

Local Authority Prosecution Statistics 2013

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Introduction

This report details an analysis of Local Authority prosecutions identified or reported to theEHP for the calendar year 2013.

The focus of this report is on the financial penalties awarded as a result of Local Authority prosecutions. The following criteria are used when assessing whether to include prosecutions in the analysis:

- As this report focuses on the analysis of fines, costs and the sum of fines and costs (hereafter referred to as 'totals') only prosecutions where fines and/ or costs have been awarded are included. The victims surcharge is excluded from the analysis.
- Only prosecutions carried out by Local Authority Environmental Health Departments are included. Therefore, HSE, planning and FSA prosecutions are excluded.
- This report includes prosecutions that were identified between 1st January 2013 and 31st December 2013.

Number of Prosecutions

In 2013, a total of 270 Environmental Health prosecutions were identified by theEHP. This is an increase of 46 (21%) prosecutions from the 2012 report. These prosecutions were undertaken by 82 (increase of 1 from 2012) Local Authorities (average of 3.3 prosecutions per Local Authority). 58 (71%) Local Authorities carried out more than one prosecution (in 2012 there were 32 (40%). The highest number of prosecutions carried out by a single Local Authority was 25 by Hull City Council. In 2012 the highest number of prosecutions carried out by a single Local Authority was 36 by Caerphilly County Borough Council.

Table 1 below details the number of prosecutions carried out by Local Authorities. For display purposes, only Local Authorities with 3 or more prosecutions are shown below. The complete table is shown in Appendix 1.

Table 1: Number of Prosecutions Carried Out by Councils		
Number of Prosecutions	Number of LAs	Local Authorities
25	1	Hull City Council
10	1	Redbridge Council
9	3	Leeds City Council Liverpool City Council Oxford City Council
8	1	Dudley Council
7	3	Camden Council Carmarthenshire County Council Haringey Council
6	3	Middlesbrough Council Caerphilly County Borough Council Darlington Borough Council
5	3	Birmingham City Council South Kesteven District Council Swansea Council
4	10	Cornwall Council Croydon Council Kingston Council Newport City Council Reading Borough Council Rhondda Cynon Taf Council Rugby Borough Council Sandwell Council Wrexham County Borough Council Wycombe District Council
3	15	Bath & North East Somerset Council Broxtowe Borough Council Calderdale Council

		<p>Fylde Borough Council Hammersmith & Fulham Council Harlow Council Hastings Borough Council London Borough of Havering Peterborough City Council Scarborough Borough Council Tanbridge Council Thurrock Council Waltham Forest Council Watford Borough Council Welwyn Hatfield Borough Council</p>
<p>See Appendix 1 for complete table</p>		

Fines, Costs, Totals & Averages – All Prosecutions

The 270 Environmental Health prosecutions resulted in £2,240,709.04 in fines and costs combined (hereafter referred to as ‘totals’). This figure was made up of £1,466,751.91 in fines and £595,897.45 in prosecution costs. The average fines, costs and totals are detailed in Table 2 below. Table 3 details the year to year change.

	Mean	Min	Max
Fine	£ 6,137.04	£ 35.00	£ 112,500.00
Cost	£ 2,422.35	£ -	£ 46,755.76
Total	£ 8,298.92	£ 85.00	£ 153,500.00

	2012	2013	Change	%age
Totals	£2,095,823.40	£2,240,709.04	↑ £144,885.64	6.5
Fines	£1,407,294.84	£1,466,751.91	↑ £59,457.07	4.1
Costs	£578,811.56	£595,897.45	↑ £17,085.89	2.9

Fines, Costs, Totals & Averages – By Category

Table 4 below details the number of prosecutions, fines, costs and totals for each sector. Further analysis of the Environmental Protection, Food Safety, Health & Safety and Housing categories are included later in the report.

Category	No of Prosecutions	Fines	Cost	Total
Environmental Protection	56	£ 27,894.00	£ 29,145.40	£ 57,769.40
Food Safety	89	£ 483,560.00	£ 234,738.36	£ 806,304.17
Health & Safety	12	£ 262,000.00	£ 105,936.09	£ 367,936.09
Housing	104	£ 690,127.91	£ 222,183.16	£ 1,000,880.94
Illegal Eviction & Harassment	2	£ 2,000.00	£ 1,762.50	£ 3,762.50
Public Health	7	£ 1,170.00	£ 2,131.94	£ 4,055.94

Table 5 details the year to year change for fines, costs and totals by category.

Category	Change in Number of Prosecutions	Fines	Cost	Total
Caravan Sites ^{*1}	-1	-£500.00	-£800.00	-£1,300.00
Environmental Protection	-9	-£ 15,775.00	-£ 17,904.30	-£ 32,949.30
Food Safety	30	£ 134,110.00	£ 78,948.63	£287,049.44
Health & Safety	-2	-£385,000.00	-£159,564.56	-£624,564.56
Housing	42	£ 347,646.07	£ 129,202.37	£549,716.31
Illegal Eviction & Harassment	0	-£ 3,500.00	-£ 2,556.50	-£ 6,056.50
Public Health	-3	-£ 600.00	£ 725.94	£ 879.94
Smoking ^{*1}	-9	-£12,174.00	-£8,265.69	-£20,439.69

^{*1} In 2013 no prosecutions for Caravan Sites or Smoking offences were identified.

Year to Year Change - Number of Prosecutions



Environmental Protection

Environmental Protection prosecutions accounted for 20.7% (56) of all prosecutions identified. In 2012 they accounted for 29.0% (65) of all prosecutions.

- Fines accounted for 1.9% of all fines. In 2012 they accounted for 3.1% of all fines.
- Costs accounted for 4.9% of all costs. In 2012 they counted for 8.2% of all costs.
- Totals accounted for 2.6% of all totals. In 2012 they counted for 4.3% of all totals
- The split between fines and cost were 48.29% and 50.45% respectively. In 2012 the split was 48.8% and 51.2% respectively.
- Prosecution with the highest fine – [Environmental Protection: Noisy Dogs Cost Owners £6,000](#) (£6,000)
- Prosecution with the highest cost – [Environmental Protection: Custodial Sentence for Fly-Tipping](#) (£2,978.38)
- Prosecution with the highest total – [Environmental Protection: Noisy Dogs Cost Owners £6,000](#) (£6,000)

Table 6 below details the averages for Environmental Protection prosecutions.

