

**THE CONSORTIUM OF THE LONDON BOROUGHS
OF
BRENT AND HARROW**

TRADING STANDARDS SERVICE

**ANNUAL REPORT
OF THE
DIRECTOR OF TRADING STANDARDS**

**FOR THE YEAR ENDED
31 MARCH 2006**

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TRADING STANDARDS ADVISORY BOARD

MEMBERS	BRENT:	<i>Councillor L Jones (Brent Chair)</i> <i>Councillor J Long</i> <i>Councillor J O'Sullivan</i>
	HARROW:	<i>Councillor B Gate(Harrow Chair)</i> <i>Councillor E Kinnear</i> <i>Councillor R Romain</i>

MAIN COMMITTEES

LONDON BOROUGH OF BRENT

Environment Portfolio Holder : Councillor Jones

LONDON BOROUGH OF HARROW

Environment Portfolio Holder : Councillor P O'Dell

Director of Trading Standards: John Taylor

FOREWORD

THE TRADING STANDARDS SERVICE

I have pleasure in producing the Trading Standards Service's Annual Report for the year 2005/6. Full details of the operation of the Service are enclosed and statistics showing our performance against targets can be found in the Appendices at the back. I should like to thank all the staff in the Service who have made such a considerable contribution to the work that has been achieved and am grateful for the support I have received from colleagues and Members in both Brent and Harrow Councils.

The Service continues to contain its 'uniqueness' in London by operating as a consortium partnership between the two Boroughs. All the staff are employed by Brent with both authorities having joint responsibility and the flexibility to set their own level of service. There is a statutory obligation on each Authority to enforce key pieces of consumer protection legislation that has to be through the local 'weights and measures authority'. The ability and agreement to combine resources means that the Service is one of the top performing ones in the Country when assessed on a range of outputs.

The Service also gives "prioritised" civil advice, with a Consumer Advice Officer (for each borough) that gives practical assistance to people seeking civil law redress through the County Courts and more details of these officer's work is detailed later.

The Service is well established, having been operating as a consortium since 1965 with tried and tested operational procedures and practices. Brent and Harrow have commitment to continue working together and a new agreement operated from 1 April 1995 under Section 101(5) of the Local Government Act 1972 with the Joint Advisory Board being the relevant body to discharge the functions of the Service.

The Service covers a geographical area of 9,361 hectares, (Brent: 4,325 hectares; and Harrow: 5,036 hectares), with a population of 479,602 (Brent: 267,741 (56%) and Harrow: 211,861, (44%) – (ONS 2004 mid year). Brent has an ethnic population of 54.7% and Harrow 41.2%.

The Service is accessible by telephone (including Mincom), fax, e-mail, web-site, videophone and personal visit. Opening hours are 9.00 – 5.00, Monday to Friday, with a facility to contact the Service outside of these times and leave a message.

The Service's objectives are documented in 'Objectives' below and reflect the wishes of all stakeholders. They are designed to promote the economic well-being and quality of life in the community by ensuring:

- Confident and knowledgeable consumers and businesses
- Support for competitiveness and enterprise in the community

- A fair and safe trading environment

Service Improvements and External Accreditation

This year the Service made a strategic decision to dispense with the external accreditation of our ISO 9001 processes. This was based on the increasing reliance on the EFQM[®] excellence model that encompasses more aspects of an organisation than the more narrower approach of the ISO 9001 procedures. We also submitted an application for the UK Business Excellence award and following a rigorous 3 day external audit, we were delighted to learn that we had achieved a 'Recognised for Excellence' award. We were even more pleased to learn that we were the first Trading Standards Service in the Country to achieve the award.

The Service retained its other accreditations either through the Environment and Culture overarching systems such as ISO 14001 and Investors in People, or through its internal systems for the 'Notified Body Status' and UKAS accreditation for its purpose built metrology laboratory. Notified Body Status authorises officers to carry out verification requests under EU legislation outside our area and we are one of a few Authorities in London to have such accreditation.

The Service achieved another Charter mark last year and is preparing for the assessment visit next year. We also retained our Community Legal Services Quality Mark.

In the course of last year, I reported that we had to vacate the offices at 249 Willesden Lane as a matter of urgency when part of the building flooded. I mentioned my personal pride in the way the upheaval was handled by staff within Trading Standards but also acknowledged the support and assistance from colleagues in Brent's Environment and Culture department. We maintained telephone availability throughout this time and officers were able to access their computers the following day in Brent House. Whilst we initially thought we would be temporarily at Brent House for a few weeks, it was not until May 2005 that we were given the all clear to move back. Once again, this was carried out efficiently and we were able to provide a seamless service to our customers. The Development and Support Team, who were most affected by the disruption, were recognised at the Staff Achievement Awards in Brent in November as a winner in the '*achievement in adversity*' sector, a fitting tribute to the team.

We received Consumer Support Network funding from the Department of Trade and Industry to set up a local Consumer Support Network, which has now been achieved. Funding had been awarded to carry out two CSN Projects to address areas of particular consumer need. One of these related to cold calling and doorstep selling to vulnerable consumers, and the other is to raise awareness, access and satisfaction levels amongst the Asian community. These needs were identified from our surveys.

The Service works closely with other Trading Standards Services in London, other departments in Brent and Harrow and with many other

organisations, including Police, Customs and Excise, Benefits Agency; Anti Counterfeiting Group; Community Legal Service; Local Courts, etc.

The legislation enforced by the Service is detailed in Appendix 1.

Service Policy Statement

The Trading Standards Service Policy Statement is: -*“The Trading Standards Service for the London Boroughs of Brent and Harrow aims to provide its customers with the highest quality of service in support of the Council’s commitment to serve the community”.*

Service Aim

The overall aim of the Trading Standards Service is **“to ensure a safe, fair and equitable trading environment exists for consumers and commerce alike.”** This aim will be achieved by enforcement of the legislation assigned to the Service, carried out with due regard to our policy statement and within the terms of our overall objectives.

Service Priorities

These have been set following consultation with our stakeholders and customers.

National Priorities: -

- i) Informed Confident Consumers.
- ii) Informed Successful Businesses.
- iii) Enforcement of a Fair and Safe Trading Environment.
- iv) Efficient, Effective and Improving Trading Standards services.

Local priorities (key result areas) for the Service are: -

- i) Investigation and speedy resolution of consumer complaints.
- ii) Advice to traders and consumers.
- iii) Inspection of relevant trade premises to achieve compliance.
- iv) Partnership working with other organisations.
- v) Promotion of these objectives to the community
- vi) Verification of trade equipment
- vii) Warning and prosecuting offenders where appropriate

Service Objectives

These have been set to reflect national and local strategies and through consultation with stakeholders:

- i) To enforce the legislation assigned to the Service.
- ii) To provide training and development for all staff within the resources available, which reflect both the needs of individuals and the goals and objectives of the Service.

- iii) To ensure that effective communication systems are in place, both internally and externally.
- iv) Ensure external accreditations are maintained and that best value services are provided through continuous improvement in service delivery.
- v) To provide an advice, information and educational service and to promote the Service within the consortium area.
- vi) To achieve wider participation of these objectives by reference to both Councils' corporate policies, Environment & Culture Services policies, and by promoting these objectives to existing and potential stakeholders.

ANNUAL REPORT OF THE DIRECTOR OF TRADING STANDARDS
FOR THE CONSORTIUM OF THE LONDON BOROUGHS OF
BRENT AND HARROW
YEAR ENDING 31st MARCH 2006

1 INTRODUCTION

This annual report details work from 1st April 2005 until 31st March 2006, the eleventh year of operation of the current Consortium arrangement. The Department of Trade and Industry has developed the National Performance framework and requires each Weights & Measures Authority to submit details of its work and statistics for each financial year. This will be audited by colleagues in other Authorities. This statutory return is attached to this report as Appendix 2.

The Consortium arrangement between Brent and Harrow is a long standing but unique operation in London, being formed under Section 101(5) of the Local Government Act 1972. The arrangement ensures fixed costs for the Service are shared and, therefore, provides value for money as well as being both efficient and effective. The arrangement has stimulated a great deal of interest from other authorities and it is interesting to observe that a number of Authorities are looking at joint working in some or all of the Trading Standards functions.

These are exciting times for the profession where the pace of change is increasing rapidly. The Department of Trade & Industry have had an agenda to improve services through the peer review scheme and the introduction of Consumer Direct. The Hampton Report recommended the creation of the Consumer and Trading Standards Agency but this was quickly replaced by the Local Better Regulation Office. It appears that the OFT will take on responsibility for the Trading Standards Service and the finer details are still emerging. The introduction of the Service into the Comprehensive Performance Assessment for each Local Authority puts Trading Standards under further scrutiny. The Trading Standards Institute has now merged the two professional examinations, namely the Diploma in Trading Standards (DTS) and the Diploma in Consumer Affairs (DCA) into DCATS (Diploma in Consumer Affairs and Trading Standards). This has been necessary to address the acute shortage of qualified officers within the profession.

The Service achieved the majority of its individual and exceeded the overall targets in both Brent and Harrow set out in our Service Operational Plan at the beginning of the year; we have ensured that our staff have received relevant and necessary training; that the public have been consulted through focus groups and surveys; and that awareness of the Service has been maintained through talks, displays, exhibitions and regular mobile display unit appearances.

In addition to this we have ensured that the purpose of the Service which is to enforce consumer criminal protection legislation through advice, help and where necessary legal action, has been achieved.

2 TRADING STANDARDS ADVISORY BOARD

The Trading Standards Advisory Board was scheduled to meet on three occasions during the year and discussed the following reports: -

19 th July 2005 (Harrow)	Report 5/05 Report 6/05	Annual report 2004/5 Consumer Support Network
22 nd November 2005 (Brent)	Report 7/05 Report 8/05 Report 9/05 Report 10/05	Trading Standards within the comprehensive performance assessment TS Budget for 2006/7 Weights and Measures Act 1985 Fees ½ yearly report on Service April – September 2005
21 st March 2006 (Harrow)	Report 1/06 Report 2/06	Service Operational Plan for 2006/7 Trading Standards budget 2006/7

The consortium agreement allows for each Authority to determine its own level of service reflecting their specific budgetary commitments and priorities, with fixed costs and variable costs dealt with separately and shared between the two boroughs. Members from both Brent and Harrow have been extremely supportive of the Service throughout the year.

3 STAFFING AND STRUCTURE

At the beginning of the year, the Service maintained its establishment of 34.6 which included a Harrow post that was kept frozen. At the start of the year two assistant enforcement officers were appointed and in June a Customer Services Officer. We had four resignations during the year, including the Service Development Officer and a Trading Standards Officer, a Senior Enforcement Officer and the Senior Customer Services Officer. All of the posts are due to be filled early next year.

It was agreed that the two Deputy Directors, who each head a borough team, should swap boroughs which occurred at the commencement of the year. This has allowed them to manage a different team as well as a different area and increase their experience.

As well of carrying out the “enforcement” work, all the legal work, including the representation in the courts is carried out “in-house” by Trading Standards staff. This continues to save the consortium in excess of £150,000 per annum and I am grateful to our staff for their detailed complicated work in this specialist area of our operation. Over the years the additional legislation that affects the procedure of a prosecution has increased and the officers have managed to keep abreast of such changes.

Details of the staff are detailed in Appendix 4.

4 TRAINING AND DEVELOPMENT

The Service’s mission statement on training and development is:

*“The Trading Standards Service of Brent and Harrow is committed to provide training and development for all staff within the resources available. Training will reflect the needs of individuals and ensure each member of staff is equipped to carry out their duties to their full potential and to reflect the goals and objectives of the service unit”.
These are: -*

- 1. To ensure all staff are fully trained on customer care issues and that staff are friendly, professional, efficient and helpful to users of the Service*
- 2. To ensure that all staff are competent in the use of information technology and the operation of the Service’s systems and database*
- 3. To ensure staff are properly trained to carry out all their respective duties including enforcement, legal and administration*
- 4. To maintain, wherever possible, relevant qualification courses like DTS (APEL); DCA; QA Lead Assessor; NVQ’s; Management; ECDL.*

The Service provided a minimum of 336 days training during 2005/6, which included 205 person days structured day/block release for DTS

(APEL) and DCA/DCATS qualification; in-house training for all staff of 2 hours per month; and other training as required. Much of this training was provided by our own staff wherever possible, covering new legislation and customer care issues.

Nationally the profession remains significantly under staffed with more officers retiring than qualifying, a situation that has existed for a number of years.

The Market Supplement that has been paid to qualified Trading Standards Officers has continued to be a positive attraction to the Service.

Almost all of the officers in the Service have now achieved the European Computer Driving Licence which demonstrates they have a basic level of knowledge and ability in the use of the I.T systems that are in common use nowadays.

I reported last year that we had an officer training to become an accredited Financial Investigator in order to utilize the provisions of the Proceeds of Crime Act. This was possible with Home Office funding and support, and I am pleased to report that he has achieved the qualification and can now conduct specific investigations into the benefit that a defendant has accrued from committing certain 'lifestyle' offences, such as the Trade Marks offences. The advantage of this will be that non-police organisations will be able to benefit from an incentivisation scheme that allows some of the proceeds obtained through a criminal lifestyle to go directly to the investigator's Authority. Though there is a considerable investment in terms of building up the skills for this, it is envisaged to be a real benefit in the future. Application to recover money obtained through a criminal lifestyle can be made against traders who make their living from selling counterfeit goods or through clocking motor vehicles and should be a real deterrent. At the moment some rogue traders see a conviction and a fine as a trading risk. We currently have one case due to be heard at Harrow Crown Court next year where the defendant has been found guilty at the Magistrates Court and this hearing will determine the financial gain derived from such offences.

The following topics of training have also been addressed during the year:

Diploma in Trading Standards*	Diploma in Consumer Affairs*
Quality Assurance Lead Assessor*	European Computer Driving Licence*
ISO 14001 auditor*	
Management Development	Travel Law Legislation
Counterfeit cigarette identification	Telpat database
Intellectual property	Travel Law update
Criminal evidence update	DCATS assessor
Equalities training for all staff	Manual Handling
Revised Code of Practice for prices	Metrology update
Investigative interviewing	General Product Safety Regulations
Financial Investigations*	Criminal Law update
Distance Selling Regs	Criminal Procedure Rules update
Petrol Forecourt safety	Civil Litigation Workshop
Manufacture and Storage of Explosives	Consumer Credit update

Equality Impact Assessments	Enterprise Act
Advanced Advocacy	EFQM understanding
Introduction to TS & Consumer Advice	Presentation skills
Chairing Effective Meetings	RIPA Update
Trade Marks & Fast Track prosecutions	Internet Investigations

* Indicates qualification course.

Much of the training was cascaded down to colleagues within the Service. The management team is convinced that training and performance are closely linked, a fact which is evidenced within the Service and is recognised by the Investor in People Award. Our training is targeted to achieving our aims and objectives as set out in our Service Operational Plan. The range of the training reflects the range of the skills demanded by the legislation we enforce and the duties we have to perform.

I mentioned earlier the integration of the two professional examinations which will make the route to becoming a fully qualified Trading Standards Officer more accessible. I have always believed that this should be the case and, as the qualification becomes more modular in its approach, it will be very positive, both for the Authority and for its staff. There is also a suggestion that officers should be able to demonstrate that they have achieved a certain amount of training each year which will contribute to their CPPD points.

5 PERFORMANCE STATISTICS

Attached as Appendix 3 are the performance statistics relating to the Service for the year. They detail the number of infringement reports submitted, the number of inspections carried out, the number of complaints investigated, the number of prosecutions completed and our telephone response performance. The details show both borough's individual performance, and the overall Consortium's.

Last year we completed 7253 requests for action and this year that figure increased to 7986, confirming our prediction that the introduction of Consumer Direct would lead to an increase in our workload. We had anticipated that the volume of phone calls would reduce as they became fully operational and this has been borne out by a total of 30259 for this year against 32078 previously.

Dealing with case management issues, officers submitted 202 infringement reports which led to 108 prosecutions and the Service was awarded £46558 in prosecution costs. The Service exceeded its targeted output by 17% which is an excellent figure.

I must congratulate all officers within the Service for carrying out this volume of work, whilst facing ever increasing demand with limited resources. This outcome could only be achieved through hard work and the synergy of teamwork.

We are achieving 100% compliance with BV Performance Indicator 166. The Service's National Performance framework return is detailed in Appendix 2.

