.5.23	This case involved a taxi driver who transported passengers inside the Cardiff District without using the fitted taximeter. He also charged and obtained more than the legal Tariff Fare for journeys inside the Cardiff District.	The defendant was fined £264 and ordered to pay costs of £300 together with a victim surcharge of £106
6.	11.5.23	This case involved a taxi driver using a private hire vehicle to pick up passengers in a controlled district without first having them pre-book the journey (i.e. acting as a Hackney Carriage). The driver's insurance for the vehicle had an exclusion clause in the policy stating that there was no cover for use as a Hackney Carriage. This meant that the vehicle was uninsured for the journey.	The defendant was fined £333 and ordered to pay costs of £300 together with a victim surcharge of £133. He was also given 8 penalty points on his driver's licence
7.	11.5.23	This case involved a taxi driver using a private hire vehicle to pick up passengers in a controlled district without first having them pre-book the journey (i.e. acting as a Hackney Carriage). The driver's insurance for the vehicle did not include cover for Public Hire transportation only Private Hire transportation. This meant that the vehicle was uninsured for the journey. does not have cover for Public Hire transportation only Private Hire transportation.	The defendant was fined £500 and ordered to pay costs of £300, together with a victim surcharge of £140 He was also given 6 penalty points on his driver's licence
8.	18.5.23	The defendant had previously entered guilty pleas under the Fraud Act 2006 and the and the Consumer Protection from Unfair Trading Regulations. The investigation followed	The defendant was given a 12 month community order consisting of 20 hours of rehabilitation to address his offending and 132 hours of unpaid work. He was also

		<p>a consumer complaint about the purchase of a vehicle, and established that the defendant had told the consumer that he would register an extended warranty with WarrantyWise. However, after the defendant took £364 for the extended warranty from the purchaser, it was never registered, resulting in financial detriment.</p>	<p>ordered to pay £1,500 costs and a £96.00 court surcharge.</p>
9.	8.6.23	<p>The defendant in this case is the food business operator of a sandwich bar. A visit by an officer from the Shared Regulatory Services in September 2022 found that the business had not displayed a food hygiene rating sticker of 1 which had been awarded to it following a hygiene inspection in July 2022. The defendant advised officers that he had been away on holiday and had not seen the letter and sticker. The Officer supplied another letter and sticker but a subsequent visit the following day found that the sticker was still not displayed, and the defendant refused to place the sticker in the window. Further visits in October 2022 and November 2022 highlighted further failures to display the rating.</p>	<p>The defendant was fined £440 for each of the three offences making a total fine of £1320. He was ordered to pay costs of £410 and also a court surcharge of £528.</p>
10.	9.6.23	<p>In May 2021 an Officer posing as a member of the public was sold two packs of Amber Leaf tobacco for £5 each. In June 2021 officers conducted an inspection and search of the premises, along with HMRC, and identified an area behind cladding in the back room that was secured with an electromagnetic lock. Inside was a store of counterfeit and illicit hand rolling tobacco and cigarettes. There were 9440 cigarettes and 2.05kg of tobacco. The business owner attended the store when notified of the Officers' findings</p>	<p>The Director was given a 12 month community order with a 20 day rehabilitation requirement. He was also fined £100 and ordered to pay costs of £750 together with a court surcharge of £95.</p>

		<p>and said that he knew nothing about it.</p> <p>In sentencing, the district Judge stated that he took into account that the defendant had pleaded guilty albeit not on the first occasion, and that these were sophisticated offences as there had been structural adaptations to the premises and culpability was considered to be in the medium category of the sentencing guidelines.</p> <p>Charges were laid against the company running the business and its sole Director.to in respect of 4 offences under the Trade Marks Act 1994, 1 offence under the Tobacco and Related Products Regulations 2016 and 1 offence under The Standardised Packaging of Tobacco Products Regulations 2015.</p>	
11.	19.6.22	<p>During March 2017, Shared Regulatory Services received an initial complaint prior to the opening of a new indoor trampoline park. Concerns were raised about the standard of equipment being installed at the venue and its compliance with relevant health and safety legislation. Officers provided guidance and assistance to the business but subsequent visits to monitor the implementation of improvements identified a continued failure to undertake a 'suitable and sufficient' risk assessment for the foam pit, airbag and overall supervision of the trampoline arena together with a lack of manufacturer information about some of the equipment; including the airbag. Further complaints were received from parents between August 2017 and August 2019 which included injuries to six children including five leg fractures and one spiral fracture.</p>	<p>The Judge sentenced the Director to 10 months imprisonment suspended for 18 months. He will also be required to carry out 200 hours of unpaid work requirement. The company was fined £10,000 and ordered to pay costs of £10,000.</p>

		<p>The recurring themes throughout the incidents where injuries took place were the lack of supervision by staff, lack of training of staff, lack of safety briefing for all users of equipment, and during this time officers had made a number of visits serving improvement notices to secure improvements to the training of court monitors and provision of supervision throughout the trampoline park. Charges were brought under the Health and Safety at Work etc Act 1974 against the company and its Director.</p> <p>In sentencing, the Judge told the Director that he had a cavalier attitude towards safety and there had been an absence of basic safety provisions. The risks were obvious, there had been inadequate protective equipment and there was no desire to listen or investigate any person's report following an incident. Basic safety standards were missing. The problems should have been anticipated and people should have been able to trust that, in a premises such as this, that all precautions had been taken. The defendant had intentionally or flagrantly disregarded the law. The local authority had provided him with advice and guidance and advised him what he was doing wrong. The same accidents continued to happen as there were the same fundamental issues.</p>	
12.	6.7.23	<p>The defendant in this case was a licensed taxi driver who, on a Friday night in September 2022, parked up his licensed Private Hire vehicle in Cardiff City centre, close to a number of hospitality premises. When approached, he agreed to take two passengers on a journey outside of the city centre for a fare of £10, without prior booking. In acting</p>	<p>The Magistrates imposed a fine of £83 for the plying for hire offence, and £250 plus 8 penalty points for the no insurance offence. The defendant was also ordered to pay £150 Prosecution costs and £133 Victim Surcharge.</p>

		<p>in this way, he used the Private Hire vehicle as Hackney Carriage and plying for hire. As a consequence of this unlicensed activity and in the context of section 143 of the Road Traffic Act, the vehicle was not insured to be used in this way.</p>	
13.	20.7.23	<p>The defendants in this case were a property management company and its sole Director. The prosecution demonstrated that two Cardiff properties were rented to tenants without the necessary HMO licences being in place. Both properties had previously been licensed for multiple occupation, however the most recent licences were issued in 2015 and expired in 2020.</p> <p>At the time of the HMO licences being issued in 2015, each included as a condition the requirement to complete certain works at the properties within a period of 4 months. These were in respect of fire safety, also kitchen and bathroom arrangements. Nevertheless, when the Investigating Officer visited the properties in October 2022, it was clear that these crucial improvements hadn't been complied with some seven years later, and indeed further problems were also identified. In addition, the properties remained unlicensed until the matter was finally rectified in February 2023.</p> <p>Despite every attempt by the Service to remind the defendants of the need to have a HMO licence in place for each of the properties, they failed to take the necessary steps to comply. All the while, the health and safety of the residents living at the properties was compromised by the</p>	<p>Guilty pleas were finally entered by each of the defendants in respect of the 11 charges.</p> <p>The Magistrates stated that they were really shocked by what was presented by the prosecution, that the tenants (all students) had been left at risk and considered that the failure to complete the works for 7 years was an aggravating factor. They also stated that they were pleased that this matter had come before the court.</p> <p>The company was fined a total of £31,995 and ordered to pay costs of £251 together with a victim surcharge of £2000.</p> <p>The company's sole Director was fined a total of £34,246, and ordered to pay costs of £251.86 together with a victim surcharge of £2000.</p>

