

Press release: CMA secures better deal for cloud storage users

The 3 companies are the latest cloud storage providers to improve their terms and conditions following the Competition and Markets Authority's (CMA) review of compliance with consumer law in the sector. Last year, the CMA secured separate commitments from [JustCloud](#), [Livedrive](#) and [Dixons Carphone](#), and [BT](#), [Dropbox](#), [Google](#) and [Mozy](#) to make changes to their contract terms.

Andrea Coscelli, CMA Acting Chief Executive, said:

People rely on cloud storage to keep things such as treasured family photos, music, films and important documents safe, so it is important that they are treated fairly and should not be hit by unexpected price rises or changes to storage levels.

We are pleased that Amazon, Apple and Microsoft have joined 7 previous companies in working with the CMA and agreeing commitments to improve their terms and conditions and, as a result, millions of cloud storage users will benefit from fairer terms which will help them make the right choices when using cloud storage services.

Amazon, Apple and Microsoft have separately agreed to make changes to their respective terms and conditions, including in some common areas relating to:

- adequate notice to customers before significant changes are made to the service
- cancellation rights and pro-rata refunds if customers don't want to accept significant changes
- adequate notice, where appropriate, before the service is suspended or cancelled

A summary of the separate changes agreed with each company can be found on the [case page](#).

Cloud storage is used by around 3 in 10 British adults in a personal capacity. In its initial review of the sector, the CMA found that the majority currently use free services that come with their devices and are generally satisfied with the service they receive. However, there were some terms and conditions which caused concern, for example, terms which gave companies the ability to change the service or terms of the contract or suspend or terminate the contract, for any reason and without notice.

The CMA has worked with the industry to improve compliance with consumer law. The latest agreed changes bring to an end the CMA's consumer law compliance review into the cloud storage sector. The CMA remains interested in unfair terms and conditions, particularly in the digital economy. Companies in the cloud storage, and other technology-driven sectors, are urged to keep their

terms and conditions under review and to continually improve the fairness and clarity of their consumer contract terms.

The CMA has published an [open letter](#) to businesses operating in the sector advising them of their obligations, and a [60-second summary](#) to help consumers choose the right service.

In October last year, the CMA launched a campaign consisting of simple [videos](#) and [guides](#) to help businesses understand how to avoid including unfair terms and conditions in their contracts.

Notes for editors

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated industries and enforcing competition and consumer law. For CMA updates, follow us on Twitter [@CMAgovuk](#), [Flickr](#), [LinkedIn](#) and [Facebook](#).
2. The CMA has not made a finding on whether cloud storage providers' terms and practices have breached consumer law. As part of the CMA's compliance review, all cloud storage providers co-operated and constructively engaged with the CMA and voluntarily made changes to their terms and conditions. Where there is evidence that terms and/or practices breach consumer law this could lead to enforcement action by the CMA or other enforcers. Only a court can decide whether a particular term or practice breaches the law.
3. A summary of the changes, respectively, to be made by Amazon Media EU S.a.r.l., Apple Distribution International, and Microsoft Corporation to each of their terms and conditions has been published on the [case page](#).
4. The pieces of consumer protection legislation relevant to this review and enforced by the CMA are: Part 2 of the Consumer Rights Act 2015 relating to unfair terms (and for contracts entered into before 1 October 2015 the Unfair Terms in Consumer Contracts Regulations 1999), and the Consumer Protection from Unfair Trading Regulations 2008.
5. The CMA commissioned Ipsos MORI to carry out a consumer survey. This survey was carried out by Ipsos MORI between 7 and 29 January 2016 as part of its face-to-face omnibus survey, Capibus, which conducts interviews with 2,000 GB adults aged 15+ every week. It asked consumers who used cloud storage in a personal/private capacity a range of questions about their experience of cloud storage.
6. Individuals have rights under the Consumer Rights Act and can ask a court to consider whether a term is unfair and unenforceable. The [Citizens Advice consumer helpline](#) is a telephone, email and online service offering advice to consumers where they have a problem with goods and services in the UK. If you have a cross-border complaint, you can go to [www.econsumer.gov](#). The UK European Consumer Centre provides advice if you have a dispute with a trader in another EU country.
7. Media enquiries should be directed to Rebecca Cassar (rebecca.cassar@cma.gsi.gov.uk, 020 3738 6633).