6 ENVIRONMENTAL MANAGEMENT (ISO14001)

Four years ago, along with other units within the then Brent Environmental Services Directorate, the Service achieved registration to ISO14001 for our Environmental Management Systems. During this year, we had a further surveillance visit and I am pleased to report that our accreditation was renewed. The Service now has two qualified lead auditors.

As part of its commitment to the principles of ISO14001 and 'Continuous Environmental Improvement', we have maintained our 3 Environmental Management Programmes (EMP's), to manage areas of our work which the Service has identified as having a significant environmental impact. The 3 Environmental Management Programmes deal with the following issues:

i) Recycling of evidence due for destruction.

Many other Trading Standards Services are looking at how we dispose of evidence once its disposal has been authorised. Last year a total of 3460kg of evidence was recycled various organisations. This means that 93% of all spent evidence was recycled during the year. Prior to the recycling of evidence, much of it was disposed of through incineration and landfill sites. Where a levy or surcharge is anticipated, this is now itemised when claiming prosecution costs if proceedings are involved.

ii) Encourage advice to business on Trading Standards legislation that has environmental implications.

The amount of advice given to traders in the boroughs in order to promote their compliance with different environmental legislation that Trading Standards enforce, continues. We are fortunate in accommodating many national retailers' head office facilities in the area. By advising and assisting such companies on their environmental responsibilities, we hope to contribute positively to environmental issues on a national scale by influencing these businesses to be more conscious of their environmental responsibilities. During the year we received 12 complaints that had a specific environmental impact to the investigation and carried out 157 inspections of trade premises that had an environmental impact.

iii) Monitoring compliance by business with the Passenger Car (Fuel Consumption & CO²-Emission) Regulations 2001.

This legislation aims to give consumers information about new car fuel consumption and emission levels in a prescribed format, prior to

purchase. Compliance with the Regulations is regularly verified when conducting inspections.

These Management Programmes have now been completed, although their legacy, particularly evidence recycling, will continue. This coming year we will concentrate on the areas of Green Claims and Energy Labelling. Again the ethos of these will be to monitor compliance and raise awareness amongst local businesses and consumers.

7 BRENT TEAM

STAFFING

The Brent Team is headed by the Deputy Director and consists of thirteen members of staff who are responsible for carrying out all the enforcement functions under the various criminal consumer protection legislation and for providing advice and assistance to local consumers. During the first nine months of the year, the Team was fully staffed which gave a period of stability that has not existed in the recent years. However, this changed in January when a Senior Trading Standards Officer resigned her post and joined another authority and another Officer took maternity leave. Nevertheless, 2005 - 06 proved to be a very successful year which resulted in the Team exceeding its targets in all key areas of work, including infringement reports and prosecutions.

During the course of the year the team investigated 1642 criminal complaints compared to 1370 for the previous year. In addition to this, a further 1669 civil complaints have been concluded compared to 1815 in 2004-5. There are probably a number of reasons for the overall increase in the number of complaints investigated during 2005-6, such as increased awareness of the Service amongst local residents, referrals from Consumer Direct and trader enquiries due to the changes in the licensing laws.

In addition to the above, the team has conducted 2766 inspections/visits of trade premises. This figure is slightly lower than in previous years as there has been a change in our policy and to concentrate on carrying out inspections of all high risk premises. This is due to the fact that the DTI performance indicator for this year was to complete 100% inspections of high risk premises, which I am proud to say was successfully achieved. The only other performance indicator for Trading Standards is to report on the number of businesses that are found to be 'non-compliant' after the initial inspection against the number that are made 'compliant' after advice has been provided or after any other form of enforcement action has been taken.

During the course of this financial year, 93 infringements reports were submitted by the Brent team and 58 prosecutions were completed in the courts compared to 52 and 30 respectively for the previous year. A further 25 traders were issued with letters of warnings or formal cautions where legal proceedings was not considered to be appropriate.

Safety & Metrology Team

The Metrology and Safety team consists of a Principal Trading Standards Officer, a Senior Trading Standards Officer, one Senior Enforcement Officer, a newly promoted Enforcement Officer and an Assistant Enforcement Officer. In addition to this, one Enforcement Officer, who embarked on the Diploma in Trading Standards studies through the APEL route, qualified as a Trading Standards Officer. However, one member of the team commenced her maternity leave from January 2006, and the Senior Trading Standards Officer left the Service at the same time to join another Authority. During March 2006, a Senior Enforcement Officer from Harrow joined the team and is on the verge on completing his studies to become a qualified weights and measures inspector.

The team deals primarily with the enforcement of legislation covering weights and measures, the safety of consumer goods and the pricing of goods and services. Enforcement work is carried out on a proactive and reactive basis, through routine inspections, project work and consumer and trader complaints/enquiries. Enforcement action resulting from these can result in education of consumers and traders and investigations into criminal offences where there has been a breach of consumer protection legislation.

This year saw the introduction of a new key performance target, in that 100% of high risk premises within the borough had to be visited. The vast majority of premises that are deemed to be high risk are those that manufacture, wholesale and pack goods. Those types of traders are generally the concern of the Brent Metrology team and every effort was made to ensure that all such premises were visited and advice given.

This has been an incredibly busy year for the team, primarily due to the amount of self generated work and new initiatives which were undertaken to protect the interests of Brent residents. The team produced 46 infringement reports dealing with a wide spectrum of legislation. Additionally, the team completed 3 projects and participated in another 2 jointly with the North West London Trading Standards Group. The team visited a large number of businesses to check for compliance and played a major role in the regulation of businesses following the introduction of new licensing laws. The level and quality of the work produced is a testament to the efforts of the team.

An area of concern that has been highlighted over the years is the safe fitting of child car seats in road vehicles. The team were tasked with arranging the testing in both boroughs. The free testing took place in the car parks of two major supermarkets in Brent and Harrow. Over the three days, 92 child car seats were tested. A staggering 60% were found to have been fitted incorrectly. Of the 55 incorrectly fitted seats, the expert was able to remedy the majority of them in situ. As mentioned in my previous report, it was decided that in future this exercise should take place with other interested agencies. Therefore, this year the car seat testing was conducted during the child safety week, which is a nationwide campaign run by the Child Accident Prevention Trust. This campaign

attracted national press coverage on GMTV and BBC Radio 1. The team participated in this campaign with other agencies such as Brent Primary Care Trust, local Health Visitors, NHS Stop Smoking Group, Homestart Charity and the Fire Service. The primary aim of the campaign was to raise awareness of the measures that could be taken to avoid child accidents and to provide advice on what to be aware of when buying consumer goods for children. Parents were given advice on how to buy goods such as prams, baby soothers and bunk beds. The value of this campaign was highlighted again following a recent investigation by the Consumers' Association, who found that child seats were often incorrectly fitted by parents and professional fitters.

As a result of the findings of the previous year's project on metrication, it was decided that the team should repeat the exercise to see if there had been an improvement in this particular area of trade. The legislation in relation to metrication has been in force since January 2000. Nevertheless, there are a number of traders who continue to flout the law and sell their goods only in imperial quantities. The stance taken by the team has been to test purchase goods from these traders and to inform them in writing about the relevant law. A number of traders stated that they were reluctant to switch to metric pricing as their customers demanded goods in imperial quantities. As a result of this the Service also provided posters to traders in order to give an explanation to their customers of the legal requirements relating to the sale of goods in metric quantities. This poster was accompanied by an imperial to metric conversion chart.

Following this advice, a large number of traders were found to be complying with these requirements. The small number of traders who were continued to trade in imperial quantities were investigated. As a result of this, a business in Harlesden was prosecuted for selling in imperial quantities and for selling short weight meat. The two partners were found guilty and fined £3600 and ordered to pay £726 in costs.

Another area of great concern to the team is the sale of age restricted goods to minors. As a result of the work carried out by the team, a number of successful investigations were concluded during the first six months of this year. For example, a company in Ealing Road that specialises in fireworks sales was prosecuted at Brent Magistrates Court and ordered to pay a fine of £500 and costs of £543 for selling to a 13 year old girl. Another trader whose shop was adjacent to two schools was also prosecuted for selling fireworks to an underage child. He was fined £500 and ordered to pay £453 in costs to this Service.

A number of other traders have been prosecuted for selling age restricted goods, such as alcohol, knives and butane to minors. In one such case, a child was sold alcohol by a sales assistant who had not received sufficient training from the two licensees. All three were prosecuted by the Service who were each fined £300 and ordered to pay costs totalling £700.

In another case a trader left his shop to be minded by two untrained assistants who went on to sell a knife set to two twelve year old children.

This trader was fined £2000 and ordered to pay £736 in prosecution costs. Another trader who was operating from Wembley Market sold a knife to a twelve year old child and was fined £900 and ordered to pay £575 in prosecution costs. It is heartening to note that the sale of knives and other bladed articles is being taken seriously by the courts and the fines imposed in the above cases should act as a deterrent for other traders who break the law.

A trial was also concluded when a local trader pleaded not guilty to selling butane gas to a child. The trader, despite answering questions in an interview under caution, claimed in court that he was not the owner of the business. However, the Magistrates did not accept his story and he was ordered to pay a £500 fine and £927 in costs.

Another area of responsibility for the team is to ensure the safety of products. Two cases that are noteworthy concern the sale of cosmetic products containing Hydroquinone. This ingredient is commonly used in skin lightening creams and has carcinogenic properties. As a result of this, the use of Hydroquinone was completely banned from such products. A large quantity of cosmetics containing this banned ingredient was discovered from a local shop culminating in the seizure all of those goods. The Cricklewood based trader was prosecuted and fined £500 and ordered to pay costs of £1249.

In another case, the team received information that a trader based in Cricklewood was selling non-compliant furniture in terms of its resistance to fire. Following this, an upholstered chair was purchased from the trader and tested against the relevant British Standard. The test revealed that the chair was indeed non-compliant. As a result of this, a visit was made to the trader's business premises where a large number of upholstered furniture items were suspended from being sold. The effect of a suspension notice was that the trader was unable to move or sell any of the items. The trader was prosecuted and fined £1500 along with an order for payment of prosecution costs amounting to £1585.

This year is also the year that the new licensing regime came into force for businesses selling alcohol, or having late night entertainment, etc. As a 'responsible body' for such matters, the Service had been inundated with applications and has made a tremendous effort in visiting every one of the licenced premises selling alcohol so that an input may be given in terms of compliance.

During the course of this year, the team worked in conjunction with the Police and Environmental Health to assist in the Alcohol Misuse Enforcement Campaign (AMEC). This national campaign was launched by the Home Office to tackle the problem of underage drinking and other alcohol related anti-social behaviour.

Under the Licensing Act 2003, Trading Standards Officers are now permitted to authorise test purchases to monitor the sale of alcohol to underage children. During the campaign, test purchases were carried out at both on and off licensed premises.

The first campaign in November yielded no sales from off-licensed premises which perhaps was as a direct result of the fact that similar test purchases exercises had been carried out in the past from these type of premises. However, the results from test purchases conducted at on-licensed premises were in stark contrast to the findings of the visits to off-licenses. Out of the 30 on-licensed premises visited, a staggering 14 sold alcohol to our 15 year old volunteer child. The police issued fixed penalty notices to the sellers and, in some cases, formal cautions were issued to the respective licensees.

The second AMEC campaign took place in February/March during which a total of 81 attempted test purchases were made at both on and off licensed premises. A total of 13 sales took place which resulted in fixed penalty notices being issued to the bar staff. Investigations are continuing against the licensees with a view to taking legal proceedings under the Licensing Act 2003.

The team has assisted in a number of projects running throughout North West London. One such project carried out in the summer concerned the sale of electric fans which revealed a number of safety failures. As a result of this project a number of prosecutions were undertaken, including one against a wholesaler based in Wembley. This defendant company was fined £2800 and ordered to pay £575 in costs.

Another project investigated the sales of loose goods from bulk, such as items from a delicatessen counter, fish, chocolates, and Indian sweets. In one case, a trader was found to be selling sweets in cardboard boxes and charging for the gross weight. This meant that consumers were being asked to pay up to 80 pence for a box that costs not more than 5 pence. The trader was issued with a formal caution in this case.

Pricing problems form a large part of the work of the team. A number of complaints emanate from the emotive area of car clamping. In the last year the team has been involved in two cases that have gone to court involving clampers operating on private land. In the first of the cases, a company were summonsed for giving a misleading price as to the cost of the clamping. The company failed to attend court and the matter was proved in their absence. They were fined £2000 and ordered to pay £878.50 in costs. The second case involved clampers who were charging an additional amount if the payment was made by credit card. The signs at the premises did not state the surcharge which is a legal requirement in the event of payment being made by any other means other than cash. This case was taken jointly with the Harrow team and the company was fined a total of £900 and ordered to pay costs of £752.

Fair Trading Team

The Brent Fair Trading team is headed by a Principal Trading Standards Enforcement Officer with four Enforcement Officers and an Assistant Enforcement Officer. The Consumer Advisor for Brent, who is responsible for providing civil advice and assistance to local members of the public, is also based in this team.

The team deals primarily with fair trading legislation covering the Trade Descriptions Act 1968, Trade Marks Act 1994, Video Recordings Act 1984 and other similar consumer protection legislation. The team ensures compliance with the legislation by investigating complaints made by the public and other traders, and by carrying out routine inspections and projects. For the first time the team looked at alternative ways of providing advice and taking enforcement action. This allowed traders the opportunity to decide how they wish to receive advice with respect to certain types of legislation i.e. instead of the normal inspection the trader can ask for relevant leaflets, attend a meeting or short seminar. The first two business areas that were targeted this year were travel agents and estate agents.

The Brent Fair Trading team continues to develop close links with our partners with respect to enforcement. In addition to a number of multi agency partnership working days this period an officer attends the joint intelligence meetings held at Wembley Police Station. This has enabled officers to obtain the assistance of their officers for a number of operations. For example, we have been able to mount effective and very successful joint operations at Wembley Market with respect to the seizure of counterfeit goods.

An area of concern for consumers is whether their rights are protected when they make online purchases of goods and services. Two projects have been completed looking into the Distance Selling Regulations and whether insurance companies are giving the discounts that they claim that they will provide when you purchase your insurance directly from their web sites. The officers also checked to see whether traders who have previously been advised are still breaching these Regulations. Their concerns were well founded as they discovered that there are traders who still appear to be taking advantage of consumers who are not aware of their rights. Action under the Enterprise Act is being considered to ensure that the traders who breach consumer protection legislation give written undertakings stating that in the future they will refrain from similar practices that are detrimental to the collective interest of consumers.

The Civil Advisor has been able to obtain a total refund of more than £25000 for consumers during this year, which is an excellent figure. He has also been able to have a number of remedial works undertaken and goods replaced for local consumers who have been in dispute with businesses. Examples of successful interventions by the Consumer Advisor includes the replacement of a kitchen and a laptop.

A consumer joined an introduction agency in October 2004 which entitled him to 18 introductions. He paid £1395 for 'gold' membership. The consumer had two introductions before being diagnosed with Lymphoblast Leukemia. The consumer wrote to the trader wishing to cancel the agreement and detailed his condition in the letter. The trader initially refused, but working in partnership with Kent Trading Standards, who are the Home Authority for this business, the Company were persuaded to refund £1000.

Two traders were asked to sign undertakings under the Enterprise Act agreeing to refrain from any activity that would be detrimental to the interest of their customers. The first trader signed an undertaking stating that he will refrain from taking away consumers statutory rights when faulty or unsatisfactory goods are supplied. The second trader was making a 15% 'restocking charge' when consumers returned goods that were subject to the protection that is provided by virtue of the Distance Selling Regulations.

The Approved Motor Trader Scheme is still a high profile initiative that the Brent Fair Trading is hoping to spread across the borough. A large nationwide motor dealer has become the most recent member of this scheme and we are looking at different ways to engage the public and increase the membership even further. Several other local motor traders have indicated their interest in joining, but they have to undergo a strict audit by this Service before they can be accepted as members.