		<p>failure to act.</p> <p>The company and its Director were each prosecuted for offences under section 72 of the Housing Act 2004 (two counts each for failure to licence the properties as HMOs) and under section 234 of the same legislation for the properties' failure to comply with the management regulations (nine counts each).</p>	
14.	24.8.23	<p>The defendant in this case allowed his garden to become completely overgrown and neglected to the point that it was providing harbourage for rodents. Neighbours complained of accumulations of dead wood from trees, plastic ready meal trays, plastic milk bottles, metal food cans, broken chairs, old kitchen appliances and many black and green refuse/recycling sacks.</p> <p>SRS Officers attempted to work with the defendant to resolve the problem over a protracted period of time but to no avail.</p> <p>A notice under Section 4, Prevention of Damage by Pests Act 1949 was served June 2022 requiring him to clear his garden by the end of July 2022.</p> <p>The defendant failed to comply with this notice within the timescale and advised that he was planning on reusing most of the accumulations and was trying to clear the garden himself. He later agreed for the garden to be cleared in default on a particular date in November 2002,</p>	<p>The defendant was found guilty of both offences in a Magistrates Court hearing. The District Judge fined him £250 and ordered him to pay a £100 victim surcharge and £150 towards costs.</p>

		<p>and it was explained to him that when the work was done, he would receive an invoice from Cardiff Council to recover the cost of the clearance.</p> <p>When the crew arrived however, the defendant refused to allow them onto his property. Having tried all other means available to resolve, the Service was left with no other choice than to deal with the matter formally and the defendant was charged for failing to comply with the notice and for obstruction.</p>	
15.	24.8.23	<p>The defendant in this case, a plumber, agreed to install a new bathroom for an elderly Vale of Glamorgan couple. He took payment in full for the work and materials, but the bathroom was never installed and to this day the couple has been left £4500 out of pocket.</p> <p>The plumber had been a childhood friend of the couple's children and remembering him as being a polite boy, the couple decided to give him the work. The defendant betrayed their trust however and after the money was paid, his behaviour changed. Thus, he claimed to have ordered the from a Cardiff supplier goods when that wasn't the case and he failed to turn up to work at the property, citing any number of excuses as to why he couldn't attend, including bereavement, vehicle breakdown and needing to give priority to a vulnerable resident with boiler problems.</p> <p>The defendant did nothing to assist the couple but left them having to pay another plumber to carry out the work.</p>	<p>The District Judge sentenced the defendant to an 18 month Community Order to include 10 days of a Thinking Skills Program and 240 hours of unpaid work.</p> <p>The judge commented on the fact that the defendant had not made any payments towards the Civil Order and as a result of his being out of work, ordered that the Victim surcharge of £114 be paid, but made no order as to costs.</p>

16.	25.8.23	<p>This case against an 83-year-old illegal money lender followed concerns brought to the attention of the Wales Illegal Money Lending Unit. The investigation showed how the defendant had previously been a licensed lender, but this had lapsed in 2003. When lending money, she charged £40% interest on every £100, and it was calculated that Officers were able to calculate that in total she had lent approximately £126,000 in loans. In some cases, the lending was particularly irresponsible resulting in one low-income couple paying her £120 <i>more than their total monthly income</i> just to service their debt to her, and this left them penniless every month.</p> <p>The illegal lending was accompanied by a pattern of threatening text messages, and the Recorder hearing the case pointed out how, as a previously licensed lender, she clearly knew that what she was doing was wrong. Her interest charges kept her victims trapped in a cycle of debt.</p> <p>The defendant appeared at Cardiff Crown Court for sentencing in respect of two offences of illegal money lending under the Consumer Credit Act 1974 and the Financial Services and Markets Act 2000, and also for one offence for money laundering under the Proceeds of Crime Act 2002.</p> <p>In mitigation, the defendant accepted that the text messages, which she had not intended to be threatening, must have caused stress to the victims. She expressed remorse for what she had done and wanted to apologise to the victims for the stress she had caused them.</p>	<p>The defendant was sentenced to 2 years imprisonment for the money laundering offence and to 18 months imprisonment for each of the illegal money lending offences to run concurrently but suspended for 2 years.</p> <p>The prosecution would be making a Proceeds of Crime Application and directions were given for that timetable.</p>
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17.	31.8.23	<p>This case involved a repeated failure to provide documentation when requested by Officers as part of their work on empty homes. The defendant was charged with one offence under the Housing Act 2004, but failed to attend to court. He was therefore found guilty in his absence.</p>	<p>The defendant was fined £220, ordered to pay legal costs of £200, investigation costs of £200 and a court surcharge of £88.</p>
18	11.9.23	<p>In this rogue builder case, the defendant began but failed to complete works to the properties of two residents, leaving one of the homes uninhabitable. The offences date back to 2019 / 2020, and the defendant initially pleaded not guilty to charges under the Fraud Act 2006 and the Consumer Protection from Unfair Trading Regulations 2008.</p> <p>A week before the trial was finally due to go ahead in July 2023, the defendant pleaded guilty to a number of the charges and subsequently appeared in Cardiff Crown Court for sentencing in September 2023. Victim impact statements were provided to the court. One victim detailed how a small pension had been cashed in to pay for the new kitchen diner and when the defendant failed to complete the works it felt like their world had fallen apart. The stress they felt was unbelievable. The other victim explained the mental and financial distress that had been caused to both her and her family. The cost of getting her home habitable again will be in the order of £30,000 to £40,000.</p> <p>In sentencing, the District Judge stated that he found the victim impact statements particularly powerful and it was clear the emotional pain that both families had suffered. He</p>	<p>The defendant was sentenced to a total of 9 months imprisonment which was suspended for two years. He was also ordered to carry out 200 hours of unpaid work. A Proceeds of Crime timetable has been set which should include consideration of compensation for the two victims.</p>

		<p>told the defendant that he had a moral and legal responsibility to those that employed him but accepted that he had not acted fraudulently from the start. He accepted that the defendant had no previous convictions; had entered a guilty plea, albeit late; had shown remorse and that he was now studying for an alternative career.</p>	
19	21.9.23	<p>The defendant in this case entered guilty pleas in the Crown Court to one offence under the Companies Act 2006 for carrying on a fraudulent business and to one offence under the Consumer Protection from Unfair Trading Regulations 2008 for engaging in a misleading commercial practice by failing to complete building work. He had also previously pleaded guilty to 13 similar offences under the Consumer Protection from Unfair Trading Regulations 2008 in Cardiff Magistrates Court.</p> <p>The defendant was the director of a company that supplied and fitted UPVC products. In 2021 officers from the Shared Regulatory Services received complaints from 22 victims concerning the defendant's failure to complete works at their premises and for making a number of false representations during the conduct of the work. Victims had generally been cold called via a knock at the door by a representative of the company and, in some instances where work had actually been carried out, it was very poor and even dangerous. In other cases the company had taken money for works and materials and simply never returned. Multiple excuses were provided such as the weather, Covid-19, staffing issues, failed deliveries,</p>	<p>The defendant was sentenced to a total of 32 months imprisonment. The judge also granted a Criminal Behaviour Order preventing him from canvassing for business or work door to door; from instructing others to do so on his behalf; from being a director or owner of a company which had anything to do with home improvements; from being involved in the estimating, quoting or negotiating of contracts or collecting payments from customers in connection with any home improvements and from being involved in the professional fitting of any UPVC products. The Criminal Behaviour Order will remain in effect for 10 years. An application has been made under the Proceeds of Crime Act and a timetable for this set. It is hoped that in time, this will enable compensation to be awarded.</p>