	Mean	Min	Max
Fine	£536.42	£35.00	£6,000.00
Cost	£539.73	£45.00	£2,978.38
Total	£1,031.60	£120.00	£6,180.00

Food Safety

Food Safety prosecutions accounted for 33.0% (89) of all prosecutions identified. In 2012 they accounted for 26.3% (59) of all prosecutions

- Fines accounted for 33.0% of all fines. In 2012 they accounted for 24.8% of all fines
- Costs accounted for 39.4% of all costs. In 2012 they counted for 26.9% of all costs
- Totals accounted for 36.0% of all totals. In 2012 they counted for 24.8% of all totals
- The split between fines and cost were 60.0% and 29.1% respectively (NB these do not calculate to 100% because some LAs do not separate the fines and costs, also in some cases no fines or costs are awarded). In 2012 the split was 67.3% and 32.7% respectively.
- Prosecution with the highest fine – [Food Safety: 2 Sisters to pay over £110,000 for Botulism Risk](#) (£112,500.00)
- Prosecution with the highest cost – prosecution reported by Fylde Borough Council (£46,755.76)
- Prosecution with the highest total – [Food Safety: 2 Sisters to pay over £110,000 for Botulism Risk](#) (£153,500.00)

Table 7 below details the averages for Food Safety prosecutions.

	Mean	Min	Max
Fine	£6,280.00	£165.00	£112,500.00
Cost	£2,971.37	£100.00	£46,755.76
Total	£9,059.60	£350.00	£153,500.00

Health & Safety

Health & Safety prosecutions accounted for 4.4% (12) of all prosecutions identified. In 2012 they accounted for 6.3% (14) of all prosecutions.

- Fines accounted for 17.9% of all fines. In 2012 they accounted for 46.0% of all fines
- Costs accounted for 17.8% of all costs. In 2012 they counted for 45.9% of all costs
- Totals accounted for 16.4% of all totals. In 2012 they counted for 47.4% of all totals
- The split between fines and cost were 71.2% and 28.8% respectively. In 2012 the split was 65.2% and 34.8% respectively.
- Prosecution with the highest fine – [Health & Safety: Company to pay over £120,000 for health and safety breaches](#) (£85,000.00)
- Prosecution with the highest cost – [Health & Safety: Company to pay over £120,000 for health and safety breaches](#) (£36,203.72)
- Prosecution with the highest total – [Health & Safety: Company to pay over £120,000 for health and safety breaches](#) (£121,203.72)

Table 8 below details the averages for Health & Safety prosecutions

Table 8: Averages for Health & Safety prosecutions			
	Mean	Min	Max
Fine	£26,200.00	£1,300.00	£85,000.00
Cost	£8,828.01	£924.37	£36,203.72
Total	£30,661.34	£1,800.00	£121,203.72

Housing

Housing prosecutions accounted for 38.5% (104) of all prosecutions identified. In 2012 they accounted for 27.7% (62) of all prosecutions.

- Fines accounted for 47.1% of all fines. In 2012 they accounted for 24.3% of all fines
- Costs accounted for 37.3% of all costs. In 2012 they counted for 16.1% of all costs
- Totals accounted for 44.7% of all totals. In 2012 they counted for 21.5% of all totals
- The split between fines and cost were 69.0% and 22.2% respectively. In 2012 the split was 75.9% and 24.1% respectively.
- Prosecution with the highest fine – [Housing: Hillingdon landlord fine for renting out illegal properties](#) (£55,000.00)
- Prosecution with the highest cost – [Housing: Letting Agent pays £41,200 for risking safety of tenants](#) (£25,000.00)
- Prosecution with the highest total – [Housing: Hillingdon landlord fine for renting out illegal properties](#) (£61,475.00)

Table 9 below details the averages for Housing prosecutions.

Table 9: Averages for Housing prosecutions			
	Mean	Min	Max
Fine	£7,341.79	£200.00	£55,000.00
Cost	£2,389.07	£0	£25,000.00
Total	£9,623.86	£228.43	£61,475.00

theEHP Statistical Release 2013

To include your local authorities' data in the next report please forward details of your prosecutions to mark@theehp.com. If your local authority does not produce press releases for prosecutions, please provide the following details.

- Name of your LA
- Date of prosecution
- Name of person/ business prosecuted
- Type of prosecution (food safety, health & safety, housing, etc)
- Outline of the offence
- Fine
- Costs
- Total (sum of fine & costs)

theEHP welcomes any suggestions on how this report can be improved.

Appendix 1: Number of prosecutions carried out by all councils

Table 1		
Number of Prosecutions	Number of LAs	Local Authorities
25	1	Hull City Council
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3	15	Bath & North East Somerset Council Broxtowe Borough Council Calderdale Council Fylde Borough Council Hammersmith & Fulham Council Harlow Council Hastings Borough Council London Borough of Havering Peterborough City Council Scarborough Borough Council Tanbridge Council Thurrock Council

		<p>Waltham Forest Council Watford Borough Council Welwyn Hatfield Borough Council</p>
2	18	<p>Babergh District Council Barnet Council Basildon Council Brighton & Hove City Council Bristol City Council Cambridgeshire District Council Cardiff Council Flintshire County Council Forest of Dean District Council Huntingdonshire District Council Manchester City Council Merthyr Tydfil County Borough Council Mid Suffolk District Council Newham Council North Somerset Council Norwich City Council Selby District Council Thanet District Council</p>
1	24	<p>Arun District Council Barking and Dagenham Council Brent Council Cambridge City Council Cannock Chase Council Chester Council City of Lincoln Council Coventry City Council Gwynedd Council Havering Council Hillingdon Council Hounslow Council Luton Council New Forest District Council North Kesteven District Council Pembrokeshire County Council Powys County Council Southampton City Council Southend-on-Sea Borough Council Surrey Heath Borough Council Vale of Glamorgan Council Vale of White Horse District Council Warwickshire Borough Council Wirral Council</p>