Successful prosecutions undertaken by the team include two dealers who were found guilty after a trial lasting nearly three weeks at Harrow Crown Court of clocking over 1,000,000 miles from a number of used cars. The investigation into the two traders was very lengthy and time consuming as they attempted to cover their tracks and evade detection. More than 50 summonses were issued and these were reduced to 21 counts on the final indictment. For the first time, the Service alleged an offence of conspiracy to defraud as it was felt that this reflected their overall modus operandi. The trial involved the attendance of over 40 witnesses and three interpreters. One trader was found guilty in his absence and received a prison sentence of 30 months and the other, who did attend, received a 24 months prison sentence. The Court awarded £36,000 costs to the Service and compensation to 15 victims which amounted to £14,000. The defendant, whilst still in prison, appealed against his sentence and the amount of costs that had been awarded against him. The Court of Appeal upheld his 24 month prison sentence, but dismissed the order for costs and compensation that had been made against him due his lack of financial means. The net result of this is that we will not get a penny of the costs incurred in bringing this prosecution.

Another car trader pleaded guilty at Harrow Crown Court for selling cars with false mileage readings. His method of selling was to leave the cars parked on the roadside, normally in the Honeypot Lane area, with a 'for sale' notice attached. Despite our suspicion we could not prove beyond a reasonable doubt that he had actually clocked the cars himself, and he was sentenced on that basis. He was given a 240 hours community service order and ordered to pay prosecution costs of £3397. The court also ordered him to pay £925 compensation to one of his customers who had been deceived into purchasing a 'clocked car' from him.

The owner of a car sales business based in Harlesden also pleaded guilty at Brent Magistrates Court to selling vehicles with false mileage readings. He was fined £1500 and ordered to pay prosecution costs of £700. Furthermore, he too was ordered to pay compensation of £450 to one of his customers who had purchased a vehicle which had had its mileage turned back by over 20,000 miles.

A Kingsbury trader was successfully prosecuted for selling counterfeit cigarettes. He was fined £2000 and ordered to pay prosecution costs of £622. As everyone knows cigarettes are dangerous to health, but counterfeit cigarettes are even more harmful as they contain cancer causing substances at much higher levels than genuine products.

A shop assistant pleaded guilty at Brent Magistrate's Court for supplying a 12 year old boy with cigarettes despite the fact that tobacco products cannot be supplied to anyone under the age of sixteen. This assistant was fined £100 and ordered to pay costs of £50. The owner of the shop was given a conditional discharge for a year with no separate penalty for a further offence of not displaying a correct tobacco notice. Needless to say the Service was very disappointed with these penalties as it appears to reduce the seriousness of these offences. These penalties appear inconsistent with the government campaign to prevent children from taking up smoking at an early age.

In another case a sales assistant who sold cigarettes to an underage child received a formal caution that will remain on file for three years. The reason why no action was taken against the owners of the business was because they were able to demonstrate that they had provided appropriate training to the sales assistant with respect to the sale of age restricted goods.

A Willesden based builder pleaded guilty at Brent Magistrates Court for applying the term 'ACIOB' after his name, indicating that he was a member of the Chartered Institute of Building. A consumer relied on this and discovered that the claim was false after complaining to the Chartered Institute of Building when the work the builder carried out was substandard. He was fined £1250 and ordered to pay costs of £844.

The Package Travel, Package Holidays and Package Tours Regulations 1992 provides protection to holiday makers in the event of a tour operator becoming insolvent which could potentially leave them stranded abroad. These regulations require businesses that arrange package holidays to provide, amongst other things, information relating to the arrangements

for security for clients' money and for the repatriation of the consumer in the event of insolvency. One such Wembley based tour operator and its Director were prosecuted by this Service for failing to provide this information in their brochure despite the fact that they had been advised of the legal requirements in the past. The company and the Director were fined a total of £1,400 and ordered to pay £700 in costs.

Following a project to monitor whether local businesses were complying with their obligations under the Hallmarking Act 1973, a Wembley jeweller was prosecuted by this Service for supplying unhallmarked jewellery and for failing to display the respective selling prices. This particular trader was advised on two separate occasions about the legal requirements but failed to take any steps to comply with the law. Following a third visit it was decided that the only way to make sure that this trader complies with his legal obligations was to institute legal proceedings. At Brent Magistrates Court the jeweller pleaded guilty to all the summonses and was fined £1,100. He was also ordered to pay £1240 in prosecution costs to this Service.

As a result of a routine visit to Wembley Market, Trading Standards Officers seized over 430 pairs of counterfeit jeans bearing the names and logos of designer companies such as Armani, Diesel and Moschino. The retail value of the counterfeit jeans was over £15,000, but had the goods been genuine, then the actual loss to the industry would have been in excess of £52,200. The trader was fined £1,500 and ordered to pay £1039 in prosecution costs. The Magistrates also granted a forfeiture order for the counterfeit jeans.

The team have also been involved in two operations in partnership with the local police and other agencies. The first, code named '*Operation Heraclites*', was carried out as a pilot to combat the problem of distraction burglary and doorstep crime. Statistics show that distraction burglary is at its peak in the months leading up to Christmas and the victims tend to be the more vulnerable members of our society. The Service joined operations with the police to concentrate on burglary hotspots to check on the validity of tradesmen who were working on properties in these particular areas. During this exercise, one trader was found to be leafleting consumers and offering his services as an odd job builder. Checks revealed that these leaflets did not comply with the relevant consumer protection legislation, including the fact that no information was provided about the owner of the business, nor about consumers rights when contracts are concluded away from business premises. Under these circumstances, consumers are entitled to cancel a contract within seven days of signing an agreement. Feedback from the Police showed that whilst this pilot was being conducted there was a fall in the burglary figures.

During the weeks leading up to Christmas, this Service, in partnership with other agencies, led on '*Operation Dawn*' to combat the sale of counterfeit goods from Wembley Market. This four week exercise was conducted as a result of continued complaints about counterfeit goods

being sold there. The operation involved the seizure of suspected counterfeit goods valued at over £1.5 million. Over thirty cases are currently being investigated at present with a view to taking legal action through the courts.

The raids led to widespread publicity and were featured on GMTV, ITV (Tonight with Trevor McDonald), BBC Radio Five live and the Sunday Mirror. The work carried out by Service during this operation was also featured on the Money Programme in relation to the widespread problem of counterfeit goods. The Service was specifically quoted by the author and journalist, Tim Phillips, in his book "*Knock Off - The Deadly Trade in Counterfeit Goods*" which was published in 2005.

8 HARROW TEAM

STAFFING

The Harrow team is headed by a Deputy Director and consists of twelve members of staff who are directly responsible for all the Trading Standards enforcement functions within the London Borough of Harrow. At the beginning of the year the team was fully staffed. One Senior Enforcement Officer commenced maternity leave during the summer and is due to return next year. In November another officer swapped teams with an officer from the Brent team. Unfortunately the replacement officer resigned from the Service in January but this post was filled in March. I was very pleased that the successful candidate had previously worked for this Service as a Senior Enforcement Officer but had resigned in 2004 in order to travel. Following the resignation of a Trading Standards Officer in the Brent team, a Senior Enforcement Officer studying for the DTS qualification through the APEL route was transferred to that team and the resulting vacancy was filled through the promotion of the Borough's Consumer Advisor to Enforcement Officer. This vacancy is expected to be filled next year. The post that was frozen in last year's budget has remained frozen and I hope that this can be filled at some stage when one looks at the ever increasing demand on the Service.

During the course of the year, the Team investigated 1279 criminal complaints, 149 'Home Authority' referrals and 245 requests for action from local businesses. The respective figures for 2004/2005 were 934 criminal complaints, 149 'Home Authority' referrals and 228 enquiries from local businesses.

Furthermore, 109 infringement reports were submitted by Harrow officers and 34 prosecutions were completed in the courts compared to 126 and 30 respectively in 2004/2005. Of the infringement reports, 31 were as a result of a complaint and 78 as a result of an inspection by an officer. A further 37 traders were issued with letters of warnings or formal cautions where legal proceedings was not considered to be appropriate.

The Team has conducted a total of 2489 visits to trade premises during the course of this year compared with 2613 in 2004/2005. The team achieved a creditable 100% inspection rate of the High Risk premises.

It is to the credit of the officers in the Team for ensuring that this year has once again been very productive in terms of not only the outputs, but also insofar as innovative and varied nature of the work concerned. The Consortium statistics can be seen in Appendix 3. The Team also ensured that regular exhibitions and talks were given with the Borough.



Exhibition at St Georges Centre in Harrow

INVESTIGATIONS

Metrology/Safety Team

The Team is responsible, together with the Brent Metrology and Safety Team for responding to requests from traders to test and verify as correct, any metrology equipment which is being used for trade. This could be carried out under UK or EU legislation and is an important source of income for the Service. The Service holds Notified Body Status, which enables our officers to carry out such work outside the Consortium area under EU legislation. However the demand for our services is declining, particularly in the area of liquid fuel verification, as self verification gathers momentum.

The team consists of one Principal Trading Standards Officer, one Senior Trading Standards Officer, two Senior Enforcement Officers, and one Assistant Enforcement Officer. The Assistant Enforcement Officer is a new member of staff, and he has just successfully completed his probationary period with the Service. During the last year one of the Senior Enforcement Officers has been completing a rigorous course of study to enable him to qualify as a Trading Standards Officer. Unfortunately during the last few months of the year two officers have moved to other teams. One Enforcement Officer has moved permanently to the Brent Team and his post will be filled later in 2006, while another Enforcement Officer has moved temporarily to the Harrow Fair Trading

Team to cover until that post is filled. I am pleased to report that we have now recruited into that post, and the Officer from the Harrow Metrology and Safety Team was able to return in March.

In terms of enforcement work during this period, there has been a regular supply of consumer complaints and trader enquiries that have been investigated and responded to, together with pro-active visits to traders across the Borough. Some of this pro-active work has resulted in warnings being issued to traders, whilst in other cases legal proceedings have been instituted against the offenders. The full implementation of the Licensing Act 2003 has also brought extra duties to the team. This Service is one of a number of "Responsible Authorities" under the Act, and our objective is to protect children from harm. This could include, for example, the prevention of under age sales of alcohol and cigarettes. Other responsible authorities include the Police, Environmental Health Service, and the Planning Service.

One positive outcome for the Service is closer, partnership working with the Police Service in the area of alcohol enforcement. The Government instituted the Alcohol Misuse Enforcement Campaign (AMEC) in 2005 which encouraged different enforcement agencies to work together. This team carried out many operations in conjunction with the Police concerning the under age sales of alcohol at off licenses, and has recently begun to assist the Police in the enforcement of under age sales in public houses in Harrow. This area of work is expanding and will continue during next year. The advent of Safer Neighbourhood Police areas has made it easier for joined up working between our Service and the local Police, and it is hoped that a good working partnership can be steadily built between us.

There have been a large number of license applications during this period and officers from this team have conducted visits to many traders to advise them of their obligations under the Act. This is a good example of successful partnership working by the authorised bodies, as there is a regular exchange of information occurring, to enable joined-up enforcement activity to take place. Other, routine visits occur according to the risk factor associated with the premises. Up to the end of September the Team had carried out a total of 386 visits to a variety of premises. Of these, 28 were to high risk premises, and it is anticipated that by the end of the financial year, all the high risk premises for which this team has the responsibility, will be inspected.

One licence application was received from a trader who, during the previous year had been prosecuted for the sale of alcohol to a child. He was applying to be the "designated premises supervisor". Consequently this Service completed a written representation to the licensing authority and a hearing was convened by the Licensing Panel. Other representations had been received from the Police and Environmental Health on other matters concerning the application, and the result of the hearing was that the applicant was prevented from becoming the designated premises supervisor. Other conditions were also placed on his licence relating to the representations made by the other enforcement

authorities. The work involving the Licensing functions has been carried out without any additional resources being provided to the Team, placing a large burden of extra work for the Officers concerned.

The team also carries out project work during the year and has participated in a number of projects, some locally, and some in conjunction with other North West London Trading Standards authorities. One project, which arose following a review of consumer complaints, involved test purchasing of food products sold from bulk, often by gross weight. Ten purchases were conducted, of which five related to Indian sweets, four of which were sold by gross weight, meaning that the consumer is paying for the container. However, this fact was not made clear to the purchaser and the traders have now been advised accordingly.

Another project conducted across North West London authorities concerned the safety of electric fans. Many were purchased and tested by an expert electrical engineer. One purchase revealed significant safety failures and a prosecution is currently pending against the importer who is based in Ealing. A suspension notice was issued to the retailer in Harrow, preventing him from selling, or otherwise disposing of twenty-nine dangerous fans.

In conjunction with the Brent Metrology/Safety Team we conducted the annual project on the safety of electric blankets being used in the home. Two days of free testing were organised, one in Pinner and one at the Harrow Leisure Centre. The take up was so large by the public from both Boroughs that an extra day of testing was hastily organised at our offices.

The results continue to concern us as out of a total of 160 blankets tested for electrical safety, 56 were failed by the engineer. Of these, 139 were from Harrow residents, of which 50 were failures. They were deemed to be too unsafe to continue in use. Fortunately most consumers were agreeable to leaving the blankets with us for destruction as we had also organised a discount for any new blankets purchased by a consumer as a result of a test failure.

This project was carried out in partnership with the Fire Service who were able to attend the test days and provide advice to consumers on the area of fire safety in the home. This particular project is always very well received by consumers, and this is reflected in the fact that the take up is usually very high. The team received many favourable comments from consumers and this is clearly a project that will continue in future years. Hopefully, the number of dangerous electric blankets in use in Brent and Harrow will drop in the future.

One ongoing project, following the success of the good trader scheme for motor traders, is the good trader scheme for traders selling age restricted products. Both the Brent and Harrow Metrology/Safety Teams are working on a pilot project involving two wards in each Borough. The project is still at an early stage but the traders in the two selected wards in Harrow will receive information on the good trader scheme in April. It is hoped that

there will be a significant take up in these two wards leading to the scheme being widened to include the whole of Harrow.

During this period there were many visits carried out to traders to ensure that the legislation relating to under age sales was being complied with. Attempted test purchases were made by child volunteers of alcohol, spray paint, knives and butane. I am pleased to report that the actual number of sales continue to fall each year and it seems that most traders are benefiting from the many advice visits carried out by officers from this Service. However there were sales of spray paint, a knife and alcohol to children. Two were dealt with by way of formal cautions and the alcohol sale proceeded to the Magistrates Court. The seller was fined £250 and ordered to pay costs of £200, and the licensee was given a conditional discharge for one year and ordered to pay costs of £400.

The team continues to publicise the Service by press release as well as attending regular exhibitions at events around the Borough. One such event was the "Under One Sky" festival in the summer at Byron Park. Officers from this team attended an event organised by Age Concern in November regarding safety in the home, which was highly successful in terms of publicising the Service, as well getting the opportunity to advise consumers face to face.

This team is also responsible for the enforcement of legislation surrounding the storage and sale of fireworks. A change in the law this year meant that much time needed to be spent amending our advice leaflets to traders, as well as carrying out many personal visits to traders, to ensure that they understood the new legal requirements. I am pleased to report that there were no serious breaches of the legislation in this area, although two traders were warned for selling fireworks outside the permitted dates. There were no under age sales of fireworks detected in Harrow this year, proving that consistent advice over a number of years, as well as prosecuting offenders when sales take place, constitutes effective enforcement.

There have also been many completed investigations during this period and these are some of the more interesting cases concluded.

A trader based in Enfield was prosecuted, fined £1250 and ordered to pay costs of £855 for importing unsafe halogen heaters. The heaters were discovered to be on sale in a shop in Harrow Weald and that they had a serious design flaw. The carrying handle had a large hole in it enabling fingers to touch live parts resulting in electrocution. As a result the Company agreed to modify the design of the product in the future.

Another case concluded during this period involved the importation of unsafe electric fans by a company based in the London Borough of Ealing. A routine test purchase had been made from a shop in South Harrow and after the item had been submitted for testing, the fan was found to have inadequate protection against electric shock and mechanical injury. It was also found to have inadequate wiring as well as inaccurate fitting instructions for the guard. During the investigation it transpired that the importer had failed to adequately check some 6500

fans which were imported from China. The company were fined £1750 and ordered to pay £792 in prosecution costs. A further case involving a large number of unsafe electric fans unfortunately could not proceed to Court, as the defendant company went into liquidation shortly before legal proceedings could be instituted.

Another interesting case involved the importation of skin lightening creams from Africa which contained a banned substance, hydroquinone. Much stock was seized from the trader in Kenton and tested by an expert. The trader concerned was fined £250 and ordered to pay costs of £500.