Press release: Strong performance by social housing sector – HCA publishes Global Accounts

The 2016 Global Accounts of private registered providers, published today (17 February 2017) by the Homes and Communities Agency, shows that the social housing sector has had a solid year of investment underpinned by strong in-year financial performance.

The Global Accounts gives an annual overview of the financial status of the social housing sector and is based on analysis of the regulatory financial returns and statements that are submitted by private registered providers managing or owning 1,000 or more homes.

For the first time, we have set out group as well as entity level data providing a clearer view of activity, such as open market sales, which typically takes place in unregistered subsidiaries.

With this year's publication, we are also including an analysis of unit costs at group and entity level, which gives the headline costs per social housing unit, broken down into components, drawn directly from the Global Accounts. This is supported by contextual information such as supported housing, stock transfer age and regional wages, which can be contributory factors in driving cost differences. These are drawn mainly from other regulatory returns, including the Statistical Data Return.

Some of the main findings for 2016 are:

- over £7.5bn was invested in new and existing stock as the sector continued to leverage the surpluses generated on its trading activity
- the development of new properties for both shared ownership and outright sale increased markedly in 2016 – a 39% increase in total turnover from this activity on the previous year
- group turnover increased in the year by 8% – despite increases in sale and other non-social housing activity, three quarters of total turnover continues to come from social housing lettings
- debt increased by £2.2bn in the year to fund capital expenditure
- improved operating margins and stable costs of debt contributed to an

increase in interest cover – while increasing property values contributed to gearing remaining stable.

Fiona MacGregor, Director of Regulation said:

The 2016 Global Accounts shows a steady picture in the sector overall with substantial ongoing investment in new and existing properties. This is despite the increase in debt being lower than that reported in 2015. A marked increase in turnover from commercial activities is an indicator of how providers are maintaining development levels in a more uncertain operating environment. We will remain vigilant as providers continue to adapt, and expect their risk management and mitigation approaches to keep pace with their activities.

Following on from the unit cost analysis and data we shared in June 2016, we are committed to presenting the data on costs in a clear, comprehensive and comparable format for greater transparency. We recognise that no single cost metric can perfectly capture diversity in business models and reporting approaches, and that providers' costs can be driven by a range of factors. The information will help providers and boards to better understand their own costs and to robustly challenge themselves on their economy, efficiency and effectiveness of expenditure.

The [2016 Global Accounts and Unit Cost Data](#) are available on the HCA website.

The [annual Global Accounts from 2012 to 2015](#) are also available on the website.

The Homes and Communities Agency is the single, national housing and regeneration delivery agency for England, and is the regulator of social housing providers.

As regulator, its purpose is to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs. It will do this by undertaking robust economic regulation, as enshrined in legislation, focusing on governance, financial viability and value for money that maintains lender confidence and protects the taxpayer.

For more information visit the [HCA website](#) or follow us on [Twitter](#).

Our [media enquiries page](#) has contact details for journalists.

For general queries to the HCA, please email mail@homesandcommunities.co.uk or call 0300 1234 500.

Press release: Wiltshire site owner fined for obstructing Environment Agency staff

From:

First published:

17 February 2017

Part of:

Preventing officers from investigating if a waste site in Trowbridge was operating illegally ends in prosecution.

Trying to stop Environment Agency staff from doing their jobs saw a businessman convicted of obstruction.

Bart Critchly-Clark, of Mill Lane, Monkton Combe, Bath, initially allowed environmental officers onto his premises at Riverway in Trowbridge. But after it was explained they were there to investigate claims of an illegal waste site, he became uncooperative. He refused to give his address. He refused to give his date of birth. And to stop officers from taking photographs of the premises, Critchly-Clark closed the entrance shutters.