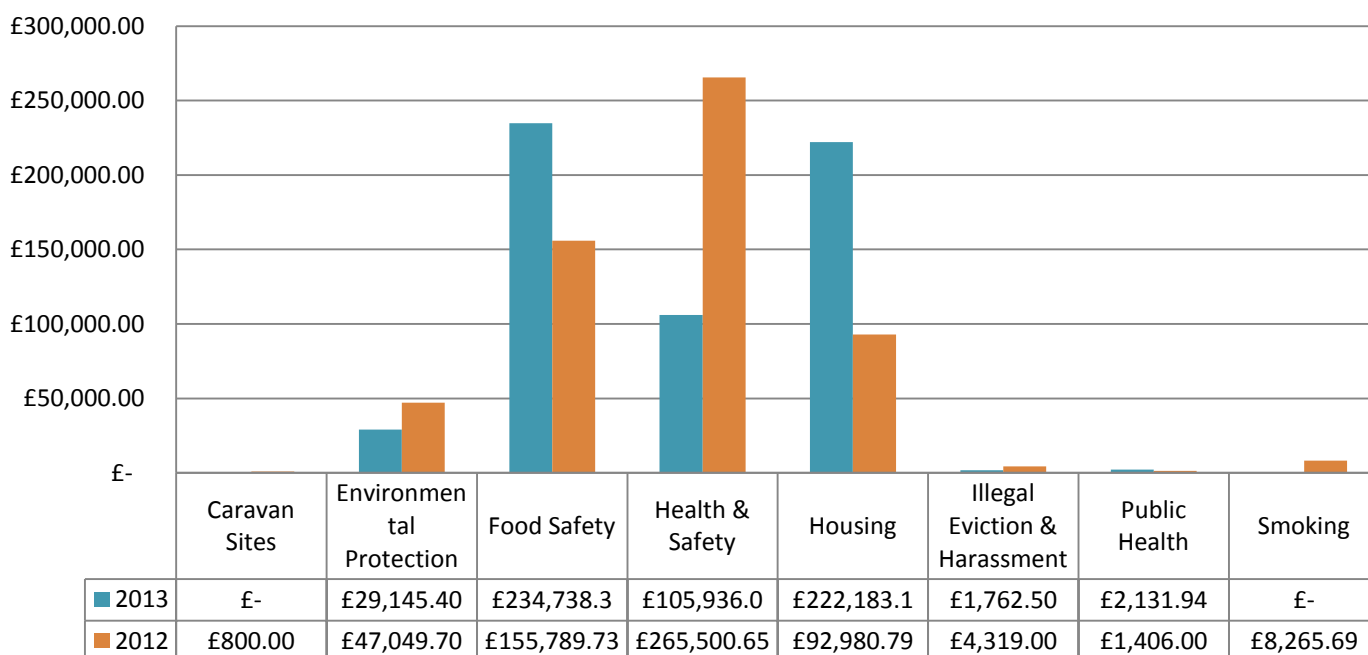
Appendix 2- Graphs

Year to Year Change in Fines Costs & Totals

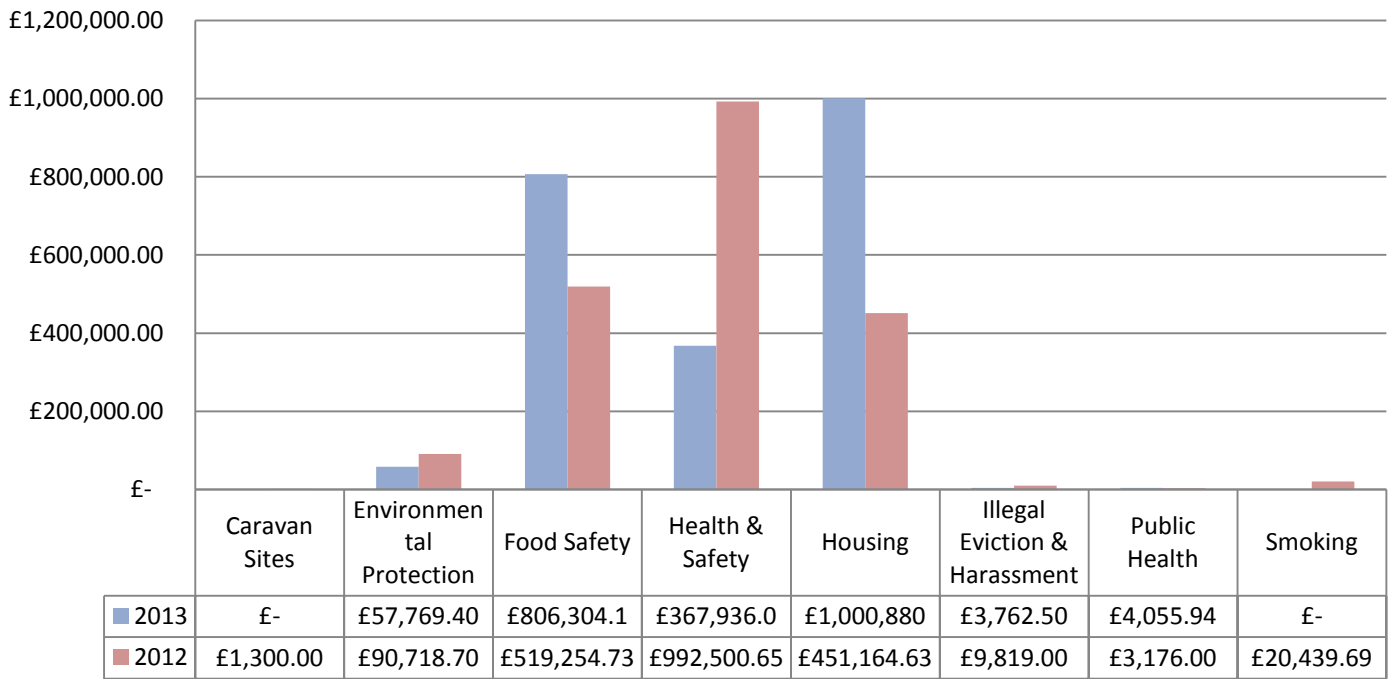