Much work has also been carried out by this team to ensure that all goods are properly priced in self service shops around the borough. This has been an area of work neglected in the last few years, and it is no surprise that five shops have been officially warned for not pricing goods, and further visits to check compliance will be carried out in the coming few months.

Finally, a large national chain of opticians accepted a formal caution for misleading a consumer into thinking that they could obtain designer frames for a reduction of 50% off the purchase price. Officers from this Team visited the store, in Harrow Town Centre, who had large posters on display advertising "half price sale on latest frames", listing a number of designer frames underneath, such as Gucci, Prada and Dolce and Gabbana. On inspection, the Officers found that there were only 8% of the total stock available at the maximum discount of 50%. Of these, none were any of the designer frames listed on the poster. The Code of Practice on Price Indications stipulates that there must be at least 10% of the stated stock items available to purchase at the maximum advertised discount.

The Officers re-visited the store some days later and found that the promotion had changed to 20% off designer frames. Again a full inspection was carried out, and it transpired that there were only 2.4% of the designer names on the poster available at the maximum discount of 20%.

It must also be noted that the Team has been assisting the Harrow Fair Trading Team in the regular patrolling of St Anns shopping centre, dealing with illegal street traders often selling counterfeit DVD's. However, there seems to be a never ending supply of these traders, and many more patrols could be made, resources permitting.

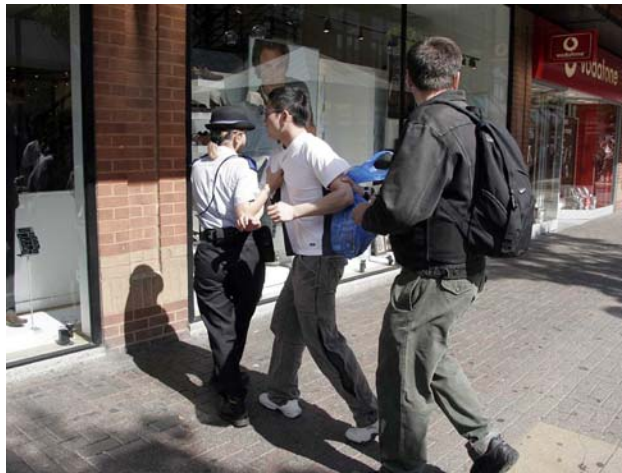
Fair Trading Team

Harrow's Fair Trading Team consists of one Principal Enforcement Officer, three Enforcement Officers, one Consumer Advice Officer and one Assistant Enforcement Officer. The team is responsible for enforcing an extremely diverse range of legislation and deals with the majority of the criminal complaints made by Harrow residents as well as providing a civil enforcement function under the Enterprise Act. The team also provides a very popular advice and intervention service which helps Harrow consumers resolve civil disputes with traders and if necessary assist them with Small Claims Court actions.

This year, the team dealt with 484 complaints and carried out 559 visits to trade premises. The teams visits are prioritised on high risk premises wherever possible. This year the team have produced 81 infringement reports, dealt with 207 requests for civil intervention reported 8 matters with respect to instituting County Court Proceedings and recovered a total of £32,255 for residents of the Borough who have been involved in civil disputes.

A major problem which refuses to go away in the Harrow area is the proliferation of street traders selling counterfeit and pornographic DVDs'. These traders often have language difficulties with English and no permanent address, which make dealing with them effectively a major problem. The traders generally congregate in the St Anns area of central Harrow, but are also known to frequent other parts of Harrow.

This year the team have received 71 complaints on this issue alone which was by far and away the single issue of most concern to residents. The problem continues to be tackled on a multi-agency basis with regular liaison between Trading Standards, Police, CCTV and Immigration. In view of the large number of complaints received the team have continued to devote considerable resources to this issue. During the year a number of high profile operations were set up to discourage these traders, together with more regular enforcement on a smaller scale. In the most recent operation, code named "Predator", twelve sellers were arrested in a zero tolerance approach by Police and Trading Standards Officers. These traders, many of whom were well known to the Service were interviewed, charged and kept in custody over the weekend until Court on the following Monday.



At Court most of the traders asked for a catalogue of previous offences to be taken into consideration. As a result of this operation three traders received prison sentences of up to 28 days while the rest were given conditional discharges. It seems that the Courts are starting to take these offences seriously at long last.

Operations to counter these sellers are resource intensive and they have drained the team's small overtime budget to the point that they are no

longer able to maintain a regular presence in the town centre at weekends when the problem is at its worst. It is only through additional funds being made available by Harrow Council to fund overtime payments that the team has continued to have a presence at the weekends when the problem is at its worst.

On the positive side recent developments in this area include the acquisition of six radios to allow Trading Standards Officers to have a direct communication link with the CCTV and Police. This initiative will allow officers to increase their effectiveness when dealing with this problem. Two of these radios came directly from Harrow Council while a further two were sponsored by the Federation Against Copyright Theft (FACT) in recognition of our work in tackling DVD sellers in the town centre.

The teams work has had a high profile in both industry and the Media this year. One of the teams members made a keynote speech on the subject of DVD Piracy at the Annual media event of the Industry Trust for Intellectual Property Awareness attended by the national media.



The team also took a lead role in the production of the Industry Trust for IP Awareness training DVD which highlighted the enforcement work carried out by the team in relation to DVD Piracy. As well as coverage in the local press, team members have appeared regularly on national television, including GMTV, ITV (Tonight with Trevor McDonald), BBC, and Sky News with respect to counterfeiting issues. In addition one team member has been interviewed on BBC Radio 1.

Home improvements and repairs continue to be a source of complaint from residents. A local roofing company who had been contacted by a consumer who had a leaky roof said they had carried out the necessary repairs to his property and charged £280. The roofer stated on his invoice that he had applied 3 layers of felt to the roof. Following a complaint to Trading Standards an expert surveyor examined the work. He confirmed that only one layer of felt had been applied and went on to say in his report that "the work was undertaken in a manner that does not accord with any known flat roofing practice or by a body that was specialist in any flat roofing matters". The roofer was fined £250 by

Harrow Magistrates, ordered to pay £280 in compensation and £450 in costs.

In another case the Service received a complaint from a Stanmore resident who had been charged £76.38 by a plumbing company for just visiting her property despite the fact their Yellow Pages advertisement stated “No Call Out Charge” would be incurred. The Company gave her an invoice which stated “Diagnostic Work is Chargeable”. The charge had not been agreed with her and she understood “No Call Out Charge” to mean that she would only pay if work was actually carried out to repair a particular problem and that travel to the premises and diagnosis of the problem will be free of charge. The company pleaded guilty to an offence under the Consumer Protection Act 1987 and were fined £350 by Magistrates and ordered to pay £350 in prosecution costs. The court went further and ordered the company to pay compensation to the consumer of £76.38.

It is unusual for the Service to have to investigate a complaint against an educational establishment falsely claiming to be a University. One such investigation was undertaken following the receipt of a complaint from a foreign international student who believed he had signed up to a University recognised to award an MBA. The student was disturbed to discover the College based in Wealdstone was only a tuition provider and not authorised to issue any degrees. Investigations began and an entry warrant was obtained from Harrow Magistrates Court. Subsequently, Trading Standards Officers accompanied by the Police raided the School in Wealdstone. Outside the business there were two banners affixed to the building listing the awards available at the School, such as BSc Accounting, MSc Finance, MBA International Trade and numerous other courses available in Business Administration and Information Technology. These banners were seized by a specialist sign removal team.



Inside the School a search was carried out by Trading Standards officers and various documents were found which included a number of “Prospectuses”. Officers found that in these prospectuses the School was clearly purporting to be a University when it was not authorised to do so by the Department of Education. As a result the Director of the company

pleaded guilty to three offences under the Education Reform Act 1988, the Trade Descriptions Act 1968 and the Business Names Act 1985 respectively. Fines totalling £1,800 were imposed by Harrow Magistrates Court and the defence were ordered to pay prosecution costs of £2,674.

A Hampshire car dealer pleaded guilty to offences under the Trade Descriptions Act 1968 and was fined £300 and ordered to pay £759 in costs. A Harrow resident complained he had seen an advertisement placed by the trader for a Jaguar XK8 on the Auto trader website. The car was advertised as having "Cruise control, Electric memory seats and Electric heated seats". Once the consumer had the car in his possession he tried to establish how all the features operated. It was then the consumer discovered that the specified components the "Cruise control, Electric memory seats and Electric heated seats" were not fitted in the car.

Following a seizure of counterfeit mobile telephone fascias and neck straps from a street trader in Harrow town centre, two brothers who masterminded a network of Illegal Street traders operating throughout the south east of England were brought before the Courts. One brother pleaded guilty to eight offences under the Trade Marks Act 1994 for supplying the counterfeit goods and both brothers pleaded guilty to obstruction offences for preventing Trading Standards Officers from carrying out their statutory duties. Fines totalling £4,000 were imposed and costs of £3,000 were awarded. The result in this case was particularly satisfying as both defendants had been abusive and aggressive to officers from the team, using physical force to remove them from their warehouse where the doors were padlocked to prevent Trading Standards from seizing their stock. Police were called to the scene but still the brothers refused to open up the unit. Consequently the door was forced open using an angle grinder and the seizure continued. Both defendants were arrested at the scene. In total over 5600 items were seized. Evidence showed the covers were being retailed at £5 each and straps were being sold at £3 each providing a retail value of £20,000.



Another local business was found guilty of supplying counterfeit goods in September 2005. During this seizure, a team of Trading Standards staff accompanied by Police Officers visited a Central Harrow, Clothes and Luggage Shop. The seizure included a range of trade marks including

over 100 Tommy Hilfiger, Gucci, Louis Vuitton, Chanel and Burberry purses or wallets, over 350 French Connection UK, Von Dutch, FA and Playboy bags, over 200 Von Dutch caps and a quantity of Calvin Klein and Levis belts. At Court the trader was fined £670 and ordered to pay £616 costs.

A local consumer purchased two shirts from a fashion store in South Harrow which were described in their labels as being '100% cotton'. She was particularly keen to get cotton shirts as her husband was allergic to man made fibres. The shirts in addition branded 'True Brit' and also featured swing tags showing a colour printed Union Flag, thus giving the impression that they had been manufactured in the United Kingdom. She became suspicious of both the composition and the origin of the goods and complained to Trading Standards. Following an investigation the trader pleaded guilty to four offences under the Trade Descriptions Act 1968 for supplying three falsely described shirts and was fined a total of £2,000 and ordered to pay costs of £791.60.

The law requires a tour operator selling package holidays to have protection in place which would enable a consumer to enjoy their holiday even if the company were to go out of business either before or during the holiday. Details of such protection should appear in any brochure which offers package holidays and a person who sells package holidays has several methods that can be adopted to ensure that protection is put into place, which could include having a bond, insurance, or monies held in trust. Having received a complaint, Trading Standards Officers visited the Tour Operator in Pinner and took away one of the company's holiday brochures, which made no mention of the arrangements for repatriation nor did it mention any information regarding health formalities. As the company had been previously advised and under caution admitted they had no bonding or insurance in place a decision was made to prosecute the travel agency and its Director who were fined a total of £3,300 by Harrow Magistrates Court and ordered to pay £809 in prosecution costs.

A consumer who had noticed a flyer from a major catalogue showroom in the Central Harrow area decided to purchase a television set priced at £399.99. One of the features that drew her to it was the description, LCD, standing for Liquid Crystal Display and she was of the opinion that this would be a better set to have than a conventional one. After it had been delivered she became concerned that none of the packaging or the set itself carried the description LCD. She returned to the store and pointed out the mistake in the catalogue. They offered to take the television back and give a refund. Having visited the Citizens Advice Bureau she realised she was entitled to have the type of set she ordered or compensation. She therefore complained to Trading Standards. Following an investigation it became apparent that the defendant company had known about the problem in the brochure and done nothing to correct it. The company were prosecuted and fined £3500 and ordered to pay prosecution costs of £785. In addition the consumer received a new television set of the correct specification.

Other cases included a local retailer who was fined £100 and ordered to pay £75 costs for supplying cigarettes to an underage volunteer as part of a test purchasing programme in the Borough.

The team's Civil Advisor has an extremely heavy workload. Notable successes include recovery of £12,250 for a consumer who purchased a motor vehicle which he subsequently discovered had a faulty gearbox. A refund was initially refused by the dealer, but thanks to the intervention of our Civil Advisor a full refund was secured.

In another case a consumer was disappointed after purchasing what she believed was a three piece suite for her lounge. She subsequently discovered that the suite was in fact only two pieces and that it had numerous minor defects. In addition, the suite was 8" smaller than what she had been led to believe was the case by the trader. A refund was initially refused, but following negotiations by the Service a refund of £4,363 was obtained.

In November 2005 the Service was contacted by the son of an elderly lady who was vulnerable and living alone. His mother had been cold called and agreed to purchase a conservatory for £1500, she had paid £500 on her debit card. When the trader contacted her to arrange a start date she advised them that she no longer wanted a conservatory. The trader would not accept cancellation as the cancellation period had expired. The teams civil advisor contacted the trader to explain the situation and the company agreed to cancel the contract as the consumer was elderly and vulnerable. The trader also agreed to make sure that the consumer was not cold called by them or any of their sister companies in the future.

9 CUSTOMER SERVICES TEAM

Following a reorganisation at the beginning of the year, the former Development and Support Team (DAS) was replaced by the newly formed Customer Services Team (CST). The main reason for the reorganisation was to prepare the Service for the introduction of a national consumer helpline service known as 'Consumer Direct', which is funded by the DTI. The CST is headed by the Deputy Director (Brent Team) and consists of 1 Customer Services Manager, 1 Senior Customer Services Officer, 2 full time and 1 part-time Customer Services Officers.

The new structure has allowed the CST to concentrate on its main role of offering basic consumer advice to the public and to provide administration support to the rest of the Service. The team now works closely with Consumer Direct, who act as a call centre for the public on all consumer related matters and refer complaints to this Service on more complex civil law issues, as well as criminal complaints for investigation by our enforcement teams.

As part of the restructuring, the two existing Consumer Advisors, who were based in the DAS team, were transferred to their respective borough Fair Trading enforcement teams and have continued to help and assist local consumers to obtain redress and, if appropriate, pursue their claims through the County Courts. These changes have allowed the Service

Development Officer to concentrate more on service improvement issues and quality development work. All these changes were made without any increase in the Trading Standards budget.

During the course of this year the CST has been extremely busy in dealing with 3333 requests for action from both traders and the public. This included referrals and notifications from Consumer Direct. Despite the introduction of Consumer Direct, the CST has also handled 35,311 telephone calls as well as personal visits from members of the public and businesses seeking help and assistance on a wide range of legal issues.

The Service Development Officer has overall responsibility for ensuring that the Service continually improves through initiatives such as the Charter Mark, Investor in People, EFQM Excellence Model, ISO 9001 and ISO14001. This ensures that the above initiatives are fully integrated for the benefit of the Service as well as for all our customers. Work during this period has particularly focused on the DTI funded Community Support Network (CSN) projects, Charter Mark and use of the EFQM Excellence Model. This model has been used in two ways during this period: firstly as part of the new Peer Review Scheme for Trading Standards, and secondly for the UK Business Excellence Awards scheme. Following a self assessment conducted by a cross section of staff we submitted a detailed award application to the British Quality Foundation (BQF). This was innovative in that we are the only Trading Standards Service in the country to apply for this prestigious award. In July we were delighted to learn that the BQF had awarded our Service as 'Excellence Status' under their award scheme.

We are at the leading edge of an innovative inspection regime for Trading Standards Services. The Government is attempting to move away from formally inspecting Trading Standards or applying over-complicated performance indicators. As a result, a new Peer Review Scheme has been developed which involves a site visit from an assessment team made up of Trading Standards professionals from other London Boroughs and an IDEA trained Councillor from another Authority. The Service was one of the first Authorities to be assessed under the new system and the Peer Review Panel concluded as follows: *"Overall, the Peer Review Team felt that the self assessment process has been carried out fairly and effectively and the current service provision is very good"*.

As usual the Service takes every opportunity to check its performance through external assessments. During the year we retained our UKAS accreditation for the mass laboratory and our Notified Body Status awarded by the National Weights & Measures Laboratory to carry out EC verifications. We successfully retained our ISO14001 accreditation and are awaiting our annual Charter Mark surveillance visit.