		<p>incorrect measurements being taken and so on. The court was told that the defendant has previous convictions for similar offences in 2018.</p> <p>Victim impact statements detailed how the defendant had abused the confidence and trust of his victims; how some had needed to borrow money to rectify the works he had carried out; how he had caused depression and anxiety in a number of cases and how he had no respect for the victims or their property. He and his staff left property in a dangerous state and whilst carrying out works their language was vulgar and disrespectful.</p>	
20	17.10.23	<p>The defendant in this case pleaded guilty to two charges of illegal money lending. The court heard how the 73-year-old had never been authorised to lend money but nevertheless had repeatedly lent money to more than thirty people. Three of the loan shark's victims gave witness statements to the Wales Illegal Money Lending Unit, with one describing how they had repaid £1,060.00 in interest alone for loans totalling just £380.00. Another borrower described how they had borrowed small amounts for which she had to repay double that amount.</p> <p>All three victims were vulnerable and were frightened of the defendant as he had made threats when they encountered difficulties in paying him back the money he was owed including threatening one victim that he 'smash his house up' if he didn't pay. A warrant exercised at the defendant's home address discovered diaries and paperwork which</p>	<p>The defendant was sentenced to 3 months imprisonment suspended for 2 years and he was ordered to carry out 15 days of rehabilitation activities. He was also ordered to pay a total of £1760 compensation to the victims. He must also pay a court surcharge of £156 but no order for costs was made as the defendant did not have the money to pay it as he is only in receipt of state pension.</p>

		<p>showed details of the illegal money lending.</p> <p>The District Judge referred to loan sharking as a pernicious social evil that focuses on the most vulnerable in society. Here, threats of enforcement made it more serious, and the offence was so serious that only a prison sentence would suffice. However, in arriving at the appropriate sentence, he took into account the testimonials the defence had submitted, his guilty plea, his age and his caring responsibilities which allowed him to suspend the sentence.</p>	
21	10.11.23	<p>The defendants in this case had been in a previous relationship with each other and continued to breed dogs. The female had responsibility for the care of the puppies and their mother, while the male defendant was responsible for the care of the remaining adult dogs. However, when the male went away on holiday, the female left the puppies unattended at a property. A complaint was received, and SRS officers attended with South Wales Police to find the dogs in filthy conditions and without food and water. A number of the dogs had serious health issues including cherry eye, genetic conditions and a rectal prolapse. Such was the suffering that four dogs had to be euthanised.</p> <p>In sentencing, the Recorder told the defendants that it beggared belief that helpless animals should be kept in such disgusting conditions and that it was all for financial gain. He did accept that they were both of previous good character, that they had pleaded guilty at the earliest opportunity and their remorse for the suffering caused to the animals. Nevertheless, the offences were so serious</p>	<p>The male defendant was sentenced to 22 weeks imprisonment suspended for 12 months with a 180 hours of unpaid work requirement and a 10 day rehabilitation requirement. He was also disqualified from keeping dogs for a period of 8 years.</p> <p>The female defendant was sentenced to 14 weeks imprisonment suspended for 12 months, with 120 hours unpaid work requirement and an 8 day rehabilitation requirement. Both defendants were ordered to pay costs of £4000 each.</p>

		that they crossed the custody threshold.	
22	16.11.23	<p>The defendant in this case ran a shisha bar in Cardiff. When SRS Officers visited the premises in February 2023, they found non-compliance with the smoke-free requirements of the Public Health (Wales) Act, as a result of the building being substantially enclosed while shisha pipes were in use. When Officers visited again in May 2023, offences were again being committed and it was clear that nothing had changed despite the detailed advice the business had been given.</p> <p>The defendant entered guilty pleas to the charges laid, i.e.</p> <ul style="list-style-type: none"> • Failure to take all reasonable steps to stop people from smoking on the premises there, contrary to s.6 Public Health (Wales) Act 2017 • Encouraging persons to commit an offence by allowing them to smoke lit charcoal shisha pipes in a smoke-free place, contrary to s.44(1) of the Serious Crime Act 2007 <p>The court heard that the defendant's company had since gone into liquidation and the business premises had been repossessed.</p>	The Magistrates imposed fines totalling £240 and ordered that costs of £219 be paid, together with a victim surcharge of £96
23	23.11.23	<p>The defendants in this case, a limited company and its sole director, were responsible for the running of a shisha bar in Cardiff. When SRS Officers visited the premises in February 2023, they found non-compliance with the smoke-free requirements of the Public Health (Wales) Act, as a result of the building being substantially enclosed while shisha pipes were in use. Officers were told that the shutter doors to the walls were stuck closed and a repair was</p>	<p>The company was fined £1320 and ordered to pay costs of £353 together with a victim surcharge of £528.</p> <p>The Director was also fined £1320 and ordered to pay costs of £354 together with a victim surcharge of £528.</p>

		<p>required to get them to open again.</p> <p>Nevertheless, when Offices returned in May 2023, offences were again being committed and it was clear that nothing had changed despite detailed advice being given.</p> <p>The company and its Director were charged with:</p> <ul style="list-style-type: none"> • Failure to take all reasonable steps to stop people from smoking on the premises there, contrary to s.6 Public Health (Wales) Act 2017 • Encouraging persons to commit an offence by allowing them to smoke lit charcoal shisha pipes in a smoke-free place, contrary to s.44(1) of the Serious Crime Act 2007 <p>Neither defendant attended court and the matter was heard in their absence. The Magistrates found both defendants guilty in their absence.</p>	
24	23.11.23	<p>The defendants in this case, a limited company and its sole director, were responsible for the running of a shisha bar in Cardiff. When SRS Officers visited the premises in February 2023, they found non-compliance with the smoke-free requirements of the Public Health (Wales) Act, as a result of the building being substantially enclosed while shisha pipes were in use. When Officers visited again in May 2023, offences were again being committed and it was clear that nothing had changed despite detailed advice being given.</p> <p>The company and its Director were charged with:</p> <ul style="list-style-type: none"> • Failure to take all reasonable steps to stop people from smoking on the premises there, contrary to s.6 Public Health (Wales) Act 2017 • Encouraging persons to commit an offence by allowing 	<p>The company was fined £1320 and ordered to pay costs of £377 together with a victim surcharge of £528.</p> <p>Likewise, the Director was also fined £1320 and ordered to pay costs of £377 together with a victim surcharge of £528.</p>

