

# NORTH YORKSHIRE COUNTY COUNCIL

16 MAY 2007

## STATEMENT OF THE BUSINESS AND ENVIRONMENTAL SERVICES PORTFOLIO HOLDER COUNTY COUNCILLOR JOHN FORT

### TRADING STANDARDS

#### Seller of Counterfeit Goods Jailed

Tobie Hillier of Scalby Nabbs, Scarborough was jailed for 9 months at Teesside Crown Court on 3<sup>rd</sup> May 2007, after admitting selling counterfeit clothing over e-bay. His Honour Judge Bryant said he had to make an example of Hillier, aged 25, to get the message across that selling counterfeit goods is unacceptable. Hillier had sold fake Dolce & Gabbana, Diesel, Nike, Armani and Paul & Shark Yachting jeans and t-shirts and came to the attention of the County Council's trading standards service when a North Yorkshire resident complained about an item bought from him. The service made test purchases via e-bay, and once these had been confirmed as fake, an entry warrant was obtained allowing officers to search his home. Hundreds of items of fake clothing were found there and Hillier admitted that he kept more at another property in Scarborough. Officers identified that Hillier had made around £160,000 from the sale of fake goods, and proceedings are continuing to secure a confiscation order under the Proceeds of Crime Act 2002 in relation to this money.

#### Ainderby Quernhow/Fairburn Weight Restrictions

The B6267 route through Ainderby Quernhow, near Thirsk, provides a short cut between the A1 and the A61 trunk roads, but is a narrow country lane and totally unsuitable for large lorries. The County Council imposed a weight restriction order, in 1992, to prohibit heavy commercial vehicles passing through the village. Although the route is subject to a 7.5 tonne weight restriction, up to eighty lorry drivers a day were ignoring the road signs, before the local residents set up a 'lorry watch' scheme in partnership with the County Council Trading Standards Service. In addition to officers carrying out enforcement work, which has resulted in numerous of HGV drivers appearing before Northallerton magistrates, a media campaign by Trading Standards has also raised driver awareness. The result, according to delighted local residents, is that heavy traffic using the route has already dropped by fifty per cent. In addition, local residents have been taught how to distinguish heavy commercial vehicles, which are subject to the ban, and can themselves, report infringements, which trading standards officers follow up by contacting the haulage firms concerned.

The service is also carrying out checks on heavy commercial vehicles breaching the 7.5 tonne maximum gross weight restriction on the A1246 road at Fairburn, near Selby, in close co-operation with the local Area Highways Managers, to address areas of local community concern. The weight restriction was imposed by the County Council in November 2006, but local residents have reported widespread abuse by HGV drivers. Checks carried

out by Trading Standards officers to date, have highlighted a high level of non compliance, with many of the lorries passing through the village being in excess of 30 tonnes maximum gross weight. Villagers have expressed their appreciation, to officers, that action is being taken, with over a hundred contraventions of the weight restriction being detected so far, with court proceedings to follow.

### **Home Information Pack Regulations 2007**

Home Information Packs (HIP) will be compulsory from the 1st June 2007, these are being introduced as part of wider package of reforms to the home buying and selling process. They aim to improve home buying and selling by bringing together key information at the beginning of the process. Anyone marketing a residential property (usually an estate agent) for sale will be required to have a Home Information Pack for that property from the time the property first goes on the market. Properties on the market before 1st June 2007 will not need a pack unless they are still unsold on the 1st January 2008. The regulations prescribe the documents that have to be, and may be included in such a pack, for example an Energy Performance Certificate, evidence of title, local authority and drainage and water searches and key leasehold documents where appropriate.

### **The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007**

These regulations also come into effect on 1st June 2007 and require (amongst other things) the production of energy performance certificates when buildings are constructed, sold or rented out; this includes the requirement for them to be provided in home information packs.

Energy Performance Certificates must be issued by an energy assessor who is accredited to produce such certificates. These certificates will provide A - G ratings on the energy efficiency of a home plus advice on how to make further energy savings.

An energy assessor must be a member of an accreditation scheme approved by the Secretary of State. There are currently 5 such schemes accredited and three organisations who can award the energy assessor qualifications. It is suggested there will be between 2,500 to 3,000 fully qualified assessors ready for 1st June.

Enforcement of the HIP regulations and regulations relating to energy performance are a statutory duty of the County Council Trading Standards Service. In each case the penalty for a breach is not a criminal sanction but a fixed penalty charge. This is a civil procedure, action for any non-payment will need to be pursued through the civil courts. A high level of non-compliance could therefore produce a significant increase in workload.

### **Operation Rogue Trader**

North Yorkshire County Council Trading Standards and North Yorkshire Police will shortly be working in partnership as part of a National operation to prevent and detect doorstep crime and distraction burglaries. The Operation

named "Rogue Trade" is to be run in June of this year. The objective of the operation is to provide a united enforcement approach, concentrating on protecting the older adult communities, identified as doorstep crime "hotspots". Traders found working at a property in the County who are not readily recognised as bone fide traders will be approached to determine whether they are legitimate. Any that are not will be investigated and if necessary prosecuted. Suspicious vehicles found driving within the county boundaries will also be stop-checked, to determine who is operating within the County and what their activities are. The operation will also involve a media campaign, as a means of educating the public, together with the used of mobile police offices in doorstep crime "hot spots", to offer advice to residents on how to protect themselves from unscrupulous and unwanted doorstep cold callers.

## **CULTURAL SERVICES**

I am pleased to report that I have been elected to the regional board of Arts Council England, Yorkshire. The Arts Council is a national organisation and regional boards are responsible for setting and monitoring regional arts priorities and regional accountability for the Arts Council's programmes of work. This is an opportunity for North Yorkshire to contribute to shaping the region's priorities for the arts and also to contribute to national issues and policy.

County Councillor John Fort  
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