As part of our commitment to develop a partnership approach with local schools and colleges, four students were provided placements for work experience for periods of up to two weeks to give them an insight into the work of the Service. This work is essential for raising the public's

awareness of the Service and helps us to ensure that we play our part in helping local educational establishments to fulfil the requirements of the school curriculum.

Officers in the team are also responsible for promoting the Service within the community by conducting talks and exhibitions throughout the consortium area. Such talks and presentations were provided to 'A' Level Law students at Kingsbury High School and journalism students at Harrow College. A number of joint exhibitions have been held with the Local Neighbourhood team, the police and other similar agencies at popular spots throughout the area. We were represented again at the 'Respect' Festival at Roundwood Park in Brent and at the Harrow Carnival and Asian Mela 'Under One Sky'.

Our established Consumer Support Network continues and develops for consumers, using Government funding. Both the CLS and CSN initiatives are designed to join up ground level advice providers in the community. Through this work we have forged better links with other legal advice providers in the boroughs and, as a result, we are working closer with the Citizens Advice Bureau than ever before. During the course of this year we have started work on our CSN projects, utilising DTI development funding to target two main areas of concern. The first is to raise awareness level of our Service amongst the ethnic minority community in Harrow and the second is to reduce the level of doorstep crime in Brent.

The Service conducts regular surveys to assess the satisfaction levels of our customers. Every month a sample of premises that are inspected by the Service receive a survey form to report back on how the officer handled the inspection visit to their business. In addition to this we have also contributed to the Brent Environment & Culture mystery shopping exercise and the postal customer satisfaction survey. In addition to the above we also have our own postal survey of our customers and we are awaiting the results of a mystery shopping exercise that was conducted with the other Regulatory Service Units.

During this period we have continued to develop our web-site which contains a vast amount of information on consumer law for both the public and businesses. The web-site also contains information about the work of the Service, performance indicators, budgets, press releases, survey results and details of how we can be contacted. Having the website with it's wealth of information maintains our Charter Mark by demonstrating our 'openness' with information on how the Service is managed and run, but more importantly, it is an excellent legal resource for businesses and consumers. Work during this period has been to develop new pages to further advertise our laboratory services to businesses.

10 CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) ACT 1991

Each year the local authority must, by law, review its activities under this legislation, which relates directly to the sale of tobacco products to children. This function has been delegated to the Director of Trading Standards. A programmed series of activity involving young people is drawn up at the beginning of each year for each borough. The programme involves the test purchasing of a wide range of age restricted goods, including cigarettes.

Traders must always satisfy themselves that their customers are old enough before selling these goods and if necessary, seek proof of age by relying on documented evidence. It is disappointing that some traders still break the law, whether deliberately or not, and continue to sell banned products to children. It is rewarding, however, that the volume of sales has reduced dramatically over the years and is now showing signs of leveling out. The decline in sales of tobacco products is very welcome but the sales of other goods remains too high. We are in the process of piloting a 'Responsible Trader' scheme relating to underage sales.

This year has seen the Service involved in the Alcohol Misuse Enforcement Campaign spearheaded by the Home Office. This provides some funding to carry out test purchases of alcohol during specific time periods although Brent was involved in the campaign more so than Harrow, owing to its higher crime figures.

The statistics on the following page details the work undertaken in respect of under age sales.

<u>NATURE OF PRODUCT</u>		<u>BRENT</u>	<u>HARROW</u>
TOBACCO	attempted	76	33
	refused	75	32
	actual sales	1	1
VIDEOS	attempted	4	3
	refused	4	3
	actual sales	0	0
EXPLOSIVES	attempted	30	29
	refused	30	29
	actual sales	0	0
NATIONAL LOTTERY	attempted	10	0
	refused	10	
	actual sales	0	
BUTANE	attempted	21	0
	refused	18	
	actual sales	3	
KNIVES	attempted	20	1
	refused	15	0
	actual sales	5	1
ALCOHOL	attempted	153	75
	refused	118	72
	actual sales	35	3
SPRAY PAINTS	attempted	10	10
	refused	9	10
	actual sales	1	0

11 PROCESS OF OFFENDERS

In the sections above, the work of each team has been detailed, and an overview is given of some of the investigations conducted during the year. This year 202 reports of infringement were submitted, compared with last year's figure of 178.

The total number of cases dealt with during the year was 108, involving 443 informations, resulting in fines of £53605 being imposed and £46558 costs awarded to the Service. Details of the prosecutions are included in Appendix 5. These figures compare with 110 cases, 387 informations, £47300 fines and £43520 costs last year. An alternative to legal proceedings is the Formal Caution and these have been issued in 48 cases also detailed in Appendix 5, compared with 40 cases last year. This procedure allows the defendant to admit the offence, yet avoid a court appearance, but is retained as a conviction for three years.

There are a number of cases where the offence is such that a letter of warning from the Trading Standards Service, alerting the trader to improve compliance, is sufficient. It is rare that such traders re-offend and they are generally pleased with this approach taken by the Service. Letters of Warning given during the year are detailed in the table below. 33 such letters were sent this year, compared with 47 last year.

LETTERS OF WARNING

<u>LEGISLATION</u>	<u>Brent</u>	<u>Harrow</u>
Consumer Protection Act	6	1
Trade Descriptions Act	4	2
Trade Marks Act	2	8
Consumer Credit Act		1
Children & Young Persons Act	2	1
Video Recordings Act		2
Price Marking Order		3
Business Names Act		1
Total	<u>14</u>	<u>19</u>

12 COST OF THE SERVICE

The agreed budget for the consortium for 2005/6 was £1,737,218. This figure excludes the notional rent for the accommodation for the Service of £59386. The cost apportioned between the boroughs was:-

Brent contribution £939,408 (54.08%)
 Harrow contribution £797,810 (45.92%)

With the notional rent included, the total agreed budget was £1,781,724, the apportionment being:-

Brent contribution £984,464 (55.25%)
 Harrow contribution £797,260 (44.75%)

Both boroughs paid $\frac{1}{12}$ th of their contribution monthly into the Service account, which allowed for efficient planning of service delivery through cash flow control. All the income collected by the Service was directly credited to the Service account.

The actual expenditure (excluding notional rent), for the year was £1,722,338 which was apportioned as follows:-

	£		
Gross Expenditure	1,930,950.82		
Income etc.	-168,611.24		
Less Notional Rent (all paid by Brent)	-59386.00		
Less CSN Grant Carried Forward	19385.00		
Consortium Expenditure (after deduction of notional rent)	<u>1,673,556.68</u>		
Consortium Contributions (excl notional rent)	Original Estimate	Actual Expenditure	Refund Paid
	£	£	£
Harrow	797,810 (45.92%)	797,260.50	549.50
Brent	<u>939,408 (54.08%)</u>	<u>925,078.08</u>	<u>14353.92</u>
Total	<u>1,737,218</u>	<u>1,722,338.58</u>	<u>15085.42</u>

13 CONCLUSION

The diverse work of the Trading Standards Service, and the very wide range of stakeholders that the Service has, I hope reflected in this report. It has one of the widest range of potential customers of any local government service and as a relatively small service it is sometimes hard to make our voice heard as a profession. This situation is exacerbated by the fact that there are a number of Government departments that place responsibilities on the Service and we are always having to adapt to changes in legislation and service delivery from many masters. The recommendations in the Hampton report will address this and already overall responsibility for Trading Standards has been placed with the Office of Fair Trading. All of the officers continually demonstrate new ways of implementing initiatives and improvement. New legislation is seen as an opportunity to assist our customers in complying whereas the need to resort to legal proceedings is seen as a last resort.

The external awards achieved, provide some evidence of this, but the main evidence is that, in general, the targets set are normally met, and surveys of users continually show the high regard in which we are held.

Service improvement and staff development is a continuing challenge and it gives us even greater incentive to improve and be more efficient. I am sure that, in the new financial year, we can maintain the high levels that we have set over the last four or five years and move on to even greater achievements, particularly now Trading Standards is included in the Comprehensive Performance Assessment.

For this challenge to be successful, the Service relies on the commitment of the staff working together as a team. It is only through the enthusiasm, dedication and the hard work of our staff that we are able to provide a service at such a high standard. Officers regularly continue to take on extra work, often in their own private time, in order to achieve our goals. I thank every member of staff for their invaluable contribution to our team work and for their remarkable ability to adapt to constant change, whilst under continual pressure. This Service is just as fortunate to have a consistent team of Councillors, in each borough who understand the Service and, through the Consortium Advisory Board, support and encourage the officers in all of their work. Again, I would like to thank those Members for their enthusiasm and for providing the Service with continuity, help and advice.

APPENDIX 1

LEGISLATION ENFORCED BY THE SERVICE

THE TRADING STANDARDS SERVICE

LEGISLATION ENFORCED

ACTS

Accommodation Agencies Act 1953
Administration of Justice Act 1970
Anti Social Behaviour Act 2003 (Section 54)
Broadcasting Act 1990
Business Names Act 1985
Children and Young Persons Act 1933 (Section 7)
Children and Young Persons (Protection from Tobacco) Act 1991
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution Act 1974
Copyright Designs and Patents Act 1988
Crossbows Act 1987
Criminal Justice Act 1988 (Sec 141A)
Criminal Justice and Public Order Acts 1994 - Part VII
Customs & Excise Management Act 1979 (Sec 11)
Development of Tourism Act 1969
Education Reform Act 1988 (Section 215)
Energy Act 1976
Energy Conservation Act 1981
European Communities Act 1972
Estate Agents Act 1979
Enterprise Act 2002
Explosives Acts 1875 1976 (Harrow only)
Fair Trading Act 1973
Fireworks Act 1951 (Harrow only)
Greater London Council (General Powers) Act 1984 Part VI
Hallmarking Act 1973
Health and Safety at Work etc Act 1974
Intoxicating Substances (Supply) Act 1985
Licensing Act 2003 (Section 146-147)
Mock Auctions Act 1961
Motor Cycle Noise Act 1987
Motor Vehicles (Safety of Equipment for Children) Act 1991
National Lottery Act 1993
Prices Acts 1974 - 1975
Property Misdescriptions Act 1991
Protection of Children (Tobacco) Act 1986
Road Traffic Acts 1974 - 1988
Road Traffic (Foreign Vehicles) Act 1972
Telecommunications Act 1984
Theft Acts 1968 and 1978
Timeshare Act 1992
Tobacco Advertising and Promotion Act 2002
Trade Descriptions Act 1968
Trade Marks Act 1994
Trading Stamps Act 1964
Transport Acts 1978 and 1982
Unsolicited Goods and Services Act 1971 and 1975
Video Recordings Acts 1984 and 1993
Weights and Measures Act 1985

In addition to the legislation, approximately 300 pieces of subordinate legislation are also enforced by the Service.

APPENDIX 2

NATIONAL PERFORMANCE FRAMEWORK

CHARTERED INSTITUTE OF PUBLIC FINANCE AND ACCOUNTANCY
TRADING STANDARDS STATISTICS 2006

[Add/Edit Cell Notes](#) [Save Form](#) [Print Guidance Notes](#)

Contact Details

Name of Authority:

For IPF Use
E5033

A. Trading Standards Department

Name: Designation: Tel:
E-mail: Fax:

B. Finance Department

Name: Designation: Tel:
E-mail: Fax:

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CHARTERED INSTITUTE OF PUBLIC FINANCE AND ACCOUNTANCY
TRADING STANDARDS STATISTICS 2006

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Section A - General Data

BASE DATA

The base data will be obtained from other sources (RA 2005-06, ONS) and need not be given here.

- 1. Population at 30 June 2006
- 2. Area of Authority at 1 April 2006 Hectares

RISK ASSESSMENT (Numbers at 1st April 2006)

[Includes Animal Health therefore will not equal PM3 from NPF return]

	Number	
3. High Risk Trading Businesses	255	1
4. Medium Risk Trading Businesses	4,307	2
5. Low Risk Trading Businesses	4,155	3
6. Total Number of Businesses with a Trading Standards Risk (Lines 3 + 4 + 5)	8,717	4

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CHARTERED INSTITUTE OF PUBLIC FINANCE AND ACCOUNTANCY
TRADING STANDARDS STATISTICS 2006

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Section B - Staffing

ACTUAL STAFF EMPLOYED (FTE to 1 decimal place)

		FTE at 1 April 2005	FTE at 1 April 2006
7. Managerial Staff	(to 1 dp)	2.0	2.0
8. Staff employed directly on service provision	(to 1 dp)	28.0	27.0
9. Administrative and Clerical (Direct Support)	(to 1 dp)	1.6	1.6
10. Total Number of Staff	(Lines 7 + 8 + 9)	31.6	30.6

MEMORANDUM (FTE numbers of staff included in Line 10)

		FTE at 1 April 2005	FTE at 1 April 2006
11. Number of Trading Standards Officers	(to 1 dp)	8.0	8.0
12. Number of Trainee Trading Standards Officers	(to 1 dp)	0.0	0.0
13. Number of Staff studying for DCATS qualification	(to 1 dp)	0.0	2.0

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PLEASE COMPLETE ON FRS17 ACCOUNTING BASIS

EXPENDITURE

		2005-06 Outturn £'000	2006-07 Estimates £'000
Employees			
Direct employee costs comprising:			
14.	- Managerial	124	129
15.	- Staff employed directly on service provision	1,271	1,418
16.	- Administrative and Clerical	49	51
Indirect employee costs comprising:			
17.	- Training	33	12
18.	- Other	12	2
19.	Total Employee Expenses	1,489	1,612
Third Party Payments			
Sample Testing and Analytical Costs:			
23.	- Food Standards	0	0
24.	- Agriculture	0	0
25.	- Safety	9	9
26.	- Other sampling, testing and analytical costs	12	17
27.	All Other Third Party Payments	0	0
28.	Total Third Party Payments	21	26

29.	Support Services	45	34	35	59
30.	Capital Charges	0	35	0	60
31.	GROSS COST OF SERVICE (Sum of Lines 19 to 22 and 28 to 30)	1,931	36	1,935	61
INCOME					
32.	Income from Prosecution Costs	52	37	33	62
33.	Income from specific grant (please specify below)	25	38	0	63
	LACORS-CSN + DTI-Training				
34.	Income from grants received to undertake DEFRA service level agreement work	0	39	0	64
35.	Other Income (please specify below)	90	40	16	65
	W&Measures; Licences; UKAS fees				
36.	Total Income (Sum of Lines 32 to 35)	167	41	49	66
37.	NET TOTAL COST ON SERVICE (Line 31 - Line 36)	1,764	42	1,886	67
MEMORANDUM:					
38.	Please show NET TOTAL COST ON SERVICE on a pre FRS17 basis	1,764	43	1,886	68
	<i>Note: If you have not been able to account on an FRS17 basis in lines 14 to 37 this figure should equal that shown in Line 37</i>				
39.	Percentage of expenditure in Question 31 relating to Animal Health			0	69

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TRADING STANDARDS STATISTICS 2006



Add/Edit Cell Notes Save Form Print Guidance Notes

Section D - Workload during the Financial Year 2005-06

	Number	
40. Number of consumer and other general public led advice enquiries and complaints	6,900	70
Business contact		
41. Number of business registered for business rates	12,720	71
42. Number of business registered on your database	8,783	72
43. Number of requests for advice from business	442	73
44. Number of referrals made to you as Home Authority	644	74
45. Total number of all enforcement activities	12,888	75
Formal Enforcement Action		
46. Number of informal cautions and advice issued in writing	26	76
47. Number of formal cautions issued	48	77
48. Number of formal undertakings received under Enforcement Order procedure	0	78
49. Number of Enforcement Orders issued	0	79
50. Number of prosecutions commenced in period	108	80

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CHARTERED INSTITUTE OF PUBLIC FINANCE AND ACCOUNTANCY
TRADING STANDARDS STATISTICS 2006 Add/Edit Cell Notes Save Form Print Guidance Notes

Section E - Included Services

Which, if any, of the following services are covered within your authority's return?

Please indicate by ticking the appropriate boxes.