Year to Year Change - Fines



Year to Year Change - Costs

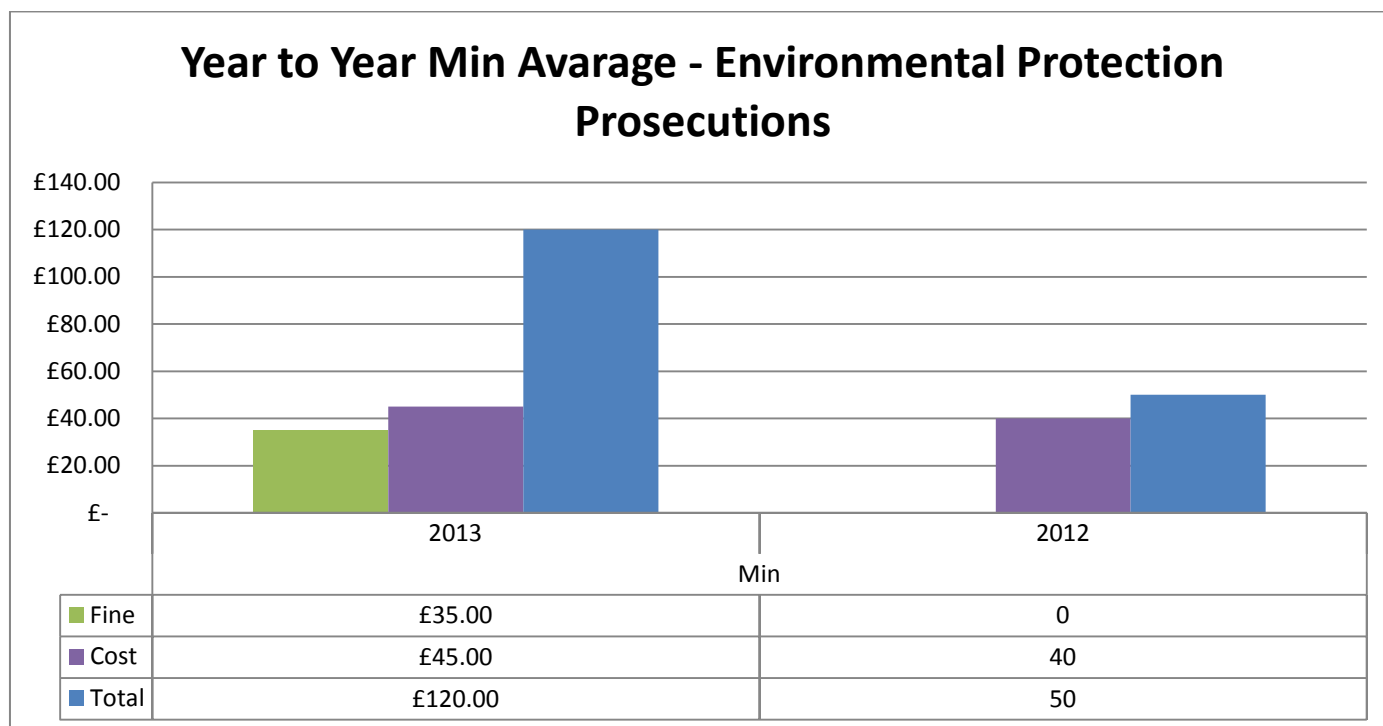
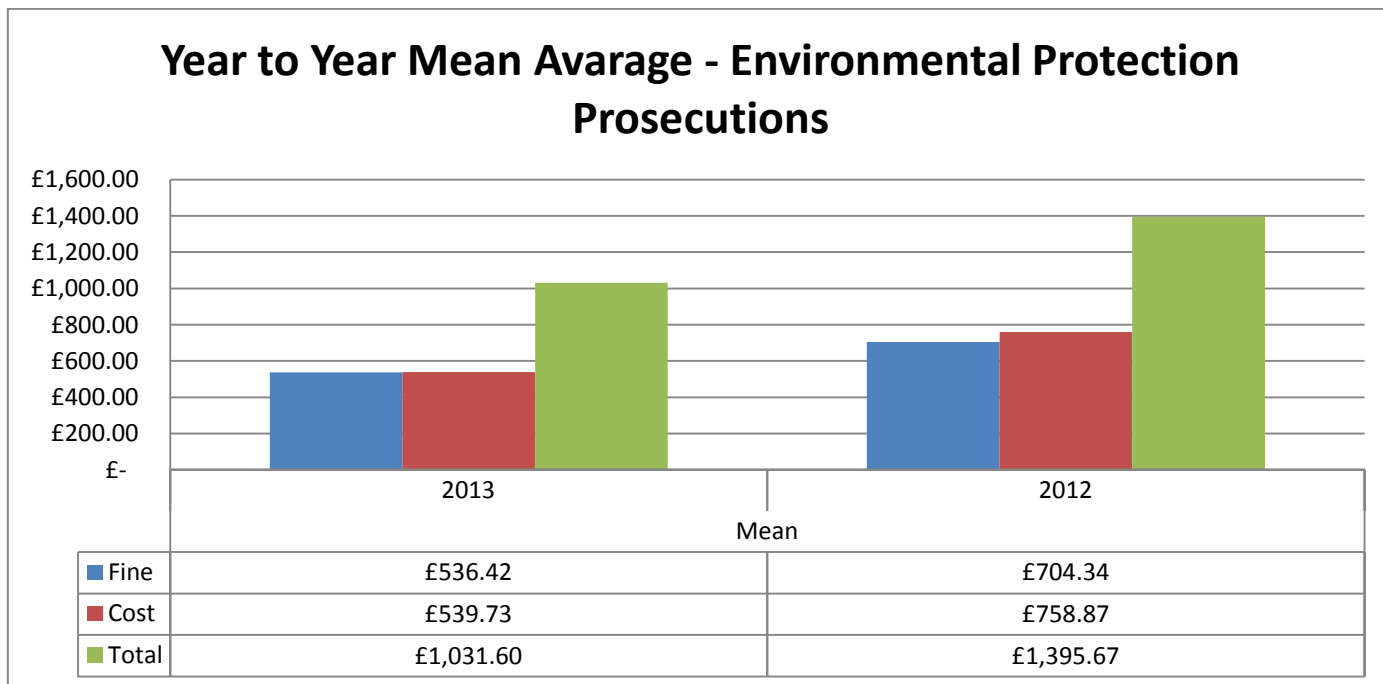