		<p>them to smoke lit charcoal shisha pipes in a smoke-free place, contrary to s.44(1) of the Serious Crime Act 2007</p> <p>Neither defendant attended court and the matter was heard in their absence. The Magistrates found both defendants guilty in their absence.</p>	
25	16.11.23	<p>The defendant in this case ran a shisha bar in Cardiff. When SRS Officers visited the premises in February 2023, they found non-compliance with the smoke-free requirements of the Public Health (Wales) Act, as a result of the building being substantially enclosed while shisha pipes were in use. When Officers visited again in May 2023, offences were again being committed and it was clear that nothing had changed despite the detailed advice the business had been given.</p> <p>The defendant entered guilty pleas to the charges laid, i.e.</p> <ul style="list-style-type: none"> • Failure to take all reasonable steps to stop people from smoking on the premises there, contrary to s.6 Public Health (Wales) Act 2017 • Encouraging persons to commit an offence by allowing them to smoke lit charcoal shisha pipes in a smoke-free place, contrary to s.44(1) of the Serious Crime Act 2007 <p>The court heard that the defendant's company had since gone into liquidation and the business premises had been repossessed.</p>	The Magistrates imposed fines totalling £240 and ordered that costs of £219 be paid, together with a victim surcharge of £96
26	27.11.23	<p>The defendants in this case ran a restaurant in Kenfig Hill and had previously pleaded guilty to 8 offences under the Food Hygiene (Wales) Regulations 2006.</p> <p>In May 2022, a complaint was received by Shared Regulatory Services from a member of the public reporting</p>	<p>The District Judge fined the first of the two defendants a total of £380 and ordered him to pay costs of £250 together with a victim surcharge of £152.</p> <p>The second defendant was fined a total of £235 and</p>

	<p>rats being seen inside the restaurant. When officers visited the premises, they discovered an active pest infestation, with notable lack of effective pest control procedures in place. Rat droppings were found in the front dining room of the premises, in the back storerooms where food equipment and open food items such as potatoes and onions were stored posing a high risk of direct contamination. Pest access points were found that should have been identified through routine pest control checks.</p> <p>The general hygiene and cleanliness throughout the premises were also poor, with visible food debris and dirt under equipment at wall to floor junctions and dirty hand contact surfaces. Food equipment was found to be unclean with some equipment being badly worn and damaged, such as chopping boards which were still in use by the business.</p> <p>Another aspect of particular concern was the lack of controls in place for personal hygiene even though the business handled raw food such as chicken and lamb together with ready to eat food items such as fresh salads. There was no hand soap in the main kitchen or staff WC, only hand sanitiser, demonstrating a lack of understanding by staff of the risk posed to food safety.</p> <p>After the inspection, the business voluntarily closed to undertake a deep clean, fix all pest access points, and eradicate the infestation. On the revisit it was found the business had made significant improvements and the rat infestation had been eradicated, however there was still no soap for hand washing. Soap supplies were replenished before the business was allowed to reopen.</p> <p>The investigation was complicated by the fact that two different companies were running the business. In sentencing, the District Judge accepted that neither</p>	<p>ordered him to pay costs of £125 and a victim surcharge of £95.</p> <p><i>In addition, the first defendant was permanently prohibited from participating in the management of any food business in future.</i></p>
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		company was trading, and the restaurant had long closed. That left the two individuals (company Directors) to be dealt with.	
27	1.12.23	<p>When stopped by South Wales Police in the early hours of the morning, the defendant was found to be carrying four female passengers in the vehicle he was driving. It was soon established that he was an unlicensed taxi driver and the vehicle, while having the appearance of Hackney Carriage (black and white in colour and with an orange illuminated 'TAXI' sign on the roof) was not a licensed Hackney Carriage. The statements of two of the passengers give an insight into lengths the defendant went to in order to pick up passengers, i.e., waiting with other taxis outside a Cardiff Bay nightclub, and purporting, when asked, to have a card machine to take payment for the fare. His behaviour demonstrated his clear intent to trick unsuspecting passengers into believing both he and the vehicle were properly licensed.</p> <p>When the blue flashing lights were seen and the driver was being pulled over by the Police, he asked the passengers to lie to the Police so that he didn't get into trouble.</p>	<p>The defendant was found guilty of one offence of plying for hire without a licence under the Town and Police Clauses Act 1847.</p> <p>He was fined £440 and ordered to pay £150 in prosecution costs together with £176 for a court surcharge.</p>
28	1.12.23	<p>The defendant was charged with one offence of failing to use his taxi meter in breach of Cardiff Council byelaws, and one offence of charging more than the legal fare under the Town Police Clauses Act 1847. He entered guilty pleas.</p> <p>Using the Hackney Carriage fare tariff for Cardiff, the Investigating Officer calculated that the maximum fare that should have been charged for half mile journey (Curran Embankment to the end of St Mary's Street in Cardiff city</p>	<p>The defendant was fined £120 in respect of each offence giving a total fine of £240. He was also ordered to pay £150 in prosecution costs and a £96 court surcharge.</p>

		<p>centre) was £5.77. Comparison of the permitted fare of £5.77 with the £10 fare actually charged by the defendant equates to a 73% overcharge.</p> <p>In mitigation, the defendant told the Court that the customers offered him £10 to take them and he accepted this without using the meter. He stated that he is no longer working as a taxi driver and is currently unemployed.</p>	
29	4.1.24	<p>The defendant did not attend court, and the case was proved in his absence.</p> <p>In January 2023, Shared Regulatory Services received a complaint about the lack of rainwater goods to the front elevation of one of the defendant's empty properties. Following a site visit, an enforcement notice was served under the Building Act 1984, requiring the installation of suitable rainwater goods to the front elevation of the property, within 6 weeks. A site visit was undertaken in April 2023, some weeks after the deadline had expired to check if work to the rainwater goods had been completed. There was no evidence of work having commenced and the notice had not been complied with.</p> <p>To confirm ownership of the empty property, a Requisition for Information notice had been served under s. 16 of the Local Government (Miscellaneous Provisions) Act 1976 which the defendant also failed to comply with.</p> <p>Around the same time, complaints were received about the presence of rats at another of the defendant's empty</p>	<p>The defendant was fined £660 for the damage by pests offences, £660 for the building act offence, £660 for the local government miscellaneous provisions offence and £220 for failing to comply with the order under the Building Act. This gave a total fine of £2200. He was also ordered to pay costs of £3250 together with a victim surcharge of £880.</p>

		<p>properties. This property had been unoccupied for more than 20 years was in a very poor state of repair. Officers served a Notice on the defendant requiring him to cut back the overgrowth to the garden areas and to dispose of the waste in an appropriate manner. A subsequent visit in May 2023 showed that the notice had not been complied with.</p> <p>The Magistrates found the case proved in respect of all charges (under the Prevention of Damage by Pests Act 1949, the Building Act 1984 and the Local Government (Miscellaneous Provisions) Act 1976.</p>	
30	4.1.24	<p>Two residents contracted with the defendant for new roofs as well as in one case chimney removal, and in the other case guttering and fascia replacement. Between them, the two homeowners paid more than £16,000 up front in the expectation that work would start on the dates agreed. Text messages exhibited by the complainants demonstrate how they have tried to get the defendant to start the work, but excuse after excuse followed and no work was done at either property. Likewise, no materials were delivered. In short, the residents were each defrauded of a significant amount of money.</p> <p>This case is unlike many of the rogue builder cases investigated by the Service, in that the residents were not cold called. Rather, the defendant was recommended to them by friends that he'd done work for previously while employed by another firm. Once money had changed hands however, the defendant failed to turn up at the</p>	<p>The defendant was sentenced to 3 x12 months imprisonment suspended for 18 months, all concurrent. He was also required to do 200 hours unpaid work.</p> <p>A contribution to costs of £215 was required, together with a victim surcharge.</p>