- | | | | | | |
|----|-------------------------------------|---------------------------|----|-------------------------------------|--------------|
| 81 | <input type="checkbox"/> | Animal Health and Welfare | 85 | <input type="checkbox"/> | Licensing |
| 82 | <input type="checkbox"/> | Agriculture | 86 | <input type="checkbox"/> | Money Advice |
| 83 | <input checked="" type="checkbox"/> | Explosives | 87 | <input type="checkbox"/> | Petroleum |
| 84 | <input type="checkbox"/> | Food Standards | 88 | <input checked="" type="checkbox"/> | Road Traffic |

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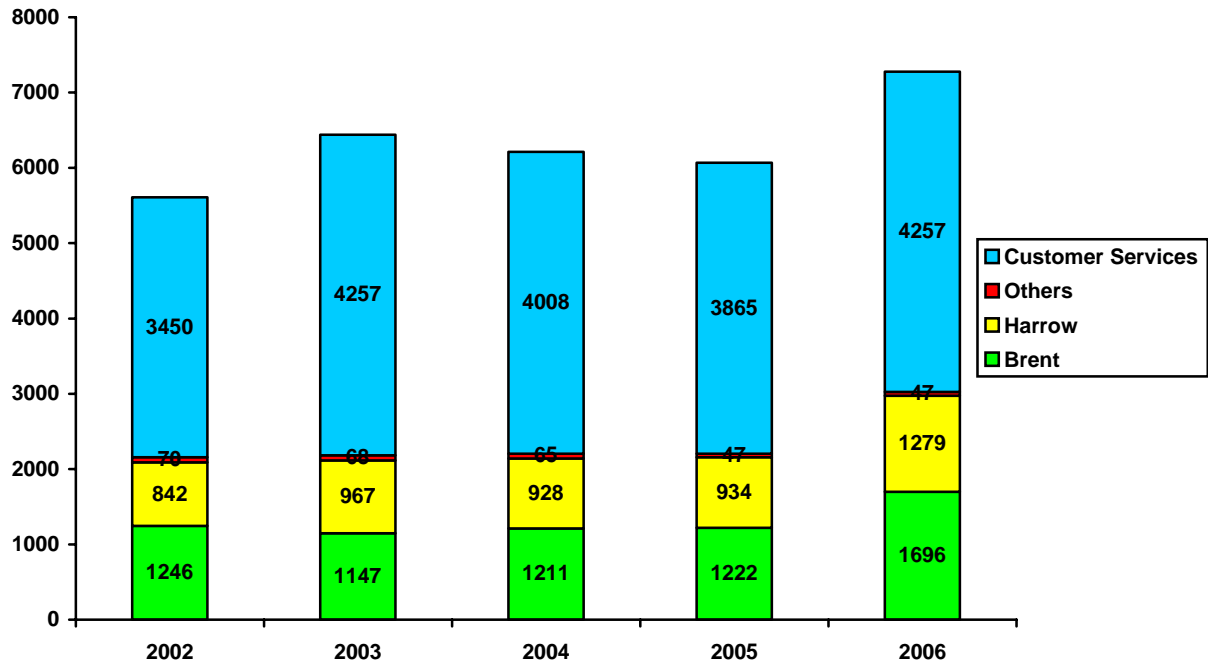
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NLA Tower, 12-16 Addiscombe Road, Croydon, CR0 0XT.

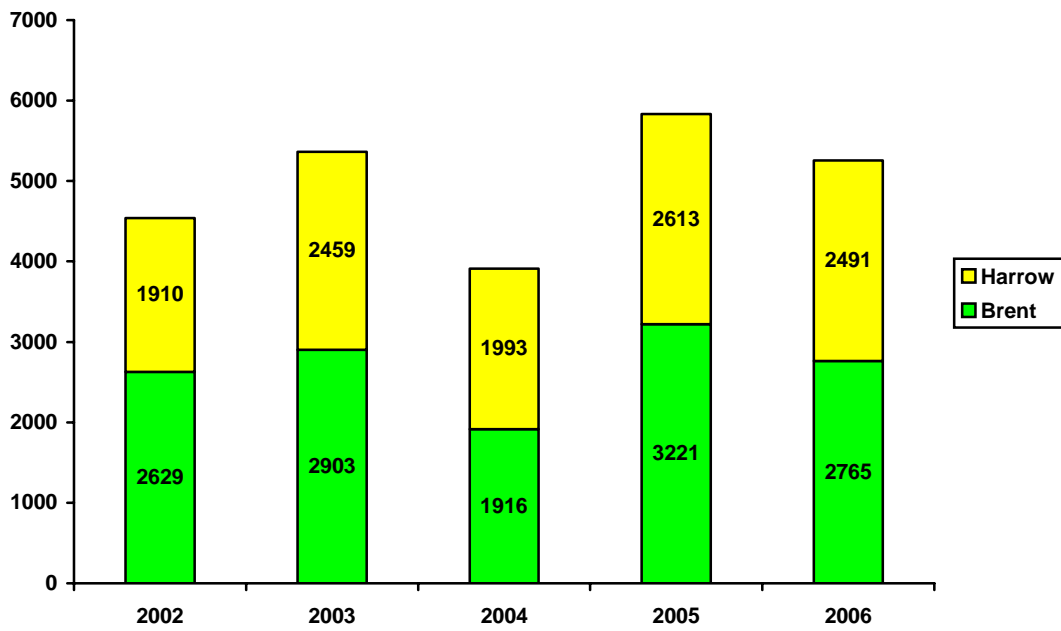
APPENDIX 3

PERFORMANCE STATISTICS

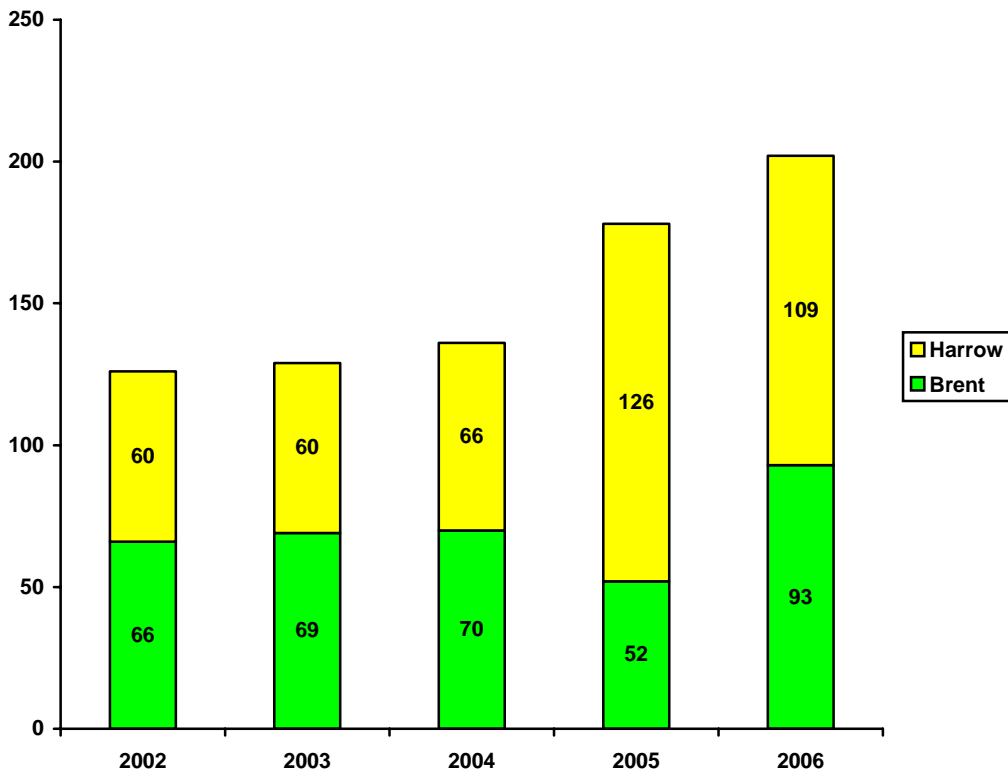
REQUESTS FOR ACTION COMPLETED 2002 - 2006



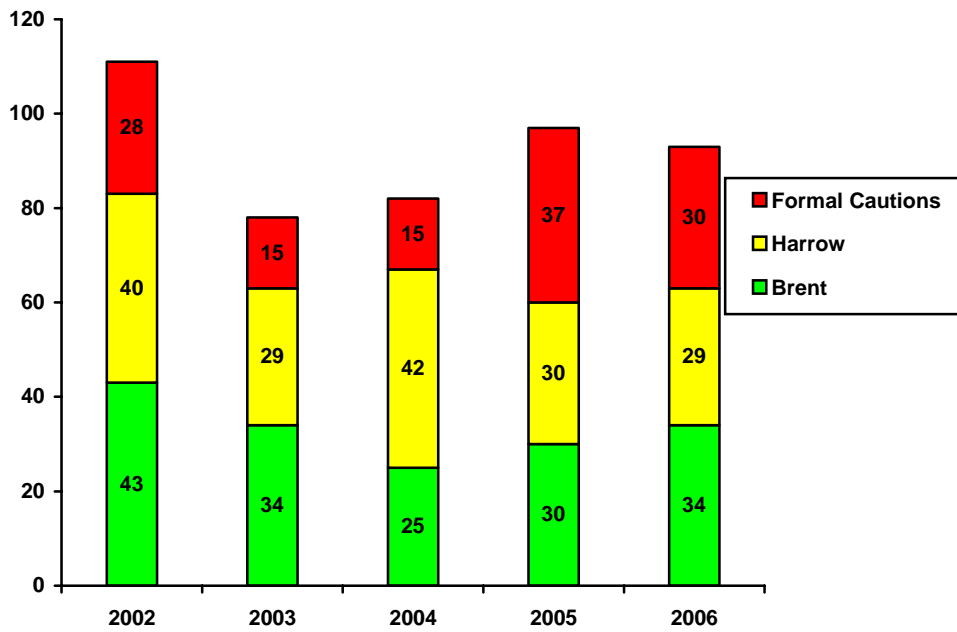
INSPECTIONS 2002 - 2006



INFRINGEMENT REPORTS 2002 - 2006



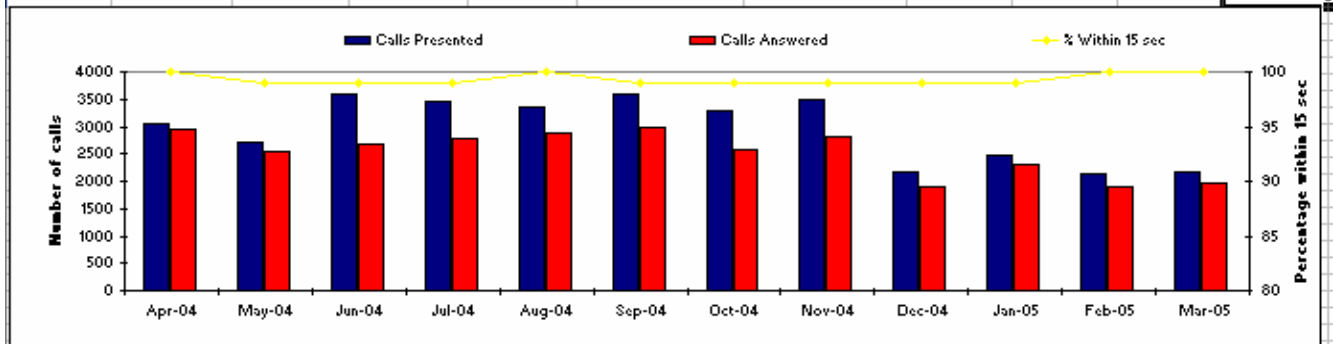
PROSECUTIONS COMPLETED 2002 - 2006



TELEPHONE PERFORMANCE 2005 - 2006

TELEPHONE PERFORMANCE SUMMARY 2005 - 2006

Date	Calls Presented	Calls Answered		Time to Answer			Engaged		Abandoned	
		Numbers	%	Avg	% Inside 15 sec	% Inside 15 Sec	Numbers	%	Numbers	%
					on answered calls	on all calls				
April	3054	2958	97	5	100	96	25	1	71	2
May	2725	2532	93	5	99	92	73	3	120	4
June	3607	2682	74	5	99	73	134	4	791	22
July	3458	2781	80	5	99	80	96	3	581	17
August	3339	2863	86	4	100	86	113	3	357	11
September	3603	2989	83	5	99	82	79	2	535	15
October	3280	2584	79	5	99	78	65	2	631	19
November	3494	2820	81	5	99	80	72	2	602	17
December	2161	1882	87	4	99	87	75	3	204	9
January	2484	2308	93	4	99	92	63	3	113	5
February	2143	1831	86	4	100	88	151	7	101	5
March	2163	1963	91	4	100	90	87	4	113	5





TRADING STANDARDS
BRENT and HARROW

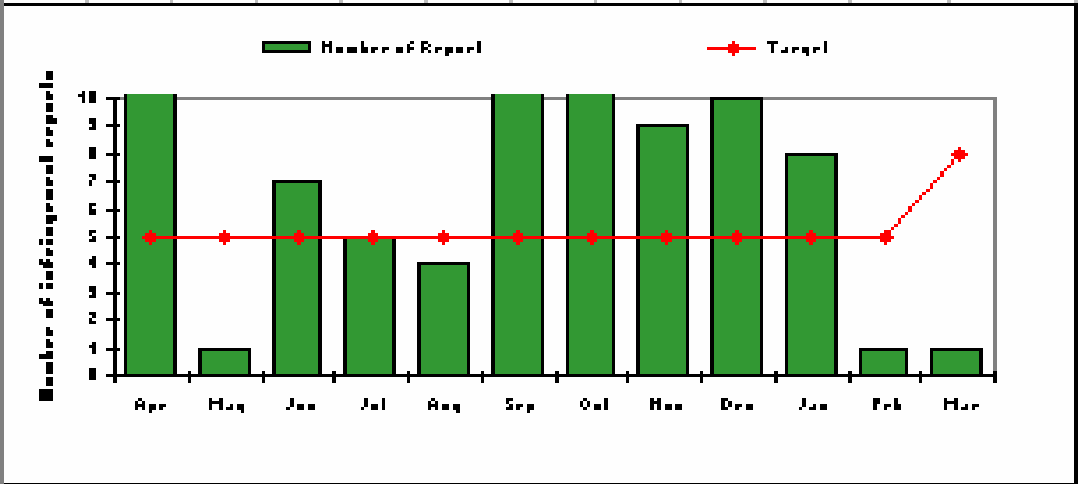
PERFORMANCE MONITORING

2005 - 2006



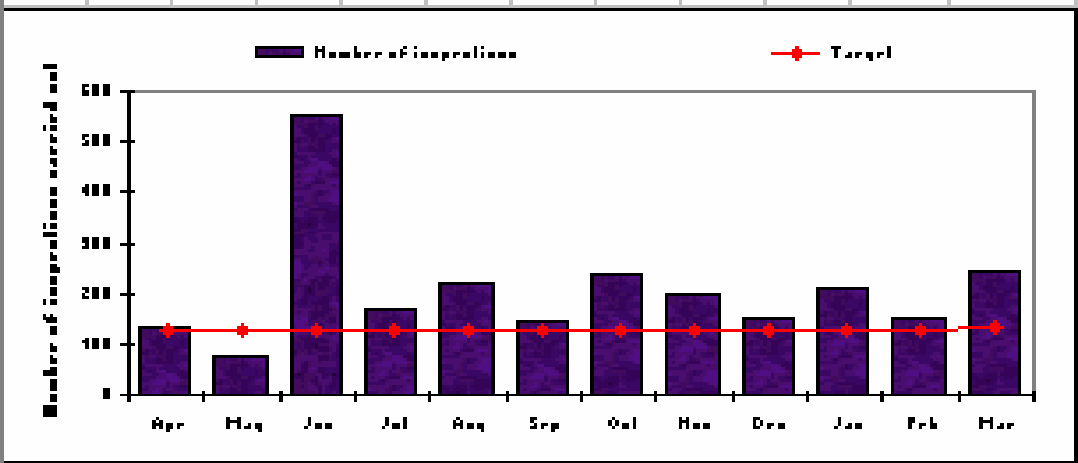
Reports of Infringement

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
27	1	7	5	4	21	15	9	10	8	1	1