Year to Year Change - Totals

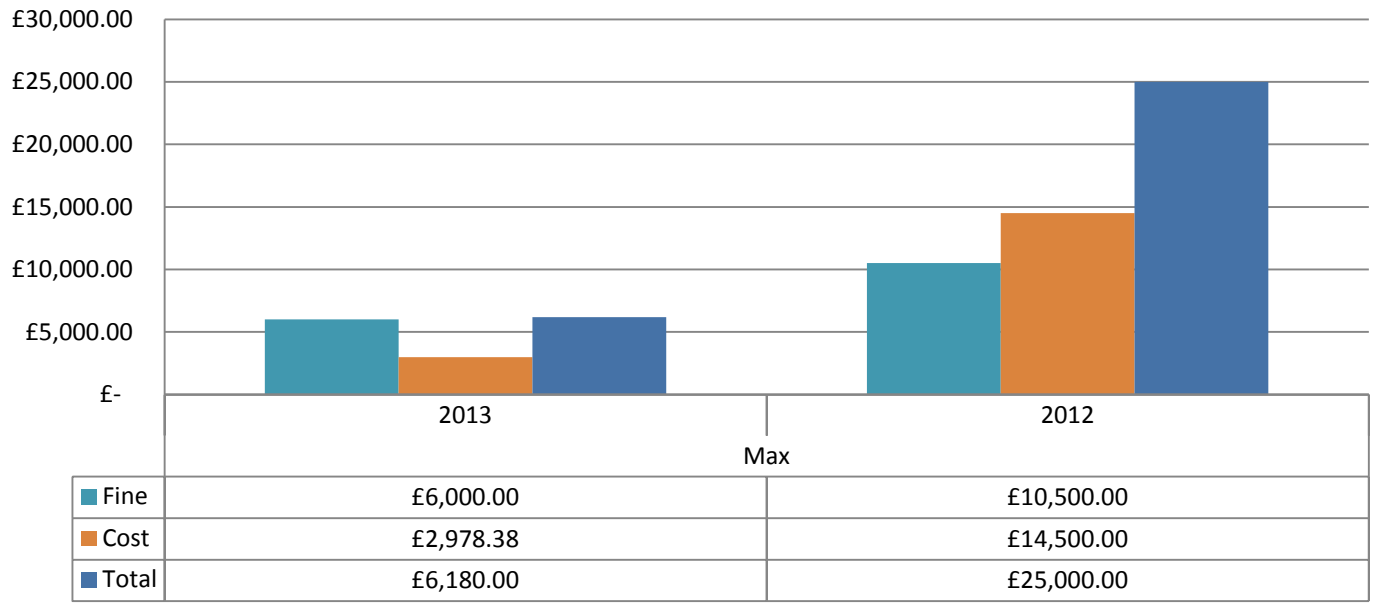


Year to Year Change in Averages – By Category

Environmental Protection

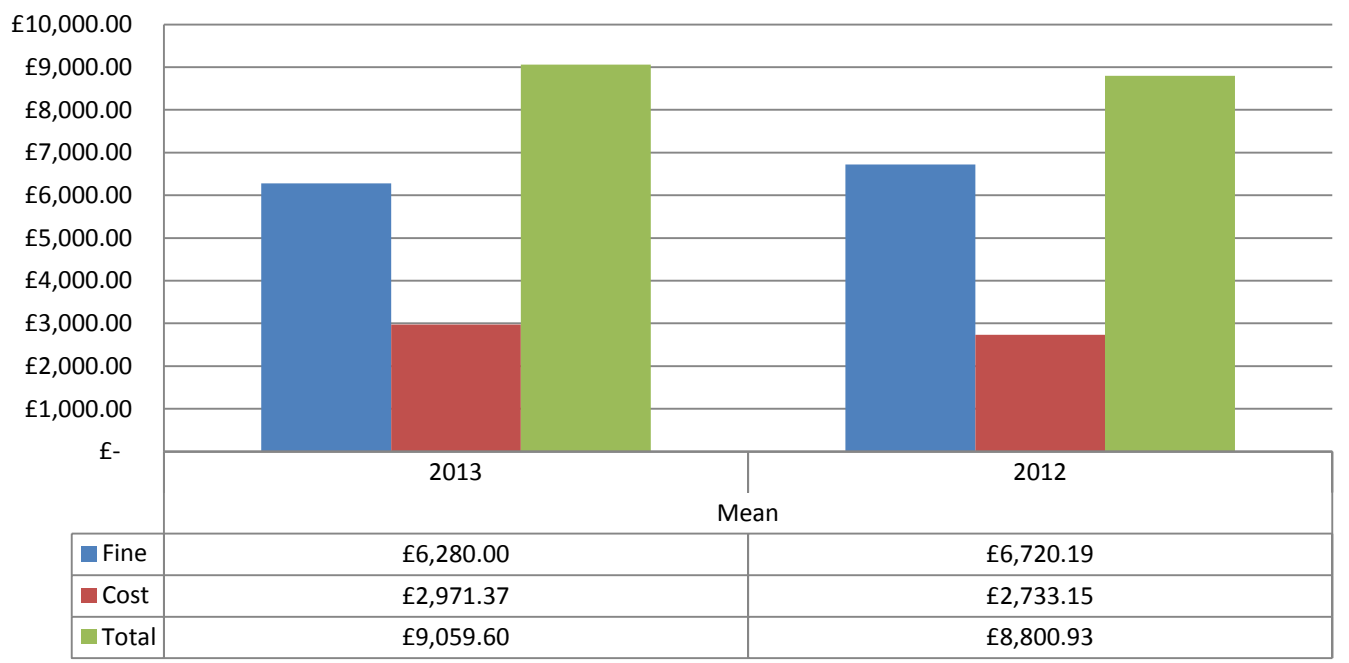


Year to Year Max Average - Environmental Protection Prosecutions

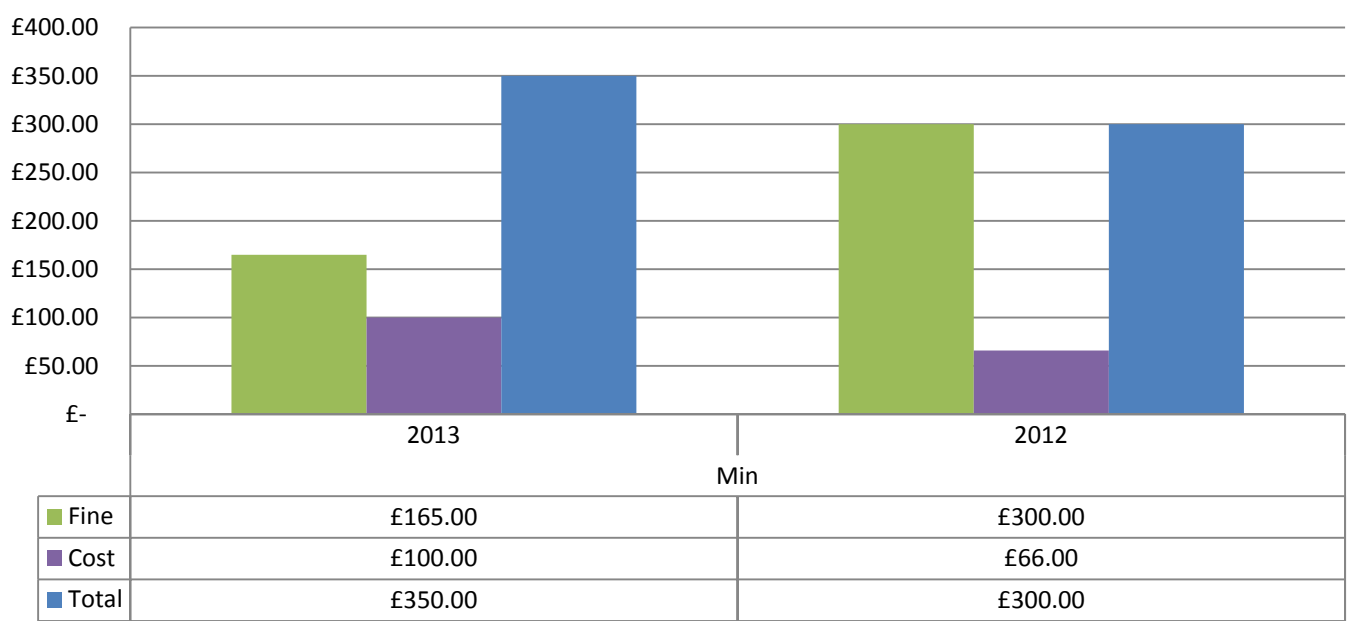


