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A self-employed gardener who trades under the name J&H Landscapes has pleaded guilty to two counts of fraud.

James Holmes, 29, appeared at Peterborough Magistrates' Court on Wednesday 12 July 2017 following a prosecution from the Peterborough and Cambridgeshire Trading Standards team under the Fraud Act 2006.

The court heard how Holmes had targeted elderly vulnerable people in Yaxley and Exeter, Devon, in order to get them to agree to having work carried out in their garden.

Holmes also pleaded guilty to one count of engaging in aggressive commercial practices in order to get the victim to agree to the contract contrary to Regulation 11 Consumer Protection from Unfair Trading Regulations 2008.

Holmes' business J&H Landscapes is registered to Thorney Road, Eye, and offences took place between May and August 2016. He was sentenced to 200 hours community work.

The Yaxley victims were cold called by Holmes who offered to carry out work on their patio, path and driveway for £450. No cancellation rights notice or written quote were provided as required by law. The elderly couple also did not give written permission to start the work straight away.

Holmes contacted the Exeter victim after she used a user rated price quotation website for gardening work.

The victim initially said no to him doing the work because she felt his price was too high. However, Holmes pursued the job and reduced the price until she felt unable to say no to an agreed price of £800.

Holmes did not provide this quote in writing or give the victim a notice of her rights to cancel the work within 14 days. He did not get her express written permission to start the work straight away.

After he started the work he insisted that he wanted payment in cash and not by BACS and it was at this point the victim decided to stop Holmes from working on her garden. This incident left the victim afraid to leave her own home.

In mitigation, the court heard how Holmes was a naive person and was not vindictive. It was claimed that he had an unstable income and a young family to support. He now realised he should have taken advice before setting up in business.

Emma Butterfield, Consumer Protection Manager for Peterborough and Cambridgeshire Trading Standards, said: "We are pleased with the court's decision to take action against this gardener who overcharged for his work and intimidated people.

"Residents should always get several quotes before agreeing to employ a tradesperson and remember that they should expect to receive a cancellation notice from the trader and have the opportunity to cancel a contract within 14 days if it is made at home."

To find a Trading Standards approved tradesperson you can visit the [buywithconfidence website](https://www.buywithconfidence.gov.uk/).
(<https://www.buywithconfidence.gov.uk/>)

Residents can contact the trading standards team in confidence by emailing trading_standards@peterborough.gov.uk.