Total Number of Inspections

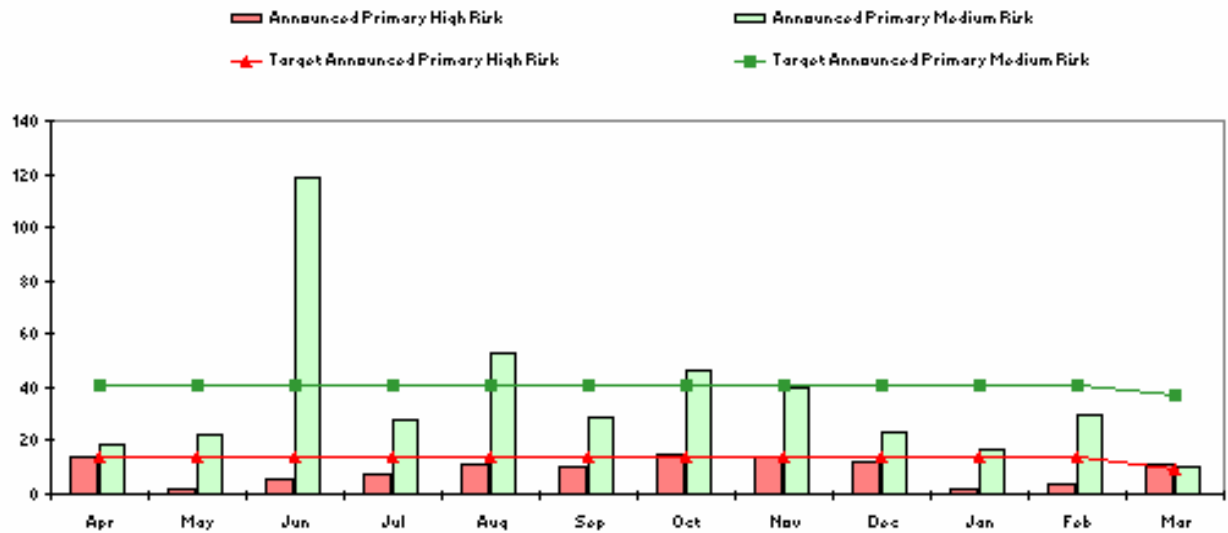
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
135	78	552	169	224	145	237	197	152	209	150	243

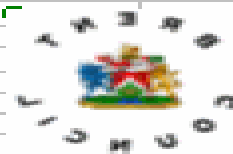




Announced Comprehensive Primary High and Medium Risk Inspections

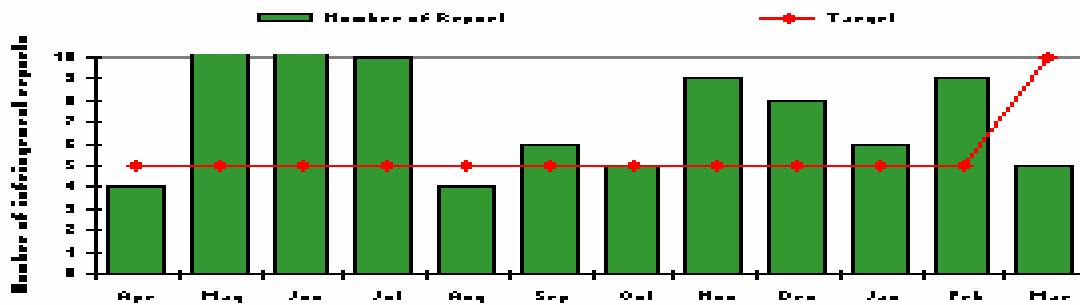
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Announced Primary High Risk	14	2	6	7	11	10	15	14	12	2	4	11
Announced Primary Medium Risk	19	22	119	28	53	29	46	40	23	17	30	10





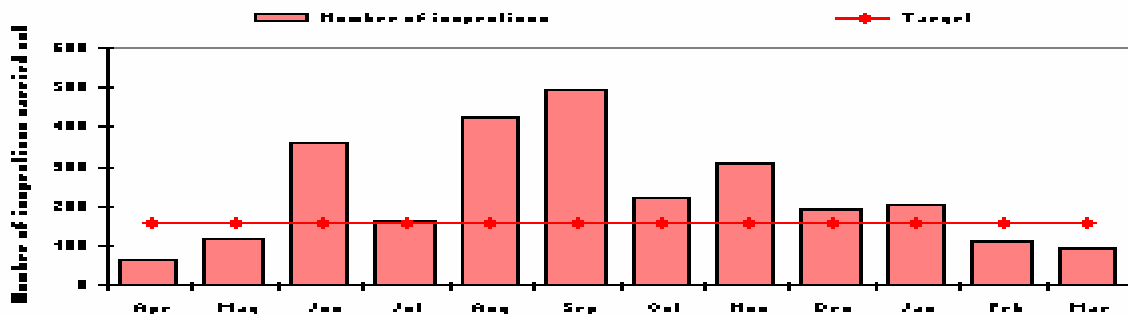
Reports of Infringement

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
4	13	14	10	4	6	5	9	8	6	9	5



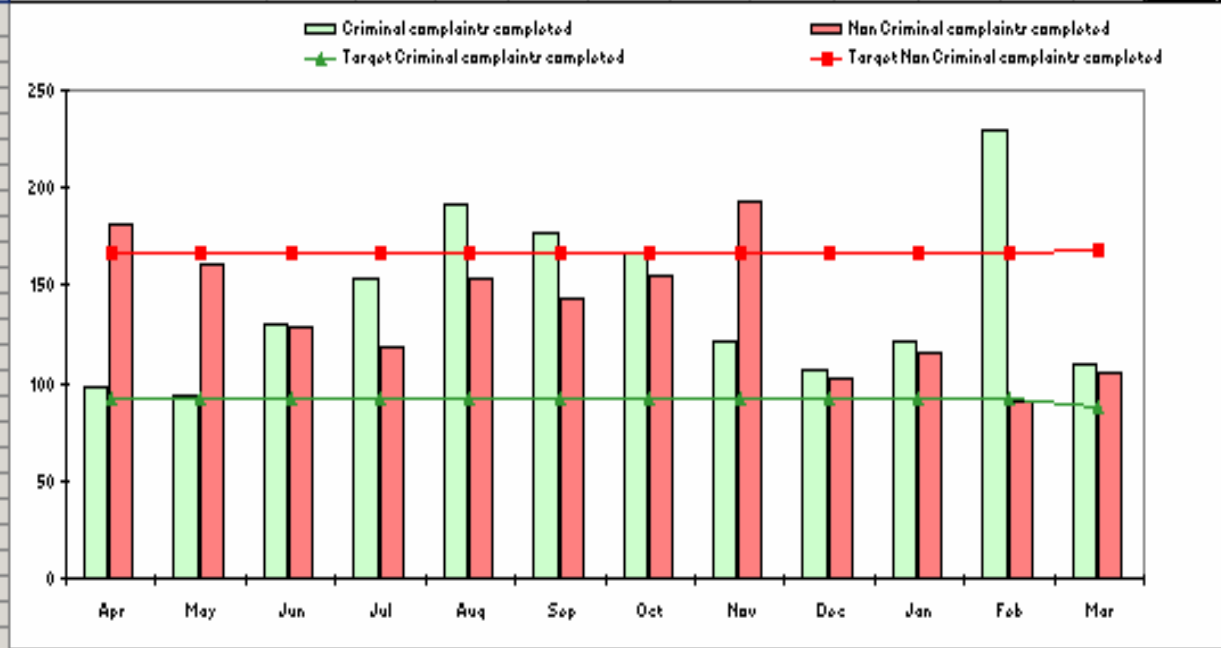
Total Number of Inspections

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
64	114	364	166	426	497	224	309	194	202	111	94



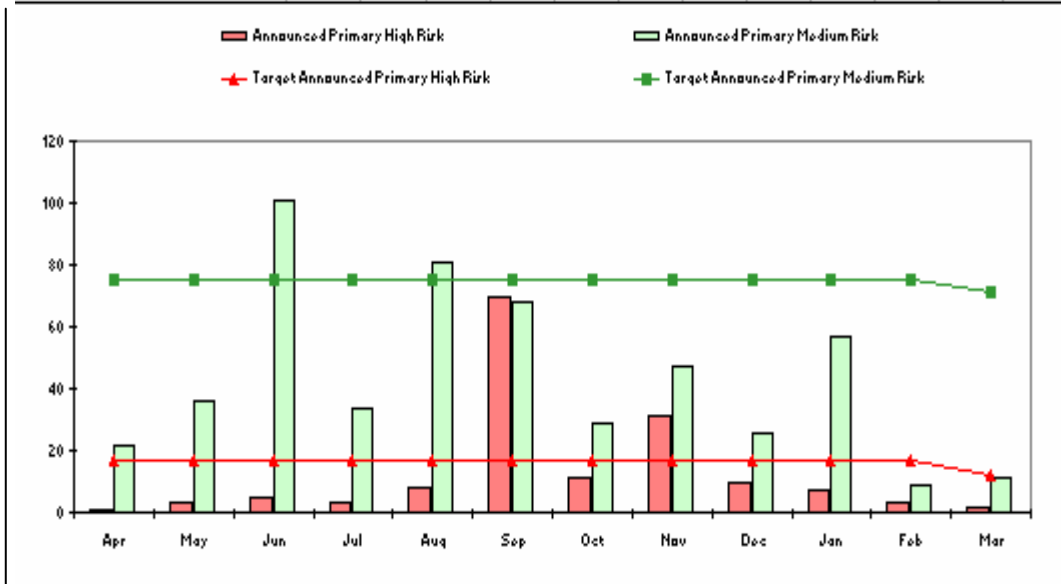
Request for Action - Criminal and Non Criminal

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Criminal complaintr completed	98	93	130	154	191	177	166	121	106	122	229	109
Non Criminal complaintr complete	182	161	128	118	154	144	155	193	102	115	91	105
Total Complaintr completed	280	254	258	272	345	321	321	314	208	237	320	214
% responder within 3 working days	100%	98%	98%	97%	98%	99%	97%	98%	100%	98%	99%	98%



Announced Comprehensive Primary High and Medium Risk Inspections

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Announced Primary High Risk	1	3	5	3	8	70	11	31	10	7	3	2
Announced Primary Medium Risk	22	36	101	34	81	68	29	47	26	57	9	11



APPENDIX 4

ESTABLISHMENT DETAILS

ESTABLISHMENT DETAILS 2005/2006
TOTAL NUMBER OF POSTS: 34.6 (as at 31/3/2006)

<u>Post Designation</u>	<u>Name of Officer</u>	<u>Service Commencement Date</u>
Director	J TAYLOR	October 1967
Deputy Director (Harrow Team Leader)	M GROUT	November 1985
Deputy Director (Brent Team Leader)	N BILON	July 1987
Principal Trading Standards Officer	S MARTIN	November 1984
Principal Trading Standards Officer	H SHAH	April 1995
Principal Enforcement Officer	M SQUIRE	July 1981
Principal Enforcement Officer	G SPEID	September 1990
Customer Services Manager	A PETKEN	February 2002
Service Development Officer	vacant	
Laboratory & Systems Manager	M BARNES	November 1972
Senior Trading Standards Officer	S MANJI	April 2004
Senior Enforcement Officer	S THAKRAR	January 1991
Senior Enforcement Officer	W BROOKS	April 1995
Senior Enforcement Officer	P HAYWARD	March 1998
Senior Enforcement Officer	D PRICE	March 1995
Senior Enforcement Officer	L WENZEL	July 1999
Senior Enforcement Officer	A SHAH	June 1995
Senior Enforcement Officer	A CLOONEY	March 2006
Senior Enforcement Officer	S LEGG	August 1999
Trading Standards Officer	R ASQUITH	August 2000
Enforcement Officer (Job Share)	P ANDERSON	April 1998
Enforcement Officer (Job Share)	M DONEGAL	July 1999
Enforcement Officer	E CLIFFORD	August 2002
Enforcement Officer	S ABDULLAHI	June 2004
Enforcement Officer	R BENDER	November 2004
Enforcement Officer (Harrow team)		<i>To be kept vacant 2005/6</i>
Consumer Advice Officer	A FROST	February 2001
Consumer Advice Officer	vacant	
Senior Customer Services Officer	vacant	
Customer Services Officer	A ANYAEBUNAM	August 2002
Customer Services Officer	S SONI	June 2005
Customer Services Officer (Part Time)	M MARU	December 2001
Assistant Enforcement Officer	J ASHBY	April 2004
Assistant Enforcement Officer	A FAULKNER	April 2005
Assistant Enforcement Officer	M KANJI	April 2005
Assistant Enforcement Officer	P LEE	July 2005
<i>Quality Development Officer</i>	<i>R ABELL</i>	<i>Resigned January 2006</i>
<i>Senior Trading Standards Officer</i>	<i>H McKEE</i>	<i>Resigned January 2006</i>
<i>Senior Enforcement Officer</i>	<i>J FOLEY</i>	<i>Resigned January 2006</i>
<i>Senior Customer Services Officer</i>	<i>R JOHAL</i>	<i>Resigned February 2006</i>

APPENDIX 5

DETAILS OF PROSECUTIONS AND FORMAL CAUTIONS

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

TRADE DESCRIPTIONS ACT 1968

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
13A/03/B	23	Car Dealer	Offered to supply goods to which a false trade description was applied.	1	See Note 1	
13B/03/B	23	Car Dealer	Offered to supply goods to which a false trade description was applied.	1	See Note 1	
86/04/B	59	Car Dealer	Offered to supply goods to which a false trade description was applied.	1	See Note 2	£3397
87/04/B	2	Builder	Made a false statement as to the provision of a service	14	£1250	£844
138A/04/H	3	Car Trader	Made a false statement as to the provision of a service	14	£1000	£491
138B/04/H	3	Director of above	Made a false statement as to the provision of a service	14	£1000	£491
147/04/B	3	Newsagent	Offered to supply goods to which a false trade description was applied.	1	No separate penalty	See TMA
170/04/H	4	Car Dealer	Offered to supply goods to which a false trade description was applied.	1	£300	£759
25/04/H	2	Builder	Made a false statement as to the provision of a service	14	£250	£450 See note 3
33A/05/H	2	Educational College	Made a false statement as to the provision of a service	14	Withdrawn	

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

TRADE DESCRIPTIONS ACT 1968 (cont)

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
33B/05/H	2	Director of above	Made a false statement as to the provision of a service	14	£700	£2674
47A/05/H	4	Retailer	Offered to supply goods to which a false trade description was applied.	1	£2000	£791
47B/05/H	4	Director of above	Offered to supply goods to which a false trade description was applied.	1	Withdrawn	
59/05/B	3	Car Dealer	Offered to supply goods to which a false trade description was applied.	1	£1500	£712 See note 4
104/05/H	5	Travel Agency	Made a false statement as to the provision of a service	14	Withdrawn	See Formal Caution
151/05/H	3	Market Trader	Offered to supply goods to which a false trade description was applied.	1	No separate penalty	See TMA
185/05/H	2	Retailer	Offered to supply goods to which a false trade description was applied.	1	£3500	£785

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

TRADE MARKS ACT 1994

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
94A/04/H	9	Market Trader	Offered to supply goods bearing an infringing trade mark and obstruction of an authorised officer.	92	£3500	£3000
94B/04/H	9	Market Trader	Offered to supply goods bearing an infringing trade mark and obstruction of an authorised officer.	92	£500	£500
147/04/B	3	Newsagent	Offered to supply goods bearing an infringing trade mark.	92	£2000	£622
23A/05/H	13	Director of below	Offered to supply goods bearing an infringing trade mark.	92	£650	£616
23B/05/H	13	Retailer	Offered to supply goods bearing an infringing trade mark.	92	Withdrawn	
23C/05/H	13	Wholesaler	Offered to supply goods bearing an infringing trade mark.	92	Withdrawn	
52/05/H	9	Fly Pitcher	Offered to supply goods bearing an infringing trade mark.	92	See note 4	
92/05/B	2	Market Trader	Offered to supply goods bearing an infringing trade mark.	92	Withdrawn	See CPA
107/05/H	10	Fly Pitcher	Offered to supply goods bearing an infringing trade mark.	92	See Note 6	
151/05/H	6	Market Trader	Offered to supply goods bearing an infringing trade mark.	92	£1500	£1039

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

LICENSING ACT 1964

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
11A/05/B	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	£300	£300
11B/05/B	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	£150	£150
54A/05/B	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	£300	£200
54B/05/B	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	£300	£200
54C/05/B	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	£300	£200
61A/05/B	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	£200	£500
61B/05/B	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	£100	£279
79A/05/H	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	See note 7	£400
79B/05/H	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	£250	£200
159A/05/B	1	Licensee	Supplied alcohol to a person under the age of eighteen.	169	£500	£700
159B/05/B	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	Withdrawn	
159B/05/B	1	Shop Assistant	Supplied alcohol to a person under the age of eighteen.	169	£100	£150