Food Safety

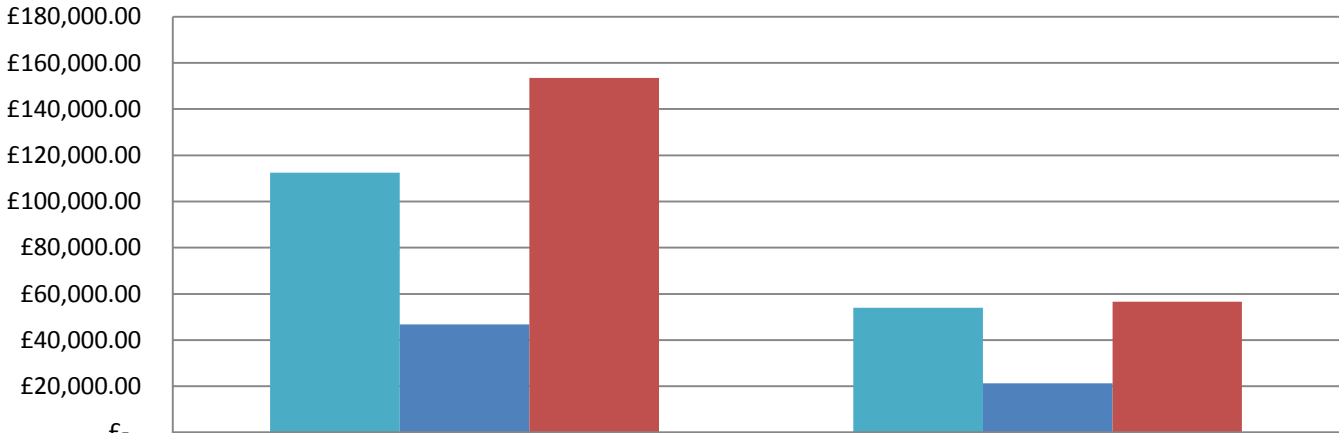
Year to Year Mean Average - Food Safety Prosecutions



Year to Year Min Average - Food Safety Prosecutions



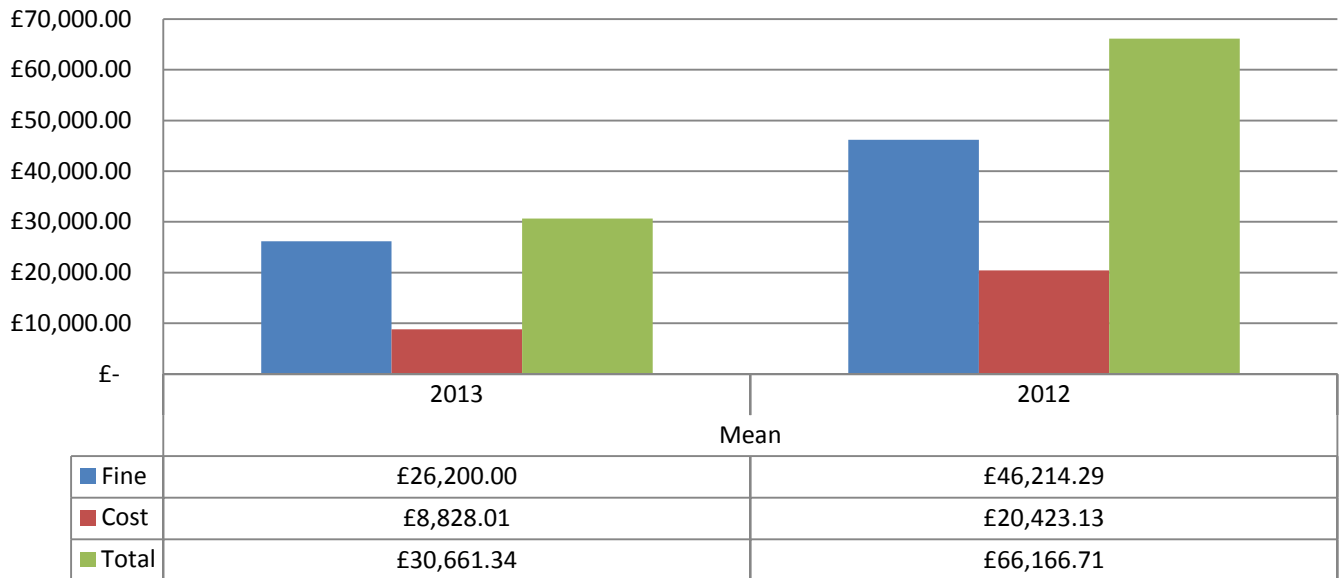
Year to Year Max Avarage - Food Safety Prosecutions



