

OUTCOME OF LEGAL PROCEEDINGS	4th September 2018
TO: ENVIRONMENTAL SERVICES COMMITTEE	
FOR INFORMATION	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Resilient, Engaged and Health Communities
Outcome	Securing compliance with legal regulatory requirements using available enforcement powers.
Lead Officer	Head of Health & Built Environment
Cost: (If applicable)	N/A

1.0 FOOD HYGIENE RATING ACT (NORTHERN IRELAND) 2014

Background

Causeway Coast and Glens Council is the enforcing authority for a wide range of legislation. This enforcement role has been delegated to the staff of the Environmental Services Directorate.

The following case was referred for legal proceedings and heard at Coleraine Magistrates Court on 3rd August 2018. The result of prosecution is as follows:-

Ref. No.	Offence(s)	Result of Proceedings
800011	<p>Failure to display a valid Food Hygiene Rating at a food establishment contrary to article 10(1) of the Food Hygiene Rating Act (Northern Ireland) 2014</p> <p>Display of sticker that purports to show a food establishments food hygiene rating that is not valid, i.e. display of a food hygiene rating of 4 when the premises had a food hygiene rating of 1, contrary to article 10(2) of the Food Hygiene Rating Act (Northern Ireland) 2014</p>	<p>Conviction £300 fine for Article 10(1) charge and a conditional discharge for one year on the Article 10(2) charge Costs of £119.00 awarded</p>

2.0 DOGS (NI) ORDER 1983

2.1 Unlicensed Dogs

Ref. No.	Offence(s)	Result of Proceedings
LC1105254	Keeping a dog without a licence contrary to Article 17 (1) of the Dogs (NI) Order 1983	Conviction Fine: £150 Legal Costs: £50 Court Costs: £34
LC1105250	Keeping of an Unlicensed Dog contrary to Article 17(1) (a) of The Dogs (NI) Order 1983	Fine: £75 Legal Costs: £50 Court Costs: £23
LC1105553	Keeping of an Unlicensed Dog contrary to Article 17(1) (a) of The Dogs (NI) Order 1983	Fine: £100 Legal Costs: £50 Court Costs: £20
LC1105586	Keeping of an Unlicensed Dog contrary to Article 17(1)(a) of The Dogs (NI) Order 1983 In respect of the above cases the owners had been made aware of the legal requirement to licence their dog but had not done so. In accordance with Council enforcement policy a fixed penalty notice was issued. This remained unpaid so legal proceedings were instigated.	Fine: £100 Legal Costs: £50 Court Costs: £17

2.2 Dogs Straying

Ref. No.	Offence(s)	Result of Proceedings
LC1105653	Allowing two dogs to stray A repeat offence of allowing dogs to stray resulted in the service of a Fixed Penalty Notice on the dog owner for the offence. This notice was not paid and legal proceedings were agreed for the original offence of allowing a dog to stray	Conviction Fine: £100 Legal Costs: £50 Court Costs: £20

2.2 Aggravated Dog Attacks

Ref. No.	Offence(s)	Result of Proceedings
LC1106348	<p>An aggravated dog attack on a person contrary to Article 29 (2) of the Dogs (NI) Order 1983</p> <p>A stray German Shepherd dog attacked and injured a person in a public place</p>	<p>Conviction</p> <p>Fine: £200</p> <p>Legal Costs: £50</p> <p>Court Costs: £26</p> <p>The dog owner was also ordered to pay the injured party £300 in compensation</p>
LC1105542	<p>An aggravated dog attack on a person contrary to Article 29 (2) of the Dogs (NI) Order 1983</p> <p>A Staffordshire Bull terrier was tied up outside a public house. A person bent down to pet the dog when the dog attacked and bit him on the face</p>	<p>The owner of the dog was given a 2 month prison sentence suspended for 2 years. The Court also awarded £121 Court costs</p>