		<p>properties, citing a range of excuses as if straight out of the rogue trader playbook.</p> <p>In sentencing him for offences under the Fraud Act 2006, the Recorder told the defendant 'you buried your head in the sand and you had to be tracked down. You have spun a tissue of lies, I have considered the texts and letters...it is quite clear you were playing the victims off at the same time and I can see how the messages interlink. You were unable to manage your business affairs and held yourself out asking people to place trust in you'.</p> <p>It was acknowledged that the defendant had insufficient means to pay back his victims and pay costs and this was recognised in the penalties imposed.</p>	
31	5.1.24	<p>The defendant failed to appear in court and the matter was proven in his absence. The case concerned failings at two different properties owned by the defendant which resulted in offences being committed under the Prevention of Damage by Pests Act 1949, the Building Act 1984 and the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>In January 2023 SRS received a complaint about the lack of rainwater goods to the front elevation of one of the properties. Following a site visit, an enforcement notice was served under s.59 of the Building Act 1984, requiring the defendant to provide and fix suitable rainwater goods to include all necessary fittings on adequate brackets, set to proper falls and connected to a suitable outlet; and to carry</p>	<p>The defendant was fined £660 for the damage by pests offences, £660 for the building act offence, £660 for the local government miscellaneous provisions offence and £220 for failing to comply with the Court order under the Building Act . This gave a total fine of £2200. He was also ordered to pay costs of £3250 together with a victim surcharge of £880.</p>

		<p>out any other work necessary to facilitate the installation of suitable rainwater goods. The notice required the owner to undertake the necessary work within 6 weeks from the date of the notice.</p> <p>In April 2023 it was established that the notice hadn't been complied with as the work hadn't even been commenced. A notice under s.16 of the Local Government (Miscellaneous Provisions) Act 1976 (Requisition of Information) was also served on the defendant, and again, this wasn't complied with.</p> <p>Around the same time, SRS received complaints about another property in the defendant's ownership, and specifically the overgrown garden and presence of rats there. This property had been empty for more than 20 years, and in a very poor state of repair. A notice was served requiring the defendant to cut back the overgrowth to the garden areas and dispose of the waste in an appropriate manner. A subsequent visit in May 2023 showed that this notice had not been complied with.</p> <p>The Magistrates found the case proved in respect of all charges.</p>	
32	9.1.24	<p>The defendant in this case was the manager of a Cardiff kebab house selling traditional cooked meat, chips, salad and bread. He was convicted in the Magistrates Court, following a three day trial under the Food Hygiene (Wales) Regulations 2006.</p> <p>The premises was initially inspected in May 2021 when the</p>	<p>The defendant was sentenced to 6 months imprisonment, suspended for 18 months. The Recorder ordered a Hygiene Prohibition Order preventing him from being involved in the running of a food business and this will remain in force until further order. The Recorder felt that the prohibition order would manage the risk that the defendant posed to the public. He was</p>

	<p>Officer identified numerous food hygiene failings, namely</p> <ul style="list-style-type: none">• No documented food safety management system was provided, and a few pages of temperature monitoring sheets were provided with some with dates and some without.• Lack of a functioning food safety management system• Rodent droppings found albeit a pest control contract was in place.• Major structural issues with the flooring throughout the premise.• Sub-standard cleaning throughout the premise.• Inadequate temperature controls <p>It was agreed that a 3 day deep clean was necessary at the premises and the officer monitored progress with a number of revisits. On one of these occasions, the officer noted poor food hygiene practices whereby staff were washing their hands in the sink and not the dedicated wash hand basin. In addition, food was stored in a refrigerator that was not working properly the day before.</p> <p>On 10th June 2021, during a further revisit, the Officer observed a mouse running in the kitchen area. The business was asked to close and chose to do this on a voluntary basis to carry out all work necessary to eradicate the pest issue, pest proofing and cleaning the premises.</p> <p>The Voluntary Closure was lifted on 15th June 2021. The</p>	<p>also ordered to carry out 40 days of rehabilitation activity requirement, fined £1000 and ordered to make a contribution to the prosecution costs of £2000.</p>
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		<p>defendant applied for a subsequent re-rating of the food hygiene rating which was zero. Further visits by Officers to assess the re-rating application in September 2021 and December 2021 revealed further food hygiene offences, namely:</p> <ul style="list-style-type: none"> • Inadequate implementation of the food safety management system • Temperature control issues. • A lack of food hygiene awareness amongst staff. • Out of date food. • Cleaning issues. • Partial completion of a food safety management system • Hand washing in general purpose sink instead of the dedicated wash basin. • Poor cleanliness to equipment such as the raw meat mincer. • Poor waste disposal (cardboard accumulations). 	
33	11.1.24	<p>In April 2023, Officers of SRS carried out a compliance check on the premises of a Bridgend sunbed operator. The visit followed the provision of detailed guidance on what was expected of the business under the Sunbeds (Regulation) Act 2010 and the Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011. The Director of the company acknowledged receipt of this information.</p>	<p>The defendant pleaded guilty and was fined £300 and ordered to pay costs of £400 and a victim surcharge of £120.</p>

		<p>When the Officers visited the premises, they observed a number of non-compliances which caused concern for customers paying to use the sunbed equipment and following an investigation into the circumstances, the company and its Director were charged with offences in respect of</p> <ul style="list-style-type: none"> • failing to take reasonable steps to ensure that a competent supervisor was present, • failing to ensure that customers are provided with the prescribed health information which is at least A4 in size and printed in black letters on a yellow background <p>failing to ensure that customers had the appropriate protective eyewear.</p>	
34	8.2.24	<p>The defendant had previously pleaded guilty to 24 offences under The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007. The offences were discovered by officers when they visited the defendant's House in Multiple Occupation in Grangetown, Cardiff, this being a four storey, Victorian terraced property converted into 4 self-contained flats.</p> <p>Inspections on 9th and 27th February 2023 revealed that the concerns extended to all the flats and included a defective fire alarm system that remained defective, items being stored on the escape route, dangerous electrics throughout, electricity meters that had not been fire protected and the</p>	<p>The defendant was fined a total of £7000 and ordered to pay costs of £367.80 together with a court surcharge of £2000.</p>

		<p>kitchens were found to be in poor condition and inadequate. The most serious offences included:</p> <ul style="list-style-type: none"> • Failure to keep the means of escape free from obstructions • Failure to ensure the means of escape is maintained and in good order • Failure to maintain the Fire Alarm System • Failure to adequately fire protect the electrical meters. <p>The court was advised that the defendant had been prosecuted in 2018 for offences under the Housing Act 2004 at another of his properties. In mitigation, the 82-year-old defendant explained that he was trying to help the Probation Service by taking certain tenants but this meant that he didn't know who was going to move in, and tenants can endanger themselves by doing things to the property.</p>	
35	8.2.24	<p>This was the first of two matters heard by the Magistrates Court which arose as a result of two SRS investigations. This case concerned food hygiene failings at a Clifton Street, Cardiff convenience store, and the defendants were the company running the business, and the company's sole Director.</p> <p>The court heard how there was no food safety management system in place, how the property was in a poor state of repair and there was a significant infestation of mice. When</p>	<p>The company was fined a total of £8000, ordered to pay costs of £1456.65 and a court surcharge of £2000.</p> <p>The company's sole Director was fined a total of £2900, ordered to pay costs of £1456.65 and a court surcharge of £1160.</p>