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

EDUCATION REFORM ACT 1988

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
33A/05/H	2	Educational College	Made a false statement as to the availability of a university degree	214	Withdrawn	
33B/05/H	2	Director of above	Made a false statement as to the availability of a university degree	214	£700	See TDA

CRIMINAL JUSTICE ACT 1988

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
105/04/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£400	£515
63/05/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£500	£646
116/05/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£850	£815
141/05/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£900	£575
142/05/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£750	£697
143/05/B	1	Retailer	Sold a knife set to a person under the age of sixteen	141	£2000	£736

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

VIDEO RECORDINGS ACT

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
7/05/H	1	Retailer	Supplied an unclassified video work	9	Withdrawn	
13/05/H	1	Retailer	Supplied an unclassified video work	9	Withdrawn	
139/05/B	9	Retailer	Had in possession for supply unclassified video works	10	£2250	See CPA
155/05/B	9	Retailer	Had in possession for supply unclassified video works	10	£560	£900

FAIR TRADING ACT 1973

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
13A/03/B	2	Car Trader	Offered goods for sale without making it clear that the seller was a trader	23	See Note 1	
13B/03/B	2	Car Trader	Offered goods for sale without making it clear that the seller was a trader	23	See Note 1	
86/04/B	9	Car Trader	Offered goods for sale without making it clear that the seller was a trader	23	See Note 2	See TDA

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

THEFT ACT 1971

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
13A/03/B	2	Car Trader	Obtained property by deception	15	See Note 1	
13B/03/B	2	Car Trader	Obtained property by deception	15	See Note 1	

CONSUMER PROTECTION ACT 1987

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
134/04/H	1	Plumber	Gave a misleading price indication as to 'No call out' charge	20	£350	£350
135A/04/H	2	Importer	Supplied unsafe electrical equipment	12	Withdrawn	
135B/04/H	2	Importer	Supplied unsafe electrical equipment	12	£1250	£855
158/04/H	10	Retailer	Had in possession for supply cosmetic products containing Hydroquinone.	12	£250	£500
162/04/B	1	Retailer	Sold fireworks to a person under the age of eighteen.	12	£500	£453
165/04/B	1	Retailer	Sold fireworks to a person under the age of eighteen.	12	£500	£543

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

CONSUMER PROTECTION ACT 1987 (Cont)

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
167/04/B	5	Retailer	Had in possession for supply cosmetic products containing Hydroquinone.	12	£500	£1249
168A/04/B	6	Household Goods	Supplied unsafe electrical equipment	12	£300	£1683
168B/04/B	6	Director of above	Supplied unsafe electrical equipment	12	Withdrawn	
10/05/B	1	Convenience Store	Sold a cigarette lighter refill canister containing butane to a person under the age of eighteen.	12	£500	£927
31/05/H	2	Opticians	Gave a misleading price indication.	20	Withdrawn	
53/05/B	1	Newsagent	Sold a cigarette lighter refill canister containing butane to a person under the age of eighteen.	12	£600	£300
60/05/B	1	Newsagent	Sold a cigarette lighter refill canister containing butane to a person under the age of eighteen.	12	£500	£605
62/05/B	1	Grocery shop	Sold a cigarette lighter refill canister containing butane to a person under the age of eighteen.	12	£500	£500
64/05/B	2	Clamping Company	Gave a misleading price indication.	20	£2000	£878
65A/05/H	6	Clamping Company	Gave a misleading price indication.	20	£900	£752 see Note 8

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

CONSUMER PROTECTION ACT 1987 (Cont)

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
65B/05/H	6	Director of above	Gave a misleading price indication.	20	£900	£752
72/05/B	1	Convenience Store	Sold a cigarette lighter refill canister containing butane to a person under the age of eighteen.	12	£500	£640
82A/05/B	3	Clamping Company	Gave a misleading price indication.	20	Withdrawn	See 65/05/H
82B/05/B	3	Director of above	Gave a misleading price indication.	20	Withdrawn	See 65/05/H
88A/05/B	5	Furniture Retailer	Supplied furniture that did not comply with the relevant safety requirements	12	£1500	£1585
88B/05/B	5	Director of above	Supplied furniture that did not comply with the relevant safety requirements	12	Withdrawn	
92/05/B	9	Market Trader	Supplied unsafe electrical equipment	12	£720	£1000
97/05/B	1	Retailer	Supplied unsafe electrical equipment	12	£750	£533
114/05/H	2	Importer	Supplied unsafe electrical equipment	12	£1750	£792
139/05/B	3	Retailer	Had in possession for supply cosmetic products containing Hydroquinone.	12	£1050	£1207

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

CONSUMER PROTECTION ACT 1987 (Cont)

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
144/05/B	1	Retailer	Supplied a cigarette lighter refill canister to a person under the age of eighteen	12	£300	£600
171/05/B	2	Wholesaler	Supplied unsafe electrical equipment	12	£2800	£575
178/05/B	1	Retailer	Supplied a cigarette lighter refill canister to a person under the age of eighteen	12	£250	£596

PLUGS AND SOCKETS (SAFETY) REGULATIONS 1994

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
168A/04/B	6	Household Goods	Supplied electrical appliances fitted with a plug that failed to comply with BS 1363	12	£300	See CPA
168B/04/B	6	Director of above	Supplied electrical appliances fitted with a plug that failed to comply with BS 1363	12	Withdrawn	

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

PACKAGE TRAVEL, PACKAGE HOLIDAYS AND PACKAGE TOURS REGULATIONS 1992.

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
81A/05/B	4	Travel Agent	Failed to give adequate information in brochure concerning specified matters	5	£700	£350
81B/05/B	4	Director of above	Failed to give adequate information in brochure concerning specified matters	5	£700	£350
121A/05/H	4	Travel Agent	Failed to give adequate information in brochure concerning specified matters	5	£2000	£409
121B/05/H	4	Director of above	Failed to give adequate information in brochure concerning specified matters	5	£1300	£400

HALLMARKING ACT 1973

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
50A/05/B	6	Jeweller	Supply unhallmarked items and failed to display notice	1 & 11	£600	£1240
50B/05/B	6	Jeweller	Supply unhallmarked items and failed to display notice	1 & 11	Withdrawn	

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

PRICES ACT

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
50A/05/B	4	Jeweller	Failed to display the selling price of goods.	5	£400	See HA
50B/05/B	4	Jeweller	Failed to display the selling price of goods.	5	Withdrawn	

CHILDREN & YOUNG PERSONS (PROTECTION FROM TOBACCO) ACT 1991

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
78A/05/B	2	Tobacconist	Sold cigarettes to a person under the age of 16	1	See note 9	£300
78B/05/B	1	Tobacconist	Sold cigarettes to a person under the age of 16	1	£100	£50
98/05/H	2	Post Office	Sold cigarettes to a person under the age of 16	1	£175	£300

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

BUSINESS NAMES ACT 1985

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
23A/05/H	1	Director of below	Failed to display ownership details of the business	4	£20	See TMA
23B/05/H	1	Retailer	Failed to display ownership details of the business	4	Withdrawn	
23C/05/H	1	Wholesaler	Failed to display ownership details of the business	4	Withdrawn	
33A/05/H	1	Educational College	Failed to state the ownership details of the business on business documentation	4	Withdrawn	
33B/05/H	1	Director of above	Failed to state the ownership details of the business on business documentation	4	£400	See TDA
50A/05/B	1	Jeweller	Failed to display details of ownership of the business	4	£100	See HA
50B/05/B	1	Jeweller	Failed to display details of ownership of the business	4	Withdrawn	
97/05/B	2	Retailer	Failed to display details of ownership of the business	4	Withdrawn	See CPA

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/05 – 31/03/06**

CONSPIRACY TO DEFRAUD, contrary to Common law

<u>Reference</u>	<u>No of Inform-ations</u>	<u>Trade</u>	<u>Nature of Offence</u>	<u>Section</u>	<u>Penalty</u>	<u>Costs</u>
13A/03/B		Car Trader	Conspired to alter the odometers of motor vehicles <i>[On Indictment only]</i>		2½ years Imprisonment	£18000 See Note 1
13B/03/B		Car Trader	Conspired to alter the odometers of motor vehicles <i>[On Indictment only]</i>		2 years Imprisonment	£18000 See Note 1

- ✚ Note 1 13A&B/03/B Crown court trial on indictment. Only the conspiracy count was tried and the remaining matters remain on file. Compensation of £14000 awarded to consumers. This was later quashed on appeal.
- ✚ Note 2 86/04/B 240 hr Community Punishment Order & £925 compensation
- ✚ Note 3 25/04/H £280 compensation awarded to the complainant
- ✚ Note 4 59/05/B £450 compensation awarded to the complainant
- ✚ Note 5 52/05/H 12 month conditional discharge
- ✚ Note 6 107/05/H 28 days custody
- ✚ Note 7 79A/05/H 12 month conditional discharge
- ✚ Note 8 65A/05/H £221 compensation awarded to the complainant
- ✚ Note 9 78/05/H 12 month conditional discharge

	TOTAL NUMBER OF CASES	TOTAL NUMBER OF INFORMATIONS	TOTAL FINES	TOTAL COSTS
2005/6	108	443	£53605	£46558
2004/5	110	387	£47300	£43520
2003/4	112	348	£61315	£51972

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/05 – 31/03/06

VIDEO RECORDINGS ACT 1984

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
30/05/H	Retailer	Have in possession for supply a video work with an R18 classification without being a licensed sex shop

CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) ACT 1991

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
69/05/B	Shop Assistant	Sold cigarettes to a person under the age of 16

TRADE DESCRIPTIONS ACT 1968

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
42B/04/H	Estate Agent	Made a false statement as to the provision of a service
25/05/H	Jeweller	Applied a false trade description to goods.
104/05/H	Travel Agency	Made a false statement as to the provision of a service

BUSINESS NAMES ACT 1985

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
107/04/B	Cash & Carry	Did fail to display a notice detailing ownership details
30/05/H	Retailer	Did fail to display a notice detailing ownership details
122/05/B	Sweet shop	Did fail to display a notice detailing ownership details
140/05/H	Retailer	Did fail to display a notice detailing ownership details

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/05 – 31/03/06

PRICES ACT 1974

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
107/04/B	Cash & Carry	Failed to indicated the selling price on good offered for retail.
30/05/H	Retailer	Failed to indicated the selling price on good offered for retail.
86/05/B	Retailer	Failed to indicated the selling price on good offered for retail.
95/05/H	Retailer	Failed to indicated the selling price on good offered for retail.
122/05/B	Sweet shop	Failed to indicated the selling price on good offered for retail.
140/05/H	Retailer	Failed to indicated the selling price on good offered for retail.
165/05/H	Retailer	Failed to indicated the selling price on good offered for retail.

WEIGHTS AND MEASURES ACT 1985

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
30/05/H	Retailer	Did use for trade a weighing instrument that had not been passed as fit for use for trade.
71/05/B	Greengrocer	Sell goods without reference to the metric system of measurement.
87/05/B	Greengrocer	Sell goods without reference to the metric system of measurement.
122/05/B	Sweet shop	Delivered to the buyer a lesser quantity than corresponds with the price charged.
140/05/H	Retailer	Delivered to the buyer a lesser quantity than corresponds with the price charged.

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/05 – 31/03/06

TRADE MARKS ACT 1994

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
131/04/H	Fly Pitcher	Selling goods which infringed the registered trade mark
142/04/H	Retailer	Selling goods which infringed the registered trade mark
148/04/B	Retailer	Selling goods which infringed the registered trade mark
15/05/H	Fly Pitcher	Selling goods which infringed the registered trade mark
56/05/H	Market Trader	Selling goods which infringed the registered trade mark
67A/05/H	Market Trader	Selling goods which infringed the registered trade mark
151A/05/H	Market Trader	Selling goods which infringed the registered trade mark
67B/05/H	Importer	Selling goods which infringed the registered trade mark
68/05/H	Market Trader	Selling goods which infringed the registered trade mark
73/05/H	Fly pitcher	Selling goods which infringed the registered trade mark
83/05/H	Fly pitcher	Selling goods which infringed the registered trade mark
105/05/H	Fly pitcher	Selling goods which infringed the registered trade mark
131/05/H	Convenience Store	Selling goods which infringed the registered trade mark
148/05/H	Convenience Store	Selling goods which infringed the registered trade mark

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/05 – 31/03/06

TRADE MARKS ACT 1994 (cont)

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
196/05/B	Retailer	Selling goods which infringed the registered trade mark
201A/05/B	Market Trader	Selling goods which infringed the registered trade mark
201B/05/B	Market Trader	Selling goods which infringed the registered trade mark

CONSUMER PROTECTION ACT 1987

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
172/04/H	Retailer	Supplied unsafe electrical equipment.
12/05/B	Retailer	Supplied unsafe electrical equipment.
31/05/H	Optician	Gave a misleading price indication.
32/05/H	Dental Products	Supplied a cosmetic product which did not comply with the Regulations
172/05/H	Newsagents	Supplied fireworks outside the permitted dates.
173/05/H	Newsagents	Supplied fireworks outside the permitted dates.

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/05 – 31/03/06

LICENSING ACT

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
77/05/B	Off Licence	Supplied alcohol to a person under the age of eighteen.

ANTI SOCIAL BEHAVIOUR ACT 2003

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
26/05/H	Retailer	Supplied aerosol paint to a person under the age of sixteen.

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<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
94/05/B	Film Distributor	Did without the licence of the copyright owner import infringing copies of a copyright work.
191/05/B	Film Distributor	Did without the licence of the copyright owner import infringing copies of a copyright work.

APPENDIX 6
PRESS RELEASES

MEDIA RELEASES ISSUE BY THE SERVICE
(APRIL 2005- MARCH 2006)

<u>Date</u>	<u>Subject</u>
April	Just Ask Rob
April	Rogue Trader Alert
April	Mobile Display Unit location
April	Town Centre Newsletter
April	Warranty Scam Uncovered
May	Just Ask Rob
May	Game over for Bollywood Pirates
May	Article in Retired magazine for Brent, Ealing & Harrow
May	Environment News Charter mark renewal
May	Article for Willesden Traders Association
May	Brent Community Safety Leaflet
May	Mobile Display Unit location
June	TS Sting stops underage alcohol sales
June	TS crackdown on short changing butcher
June	Plumbers called out to court
June	Just Ask Rob
June	Jaguar car dealer pleads guilty
June	Heater shock causes sparks to fly for importer
June	Environment news ~ Hat trick for Trading Standards
July	Clampdown on roadside car dealer
July	Car clocking conspiracy exposed
July	Is your child safe?
July	Mobile Display Unit location
July	Handbag wholesaler convicted for selling counterfeits
July	Estate Agents and developers measure up.
July	Wembley/Kingsbury area map
August	TS receive groundbreaking commendation for excellence
August	University challenged
August	No wins for twins prosecuted by Trading Standards.
August	Trading Standards issue warning on bogus charity collections
August	Fake DVD sellers caught in crackdown in Harrow
August	Trading Standards 'cotton on' to false claims
September	Just Ask Rob

September Roofer fined for making false claims
September Buy pirate DVD's and fund criminal gangs
September Article in Wedding magazine
September MDU location
September Electric Blanket testing dates
September Article for Harrow Crime Prevention Panel
October Top Gear – Top fine
October Article about OFT helping consumers shop with confidence
October Article for Wembley Town Centre news
October Beware of one day sales scams
October Deliver our furniture, say angry customers
October Chinese DVD Sellers prosecuted
November Pirates reported on the airwaves
November Tips when buying on eBay
November Beware when buying second hand cars
November Spanish scams target Brent residents
November Hi Life Tours gets Hi fine
December Golden fine for jewellery business
December Obligations on traders selling fireworks
December Top films seized in £1 million raid
December Thinking about buying a new or used car
January Under age cigarette sale
January Car clumper has to tow the line
January Dangerous fan supplied by importer
January £1.5 million of fake goods seized
February End of the road for rogue clumper
February Phone scam uncovered
February Car clamping company fined for overcharging
February Tour operator takes consumers for a ride
February Wembley trader slapped with hefty fine
March Advice when using a builder
March Ask Ash
March Say no to pirate DVD's
March Shop fined for selling knife to a child