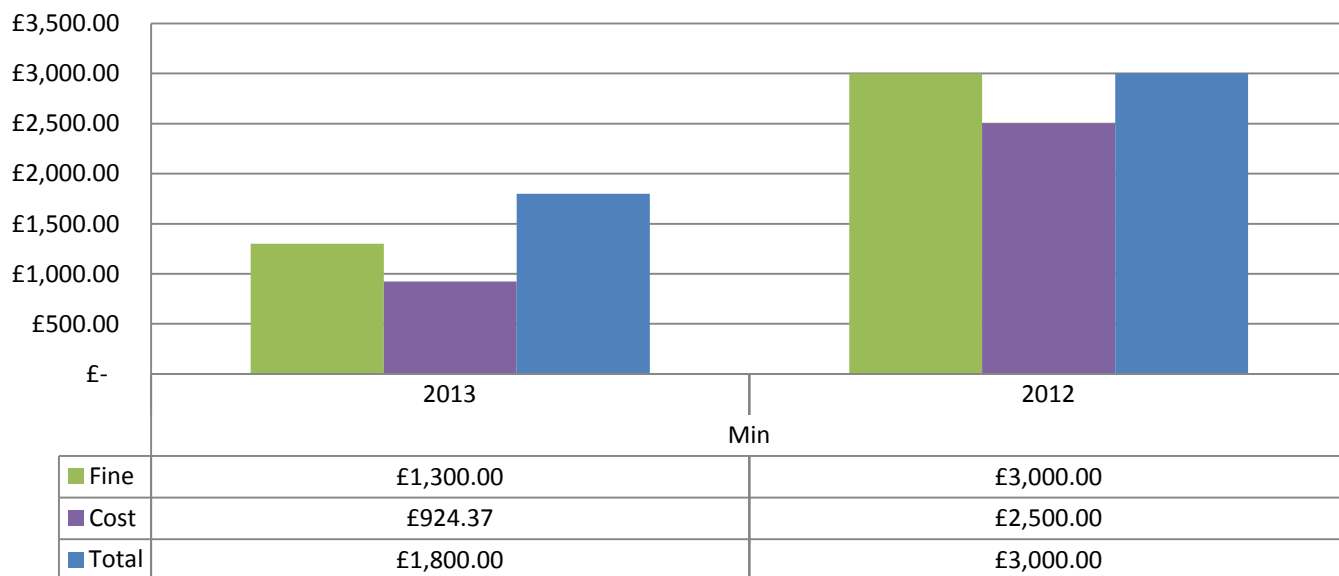
	2013	Max	2012
■ Fine	£112,500.00		£54,000.00
■ Cost	£46,755.76		£21,265.00
■ Total	£153,500.00		£56,600.00

Health & Safety

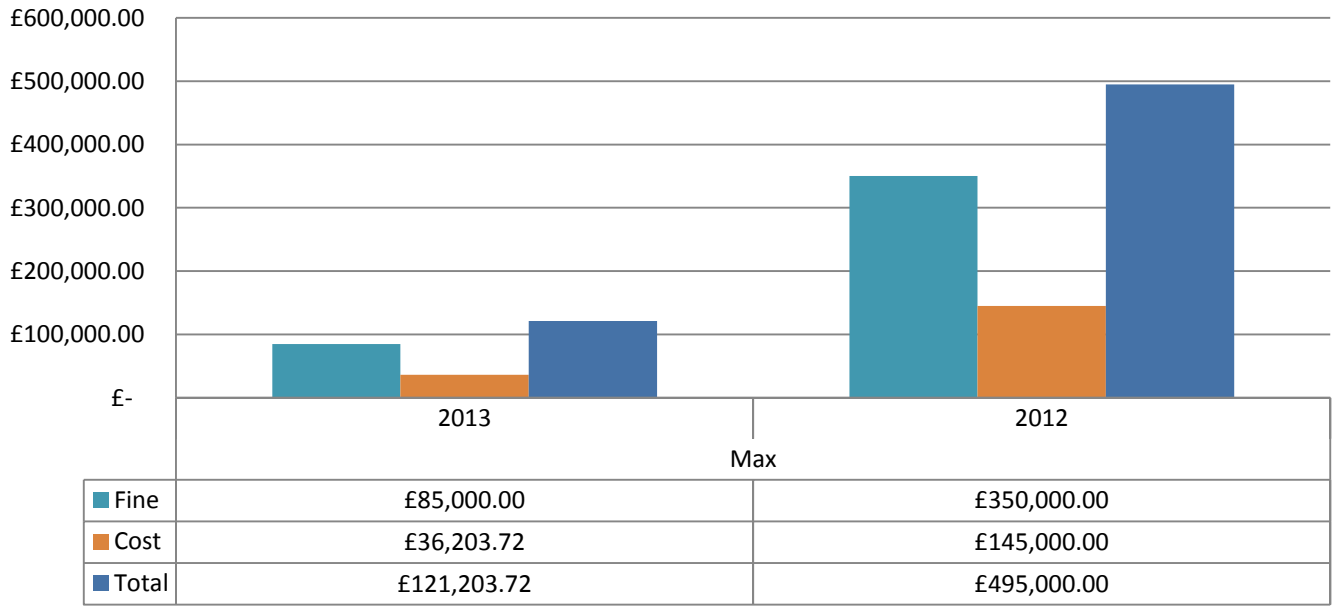
Year to Year Mean Average - Health & Safety Prosecutions