		<p>Officers visited on 20th July 2022, mouse droppings were found in storerooms and around and under packets of foods on the shelves of the shop. They also found gnawed packets of crisps and chocolates. It was deemed that there existed an imminent risk to health and the company Director agreed to voluntarily close the premises to allow effective cleaning to take place and a voluntary closure agreement was signed. However, on Saturday 23rd July 2022 officers discovered the premises open with customers inside. This necessitated a formal court order being obtained to require the premises to remain closed while the infestation was dealt with, and the store thoroughly cleaned.</p> <p>While guilty pleas were subsequently entered for the majority of the 16 food hygiene offences, the defendants maintained that they were not trading on Saturday 23rd July 2022, but simply taking in a delivery. This necessitated a Newton hearing in which the District Judge found the evidence presented persuasive and the prosecution case proved.</p> <p>In passing sentence on the food hygiene offences the District Judge stated that she was satisfied that the offences were committed with high culpability and posed a serious and imminent risk to the public. There was a significant infestation of mice, and the property was in a poor condition with numerous access points for pests. She also accepted that the company Director was of clean character, had only just taken over the business before the offences and had pleaded guilty to the majority of offences</p>	
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		at an early stage.	
36	8.2.24	<p>Officers had visited the Cardiff store (as in 8 above) in February 2022 and seized a quantity of non-compliant vapes. The business signed a voluntary surrender for the goods and received a warning letter and guidance. In February 2023, Officers made a test purchase of an ENE Legend 3500 puffs blueberry pomegranate disposable e-cigarette. A number of e-cigarettes were on display which appeared to be compliant, however the salesperson reached underneath the counter to get the ENE Legend vape requested by the test purchaser. This was non-compliant, and Officers seized a total of 142 non-compliant e-cigarettes, which were all located beneath the counter.</p> <p>In June 2023 officers sent a fifteen year old female volunteer into the store with instructions to attempt to buy an e-cigarette. The volunteer went to the cash desk and was sold a pink grapefruit Elfbar. She was not asked any questions to verify her age.</p> <p>In court, the company pleaded guilty to 2 offences of supplying a disposable electronic cigarette with a tank capacity greater than 2ml, contrary to Regulation 36(2) of the Tobacco and Related Products Regulations 2016 and to one offence of supplying a nicotine inhaling product to a person under the age of 18 years contrary to Regulation 3 of The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 and Section 92 of the Children and Families Act 2014. The company Director also pleaded guilty to the one offence concerning the underage</p>	<p>The company was fined a total of £1800 and ordered to pay costs of £620 together with a court surcharge of £720.</p> <p>The company Director was fined £153 for the underage sale offence and ordered to pay costs of £620 together with a court surcharge of £61.</p>

		<p>sale.</p> <p>In passing sentence on the vape offences, the District Judge concluded that there had been a large number of non-compliant e-cigarettes, and a risk to the public from large capacity vapes. The defendant had not put in place an adequate system to avoid underage sales and staff hadn't been trained.</p>	
37	9.2.24	<p>Following a complaint by a tenant, SRS Officers carried out an inspection at a 2 storey, Victorian end of terrace Cardiff property that has been converted into four self-contained flats. The inspection confirmed that the property had:</p> <ul style="list-style-type: none"> • no fire alarm system • defective fire doors • inner rooms with no escape route • unsafe kitchens, • penetrating damp • filthy stair carpet • unprotected electricity meters • unsafe windows, and • unsafe electrical installations <p>Five Improvement Notices under Part 1, Housing Act 2004 were served on the landlord, detailing works to be completed by March 2022. As the works were not carried</p>	<p>The defendant was fined £20,000 and ordered to pay £1,000 towards the Council's costs together with a victim surcharge of £2,000.</p>

		<p>out, proceedings were taken against her back in 2022, resulting in a £10,400 fine after pleading guilty in the Magistrates Court.</p> <p>Following that initial prosecution for failure to comply with the improvement notices, further visits to this property were subsequently carried out and it was established that the works had still not been completed.</p> <p>In the most recent proceedings for the ongoing failure to comply, the landlord pleaded guilty to the five offences but claimed that two of the tenants had been hostile and abusive towards her husband.</p>	
38	9.2.24	<p>The defendant, a rogue builder, appeared at Cardiff Crown Court after previously pleading guilty to one count under section 9 of the Fraud Act 2006. The particulars of the offence were that between 23rd November 2021 and 22nd July 2022 the defendant was knowingly a party to the carrying on of a home improvement/building business, which was carried on for a fraudulent purpose, namely the dishonest obtaining and conducting of work by:</p> <ul style="list-style-type: none"> • Presenting as a competent and professional builder when he was not • Claiming he was in a position to undertake contractual work at various addresses when he was not, • Grossly overcharging for work • Claiming work was required when it was not 	<p>The defendant was sentenced to 5 years imprisonment which was reduced for credit to 3 years and 9 months' imprisonment for the fraud offence. and 8 months' imprisonment for the firearm offence to run consecutively so giving a total of 4 years and 5 months. The judge was not able to award compensation to the victims as there were no funds.</p>

- Carrying out poor quality work
- Claiming he would use money paid for a specific purpose but failing to do so
- Failing to complete work despite being paid to do so
- Refusing to provide refunds when customers were entitled to and requesting them
- Making unwarranted demands from customers for payment to which he was not entitled
- Sending threatening/inappropriate communications to consumers

The defendant had taken £113,000 from 4 victims and left them at a significant financial detriment. A building surveyor provided a detailed assessment of the properties worst affected, with two of these being deemed unsafe as a result of the actions of the defendant. The only work of value that had been carried out on one property was rendering to the second elevation.

Victim impact statements were read out to the court, detailing how the defendant had used pressure tactics by threatening to stop work if further monies were not paid, not doing work because he claimed to be unwell, taking monies for kitchens which he never ordered or provided and even threatening to instigate legal action against his victims when they challenged him on work not done or goods not provided.

Victims were caused enormous stress and anxiety, suffered from insomnia, and they were left out of pocket and in poor

		<p>health due to the poor living conditions they were left in. Victims were 'ranted at' for more money by the defendant and were forced to borrow money to get the remedial works completed. Victims were left devastated and stated that hiring the defendant was the worst decision they had ever made. Compensation requests were applied for in relation to each victim.</p> <p>The defendant was also present in court for sentencing in relation to a police matter in relation to one count for possession of an imitation firearm. This offence had taken place whilst the defendant was on bail for the SRS fraud offence.</p> <p>In mitigation the court was told how the defendant had been a hard-working builder who had become overwhelmed by personal problems and had taken on too much work. He was overstretching himself and had strayed into criminal activity. He has long standing problems with gambling and alcohol, and this is where all the money had gone.</p> <p>In sentencing, the Judge stated that whilst it is accepted that he became overstretched and overcome by personal problems, that was of little comfort to his victims. He had failed to deliver what he had promised to do and had left chaos behind. He has caused considerable detrimental impact on the victims who were left with significant financial difficulties as a result of his shoddy and dangerous work.</p>	
39	14.2.24	The court heard how the defendant engaged in misleading and fraudulent trading practices in his dealings with his customers. They had been left out of pocket as a result of	The defendant was sentenced to 22 weeks imprisonment, suspended for two years. He was also required to attend an alcohol treatment programme for 6