To operate a business which manages waste, you must have an environmental permit from the Environment Agency. It details what can and cannot be done, to prevent impact on the environment and local community. To enforce this, Environment Agency staff have legal powers of entry and inspection.

In this case, the Environment Agency officers returned the next day, accompanied by police officers, gained access and finished their investigation.

Critchly-Clark pleaded guilty to a charge of intentional obstruction of an environment officer under the Environment Act 1995 and was fined £200 and ordered to pay £330 costs at Swindon Magistrates Court on 31 January.

Environment officer Huw Williams said:

The majority of the businesses we visit are welcoming and happy to work with us. But the Environment Agency has a zero tolerance approach to obstruction and threatening behaviour on our staff and we will not hesitate to prosecute.

News story: Change of venue for Crofton information event: Monday 20 February 2017

From:

First published:

17 February 2017

Part of:

Due to demand, we are moving the Crofton information event to a larger venue. The date and time of the event remain unchanged.

At the end of last year we wrote to residents about the launch of two public consultations on the High Speed Two (HS2) Phase 2b route. We also provided details of the information events we are holding, to give people the opportunity to speak to the project team and learn more about HS2 in your area.

The number of people attending our information events to date has far exceeded anticipated levels. As a result we have been reviewing all event venues to make sure they can cope with the significant demand and have taken the decision to move the Crofton information event to a larger venue. The date and time of the event remain unchanged.

The new address for the event on Monday 20 February 2017 (12pm to 8pm) is:

Cedar Court Hotel
Denby Dale Road
Calder Grove
Wakefield
WF4 3QZ

We recognise that the new venue is outside Crofton and may be more difficult for those without a car to access. We will be running a regular, free shuttle bus service between the High Street opposite Crofton Academy, the Redbeck Motel on Doncaster Road and the new venue. The timetable can be viewed in our original letter to residents below.

Government response: Addressing concerns about Kent oyster farm

The MMO has been contacted by members of the public reporting concerns relating to the use of non-native oysters and the deployment of oyster trestles to the west of Whitstable Harbour which they feel may pose a risk to swimmers, sailors and navigators.

We understand the Whitstable Oyster Fishery Company (WOFc) have deployed Oyster trestles in this location since 2009 although it is alleged that the footprint and number of trestles has recently increased over a relatively short period of time.

The MMO considers safety to be of paramount importance. We are currently working with both the Maritime and Coastguard Agency and Trinity House, as the statutory experts in the safety of navigation, to investigate the issues raised. This includes making sure that all necessary precautions are being taken in the interim.

A site inspection has been conducted which identified that 14 special marker buoys have been deployed to provide a warning of the presence of the trestles.

Our work on this is still ongoing and further updates will be provided on the MMO website when available.

Farming of non-native shellfish

The propagation of non-native species of shellfish is regulated by CEFAS. The MMO understands Whitstable Oyster Company has received such approval from them. Details can be found on the Cefas [public register of aquaculture production businesses in England and Wales](#) Queries about this aspect should be directed to Cefas in the first instance.

Relevant marine licensing legislation

The deposit of an object or substance from a vehicle, vessel, aircraft or marine structure and or the construction of works in the UK marine area is a licensable activity under part 4 of the Marine and Coastal Access Act (MACAA) although the Marine Licensing (exempted activities) Order 2011 (as amended) ("the amended order") provides a number of exemptions removing the requirement to obtain a marine licence for some low risk activities where certain conditions are met.

In particular exemption 13 of the amended order covers the deposit and removal of any shellfish, trestle, cage, pole, rope, marker or line in the course of propagation and cultivation of shellfish when certain conditions are met.

Further information relating to exemptions can be found on the [Marine licence exempted activities](#) page.

Applicants are required to satisfy themselves that their proposed activities meet the terms of any exemption they intend to rely on. In the event that it is subsequently determined that an activity undertaken was not consistent with the activity described or not in accordance with the conditions contained in the relevant exemption, then enforcement action may be taken.