Year to Year Min Average - Health & Safety Prosecutions

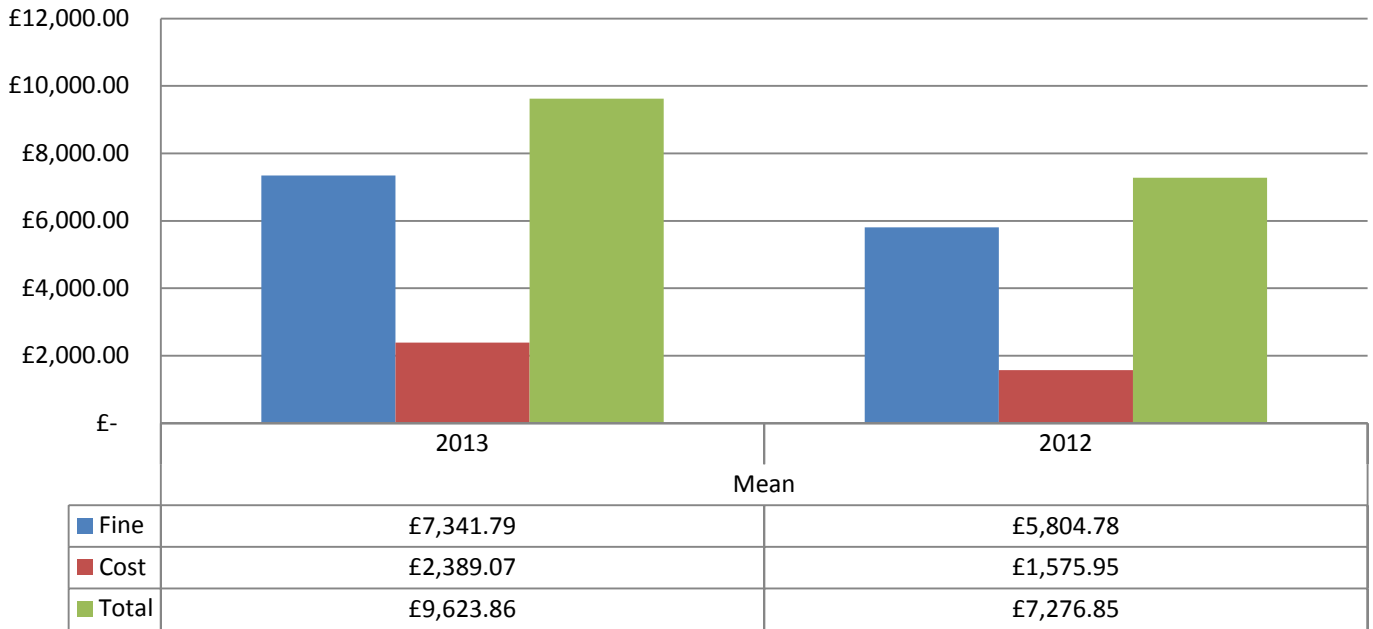


Year to Year Max Average - Health & Safety Prosecutions

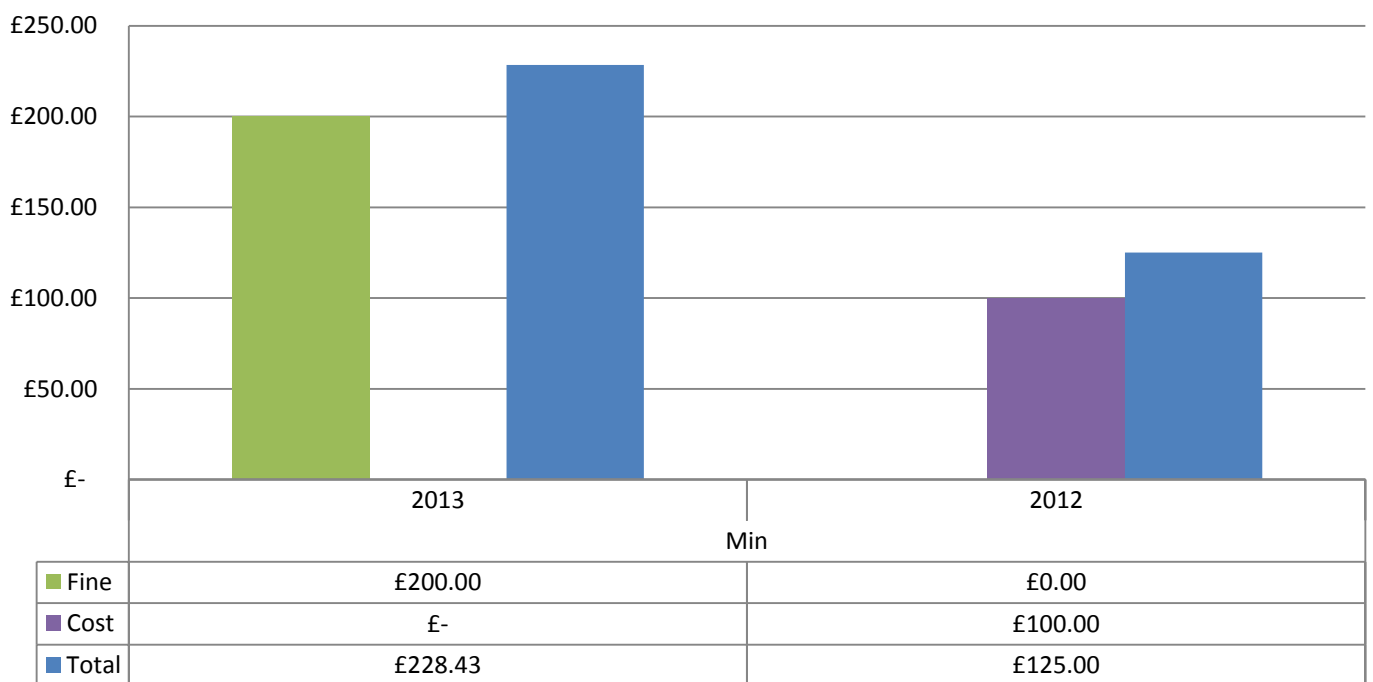


Housing

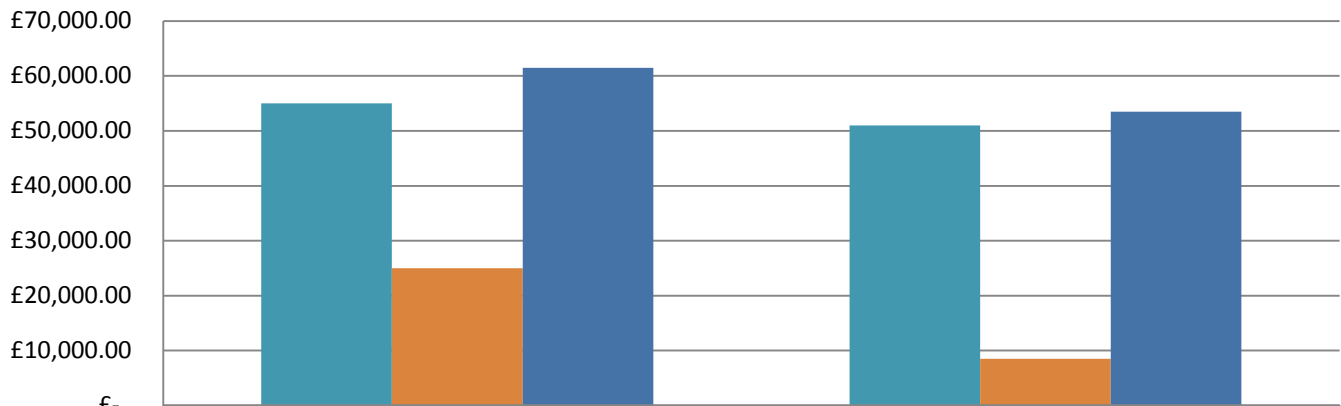
Year to Year Mean Average - Housing Prosecutions



Year to Year Min Average - Housing Prosecutions



Year to Year Max Avarage - Housing Prosecutions



	Max	
	2013	2012
Fine	£55,000.00	£51,000.00
Cost	£25,000.00	£8,500.00
Total	£61,475.00	£53,500.00