		<p>work not being carried and also the materials that they had paid for not having been purchased.</p> <p>As well as the financial pressure inflicted on the customers by his practices, the defendant did nothing to assist with the investigation or provide any resolution for those affected. Although all the victims were known to the defendant, he treated them as a rogue trader would treat any of their victims, giving them excuse after excuse for why work was yet to commence and how he would repay what he owed. None of his promises came to fruition.</p>	<p>months and was subjected to a Community Order requiring 100 hours unpaid work.</p> <p>Compensation orders were awarded to the three victims in the sums of</p> <p>Victim 1: £2,850</p> <p>Victim 2: £1,260</p> <p>Victim 3: £2,610</p> <p>He was also ordered to pay costs of £300</p>
40	15.2.24	<p>At a previous hearing, both the defendants had been found guilty in their absence in respect of an offence under the Animal Health Act for failing to retain Animal Transit Certificates (ATCs).</p> <p>The defendants, a married couple, had run an animal transport service from their home in Bridgend and carried pet animals across Ireland, the UK and Europe. SRS Officers had reason to attend the couple's property in connection with an application they had made to become approved pet boarders. During the inspection, they were asked to produce to the authorised Officer all Animal Transit Certificates (ATCs) for the previous twelve months but they were unable to do so.</p> <p>In mitigation, the court was told that the couple had brought animals over from Ireland and had been informed by officials in Ireland that they didn't need the certificates once</p>	<p>The magistrates fined the husband £507 and ordered him to pay costs of £250 together with a court surcharge of £203.</p> <p>In addition, his wife was fined £120 and ordered to pay costs of £250 together with a court surcharge of £48.</p>

		<p>they had crossed the border. The trauma and stress of the business had affected their marriage and they had split up for a while but are now reunited.</p>	
41	23.2.24	<p>As a result of an earlier SRS investigation into illegal dog breeding in Cardiff, the defendant was disqualified under the Animal Welfare Act from keeping any animals, dealing in them, owning them, keeping them, participating in keeping them and from being party to an arrangement under which he was entitled to control or influence the way in which they are kept, transporting them and arranging for the transport of them. That disqualification order was imposed by the court in July 2021 for a period of 8 years.</p> <p>The court heard that while investigating another illegal dog breeder, SRS Officers established that the defendant had breached the court order in June 2022. Mobile phones had been seized from the home of the other alleged illegal dog breeder and messages from these mobile phones were downloaded. Those messages involved the defendant in the current case, and indicated that he had been dealing with animals including being involved in the sale of puppies for £12,000.</p> <p>The defendant pleaded guilty to one charge of breaching his disqualification and the defence asserted in mitigation that this had been an isolated incident, as the defendant now earns his income from buying and selling cars as he is no longer involved in dog breeding.</p> <p>In sentencing, the District Judge told the defendant that he knows what he used to get up to and he won't be given a</p>	<p>The defendant was fined £1000 and ordered to pay costs of £590 together with a victim surcharge of £400</p>

		chance like this again if any further evidence comes to light that he is involved with animals.	
42	27.2.24	<p>The defendant had previously pleaded guilty to one offence under the Consumer Protection from Unfair Trading Regulations 2008 in that he had between the 5th February 2020 and 30th June 2022 knowingly or recklessly engaged in an unfair commercial practice when undertaking building/repair work at the home of customers which contravened the requirements of professional diligence by:-</p> <ul style="list-style-type: none"> (a) Falsely claiming that he and persons he would use on building work at their homes were competent and professional builders, and/or (b) Falsely claiming that the work would be undertaken in a timely fashion, and/or (c) Carrying out poor quality work, and/or (d) Failing to complete work despite being paid to do so, and/or (e) Refusing/failing to provide all customers with refunds, and/or (f) Making unwarranted demands for payment to which he was not entitled, and/or (g) Sending threatening/inappropriate communications to the consumer, and/or (h) Falsely creating the impression he was qualified in relation to gas and electrical work, and/or (i) Undertaking work for which he was not qualified, and/or (j) Leaving the premises in an unsafe condition <p>The case involved 3 residents and the defendant kept</p>	<p>The defendant was sentenced to 6 months imprisonment suspended for 1 year and was also ordered to carry out 80 hours of unpaid work.</p> <p>The judge wanted to award full compensation and costs but this was unrealistic based on the defendant's means. He said the most he could afford was £3,600 payable at £150 per month over 2 years. This will be divided between the 3 consumers on a percentage basis. He ordered the defendant to pay a court surcharge of £128 but no prosecution costs were ordered on the basis that the defendant couldn't afford them.</p>

		asking for more and more money and was aggressive with at least one consumer. He had caused two of the victims to move out of their homes and left gas installations in dangerous and defective states.	
43	28.2.24	<p>As a result of a complaint, SRS Officers found tenants living in dreadful conditions at a Cardiff 3 storey mid terrace Victorian property which had been converted into 3 self-contained flats. Numerous hazards were identified, and these included</p> <ul style="list-style-type: none"> • damage to the front door allowing entry by intruders • intumescent strips and smoke seals were either missing or had been painted over • gaps between the doors and frames to all the flat doors • the detector head was missing from the second floor flat lobby area which contributed to a Fire Safety hazard • damp was also affecting the rear of all the flats due to defective external quoins • in two of the flats the cooking facilities were inadequate as a result of cooker control knobs being missing and a broken ignition to the gas hob • when turned on, the electric oven in the first floor flat tripped out the electricity supply to the property • hazards such as falls on stairs, falls on level surfaces, electrical safety, collision and entrapment were also identified. 	The defendant was fined £5,950 and ordered to pay costs of £3180 and a victim surcharge of £2000

		<p>In February 2022, the landlord of the property was served with a formal improvement notice under Part 1 of the Housing Act 2004. The notice required the necessary works to be carried out no later than 9th June 2022.</p> <p>However, when Officers returned to the property on 17th August 2022, it was clear that the vast majority of the hazards remained, and as a result, an investigation followed, leading to the defendant being charged with failure to comply with the improvement notice.</p> <p>The Judge acknowledged the aggravating factors in the case and took this into consideration in sentencing.</p>	
44	29.2.24	<p>The defendant in this case is the landlord of a 2 storey, end of terrace Victorian property in Cardiff, which has been subdivided into four self-contained flats. It was later established that this conversion was carried out without planning permission or the involvement of Building Control.</p> <p>In April 2023 South Wales Police contacted South Wales Fire and Rescue Service as a result of concerns about the property. The Fire Service was advised that the fire alarm was not working, fire doors were defective and there were flammable materials in the common escape route.</p> <p>An initial inspection was undertaken between officers of the Fire Service and of the Housing Enforcement service area. This visit revealed that the property entrance door was insecure and accessible by intruders, and the electricity supply to the entire building had been disconnected by the</p>	<p>The defendant was fined a total of £37,000 and ordered to pay costs of £461.84, together with a victim surcharge of £2,000.</p>

	<p>electricity supplier due to attempts to bypass the meters.</p> <p>As a consequence of this, the property had no functional fire alarm, none of the flats had any heating, lighting or power for fridge freezers, cooking, etc.</p> <p>Further inspections of the property identified that</p> <ul style="list-style-type: none">• the fire doors to the flat entrances were defective and/or incomplete• the electricity meter cupboard was not properly protected from fire• there were flammable materials in the hallway• kitchen facilities were unacceptable and unsafe, and• there was a rodent infestation. <p>As a result of category 1 hazards being identified in the property and all four flats, Emergency Prohibition Orders were then made under Part 1, Housing Act 2004. The effect of these Emergency Prohibition Orders was that <i>the tenants of the flats were required to move out immediately.</i></p> <p>Notices under Section 16, Local Government (Miscellaneous Provisions) Act 1976 and Section 235, Housing Act 2004 were also served on the defendant requiring him to provide information regarding persons having an interest in the property and documents relating to the electrical installation, fire alarm, etc. However, these notices were not complied with.</p> <p>The defendant was prosecuted for failure to comply with the</p>	
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		<p>Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007, and for failure to comply with the Section 16 and Section 235 notices served upon him.</p> <p>He did not attend court and was found guilty in his absence.</p>	
45	19.3.24	<p>The defendant had pleaded guilty on 15th January 2024 to 12 counts of fraud under the Fraud Act 2006 and 3 counts under Regulation 9 of the Consumer Protection from Unfair Trading Regulations 2008. The charges related to misleading commercial practices in the course of his carrying out UPVC installations and home improvements. The defendant had been in custody since January 2024 for other matters.</p> <p>The guilty plea was entered on the basis that the defendant accepted that in the majority of cases he had failed to carry out works for customers or refunds their deposits.</p> <p>The offences took place over a period of 10 months between November 2020 and September 2021 and involved 15 victims. There were a number of elderly complainants including a 90 year old woman and the total loss to consumers was £22,487. The complaints received were all similar in nature. The victims had been cold called via a knock at the door. In some instances work had been started but was very poor and the defendant had failed to return. Money for works and materials had been taken but the contract was simply never started. The defendant provided multiple excuses such as the weather, incorrect measurements being taken, supplier fault and personal and</p>	<p>The defendant was sentenced to 19 months imprisonment for each offence to run concurrently. He was ordered to pay a court surcharge of £156 within 3 months of leaving prison. The Recorder did not make a compensation order for the victims as a result of the defendant's imprisonment and his inability to pay. He stated that they were free to seek redress through the civil courts.</p>

health problems.

Victim impact statements were read out to the court. One complainant stated that she felt like a fool. Another stated that as an elderly widow living alone, she couldn't afford to lose the money and she had made herself ill with worry. The incident had shaken her self-confidence. Another couple stated that having been defrauded in their own home it had made a deep impact on their mental health. Another stated that the financial burden he was left with had caused him sleeplessness and affected his mental well-being. His family felt unsafe in their own home as the defendant knew where they lived. Another stated that they felt ashamed that they had trusted the defendant, he had left them in debt, and it had caused family arguments.

The court was informed that the defendant had a number of previous convictions including convictions for fraud, robbery and assault. Prosecution submitted that in sentencing the offences were aggravated by the number of offences, the age of the victims and his previous convictions. The prosecution asked for a compensation order in total of £22,487.

In sentencing, the Recorder stated that while the defendant had not set out to use his business as a vehicle for fraud, he had become dishonest. He had used deposits to fund other projects to try to soldier on through but had made no effort to cease trading and return those deposits. The victims were mainly elderly people who could ill afford to lose the money that they did.

		<p>He had heard from the victim impact statements the real effects of these offences on the wellbeing of these customers. They felt devastated. He did not consider that there was a realistic prospect of the defendant paying back the customers. His previous convictions highlighted a period of dishonesty where he served 7 years for robbery. He had continued to offend and had not co-operated when sentences were suspended. On two occasions he had failed to attend court for trial in this matter, a vast amount of public money had been wasted and the victims were left with the anguish of worrying about giving evidence. These offences were so serious that only imprisonment was appropriate.</p>	
46	20.3.24	<p>The defendant had previously pleaded guilty in September 2023 to 16 offences under the Food Hygiene (Wales) Regulations 2006 in respect of his Cardiff based food business.</p> <p>On 6th May 2022 officers from Shared Regulatory Services visited the premises to identify if the business needed approval for the supply of processed products of animal origin to other businesses.</p> <p>As the business had not acquired the necessary approval a Remedial Action Notice was served to prevent the handling and cooking of raw or unprocessed products of animal origin at the premises.</p> <p>It was also noted that other hygiene procedures were unsatisfactory giving rise to cross contamination issues and inadequate training of staff, and as a result a Hygiene</p>	<p>The defendant was sentenced to 3 months imprisonment for each of the offences to run concurrently suspended for 18 months.</p> <p>He was also fined £2400 (with 45 days imprisonment in default of payment) and was ordered to carry out 8 days of rehabilitation requirement and unpaid work of 60 hours.</p> <p>The defendant was ordered to pay costs of £2000 together with a court surcharge of £128, and the Recorder, in order to protect the public, issued a Prohibition Order preventing the defendant participating in the management of any food business until further order.</p>

		<p>Improvement Notice was served.</p> <p>On 3rd August 2022 officers returned to the premises in order to carry out a revisit of the business. It was immediately apparent that finished sandwiches were being labelled incorrectly as a 'best before' date was being applied with a date extending the usual safe durability date that would be expected for that product. Officers found rodent droppings along the rear wall of the kitchen and further investigation showed numerous droppings in the cleaning cupboard, rear store areas and storerooms, and also the area under the stairs. The defendant agreed to voluntarily close the business to allow time to pest proof, clean and remove excess equipment and to eradicate the pest infestation. This was subsequently done but when officers returned to the premises at the end of the month to carry out a rescore food hygiene inspection, they found various foods in the fridge and freezer past their use-by dates and finished sandwiches were still being given extending durability dates with no scientific basis for this. Ready to eat foods were being stored next to raw foods in the fridge. Some rodent droppings were still noted around the premises and washed salad items were being prepared in the same area and on the same board as raw, unwashed items.</p> <p>In September 2022 officers returned to the premises and found that the in-house durability dates given by the business to the opened fillings stored in the fridge had passed the safe shelf life as allocated by the manufacturer. Then in October 2022 officers revisited the premises to</p>	
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check that the extended Notice for Food Safety Management had been complied with. Despite advice having been given, use by dates were not being calculated properly according to the manufacturer's labelling instructions for sandwich fillings. In addition, unprepared, dirty root vegetables were also being stored on the same shelf alongside ready to eat cheese.

In mitigation, the court heard that the business had begun when the defendant and his business partner sold hand-made fudge at festivals before securing a pop-up shop. During covid they used taxi drivers to deliver goods and obtained an industrial unit in Cardiff. They had quickly moved from a turnover of £13,000 to £380,000 but their skill sets had not kept pace. The partner had always dealt with food hygiene matters and when she left the business 'things started to fall apart'. The defendant had gone on a food hygiene level 3 training course and had engaged the services of a chartered Environmental Health Officer.

The Recorder stated that the defendant did not have adequate knowledge to know what to be keeping an eye on. He did not take constructive steps when he needed to and it went downhill rapidly after that. He had already shown that when given some knowledge he didn't actually do anything with it. The Recorder told the defendant it was clear he was out of his depth, and he was not skilled enough nor did he have the necessary knowledge for someone running a food production business. The business was not geared to operate safely, and he had paid lip service to gaining the relevant knowledge. It was too little

		too late and the risk to consumers was significant and enduring.	
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