

LONDON BOROUGHS OF BRENT AND HARROW
TRADING STANDARDS ADVISORY BOARD – 28th NOVEMBER 2006
REPORT NO. 4/06 FROM THE DIRECTOR OF TRADING STANDARDS

FOR INFORMATION

TITLE OF REPORT: **Six Monthly Report on the Operation of the Service April – September 2006**

1.0 SUMMARY

1.1 This report updates Members on the operation of the Service over the first six months of the current financial year.

2.0 RECOMMENDATIONS

2.1 That Members consider the content of the report and comment as appropriate.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications contained within this report.

4.0 STAFFING IMPLICATIONS

4.1 The current staffing situation is contained within the report.

5.0 DETAIL

5.1 The report is attached as an appendix.

6.0 BACKGROUND INFORMATION

6.1 Details of Documents:-
Infringement report book
Monthly statistical printouts

Any person wishing to inspect the above should contact John Taylor, Director of Trading Standards, 249 Willesden Lane, London NW2 5JH, telephone 020 8937 5500.

JOHN TAYLOR
DIRECTOR OF TRADING STANDARDS

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TRADING STANDARDS ADVISORY BOARD

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LONDON BOROUGH OF HARROW

Urban Living Portfolio Holder : Councillor E Kinnear

Director of Trading Standards: John Taylor

THE TRADING STANDARDS SERVICE

1. INTRODUCTION

I have pleasure in presenting the Trading Standards Service's six month report on the operation of the Service for 2006/7. Full details 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. This assistance is extremely popular with our customers, who have generally exhausted all means of seeking redress bar taking court action.

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 with an 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 advise on the functions of the Service.

The Service is accessible by telephone (including Mincom), fax, e-mail, web-site, 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 introduction of a government funded Consumer Direct helpline has increased access to advice and assistance for consumers who now have the choice either to discuss their case with the helpline or with this Service, when ringing our number. Consumer Direct refer matters to this Service which require a criminal investigation.

2 OVERALL PERFORMANCE

The first six months has been very busy and productive for the Service. We had the accreditation of our UKAS laboratory renewed during the summer period. However, a full review of the viability of this aspect of the laboratory was completed during September and analysis showed that the resources used not could sustain a business case for continuing to provide the service. The laboratory will continue to be used for non UKAS work, for which there remains a healthy market, but it was disappointing to have to close the UKAS facility. We were delighted when our Chartermark renewal was confirmed at the commencement of the year as this demonstrates the extent to which we value our customers and stakeholders. We have also retained the ISO 14001 accreditation as part of the larger Environment & Culture's registration.

In order to inform the public and to raise awareness of the Service, we have issued 31 statements to the press involving local and national media interest. Officers have conducted 13 talks to local organisations ranging from schools and colleges to specific target groups. The mobile display unit which had been one of our trade marks at external events, was sold at the beginning of this period to reduce costs. We continue to carry out a display in each borough each month, but these are now concentrated on indoor centres. We were represented at the 'Under One Sky' festival during the Summer and we shared the display with our colleagues in Environmental Health, (as shown below).



Performance against our targets can be seen in the graphs together with details of the Prosecutions and Formal Cautions which are attached as appendices to this report. We have seen a rise in the number of defendants sentenced to serve some form of custodial sentence, whether suspended or direct custody, in particular for some of the street traders who persist in selling illegal DVDs.

Overall Staffing

There was only one vacancy on establishment at the end of September:- for an Enforcement Officer in the Brent Metrology and Safety team. During the 6 months appointments were made for a Quality Development Officer, a Senior Consumer Services Officer and a Consumer Advisor. We were also fortunate in recruiting a Senior Enforcement Officer who returned after previously resigning to travel abroad. One enforcement officer post in Harrow has been kept vacant for budgetary purposes, otherwise the Harrow establishment is fully staffed.

3 BRENT TEAM

The Service Operational Plan details the work we have programmed for the year. Our performance against that programme is as follows:

BRENT TEAM 2006/7

	Planned	<u>½ year</u>	<u>Actual</u>
Requests for action (criminal)	1100	550	606
Civil Investigations	130	65	104
Trader Enquiries (including HA work)	130	65	73
Enterprise Act Investigations	2	1	0
Announced Comprehensive Primary High Risk Insp.	152	76	45
Announced Comprehensive Primary Medium Risk Insp	862	431	42
Announced Comprehensive Primary Low Risk Insp	100	50	32
Announced Secondary High Risk Inspections	20	10	0
Announced Secondary Medium Risk Inspections	163	81	0
Other Inspection/Test Purchase Visits	450	225	203
Home Authority Referrals	300	150	155
Average Quantity Visits	45	22	8
Criminal Reports of Infringement	65	32	41
Civil Reports and Action	12	6	4
Prosecutions completed	36	18	24
Formal Cautions	20	10	6
Letter of Warning	10	5	3
Projects completed	5	2	1
Verification Visits	25	12	9
Multi-Agency Operations	16	8	11
Mileage checks (each car)	54	27	350
Web sites (per check)	54	27	25
Publications (per check)	54	27	33
Safety Lab tests (per batch)			0
Alternative enforcement action	4*	2	0
Mobile Display Unit Visits	13	6	6
Electric Blanket Safety Work	1	0	1
Child Car Seat Safety Work	2days	1	2
Talks to external Bodies/Organisations	6	3	2

Brent 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 and businesses. During the first six months of this year, the team has been fully staffed except for one member of staff who has been on maternity leave. I am also pleased to report that another member of staff, who has been employed by the Service for fifteen years as an Enforcement Officer, successfully completed his Diploma in Trading Standards examination.

During the course of the first six months the team investigated 498 criminal complaints. A further 104 civil complaints were investigated on behalf of members of the public who have had a disputes with businesses who have provided them with defective goods and services.

In addition to the above, the team has conducted 322 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 Comprehensive Performance Indicator for this year is to complete 100%

inspections of high risk premises, which will be successfully achieved by the end of the year.

During the course of this financial year, 41 infringements reports were submitted by the Brent team and 24 prosecutions were completed in the courts. A further 9 traders were issued with letters of warnings or formal cautions where legal proceedings was not considered to be appropriate.

Brent Metrology and Safety Team

The Metrology and Safety Section consists of a Principal Trading Standards Officer, a Trading Standards Officer and a Senior Enforcement Officer, (both of whom recently began on job share basis), an Enforcement Officer and an Assistant Enforcement Officer. In addition to this, one Enforcement Officer who embarked on the Diploma in Trading Standards studies successfully qualified as a Trading Standards Officer in July 2006. The first six months of the year have yielded tremendous outputs despite the fact that one member of the team was on maternity leave until late August 2006.

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. The scope of the work can vary from dealing with complaints regarding the prices charged by car clampers for release fees to checking beer measures at pubs and at local events. Of course the safety of goods sold within the borough is equally important and this is carried out on a proactive and reactive basis, through routine inspections, project work and through dealing with consumer and trader complaints and enquiries. In addition to this, all the members of the team have participated in providing guidance and practical advice to consumers and traders alike through forums, displays and exhibitions with partners, such as the Community Safety Team.

Several years ago, it was recognised that the premises that manufacture and import goods are more likely to have a higher impact on the community at large, particularly if things were to go wrong. As a result it was decided to make those businesses high priority in terms of the inspections that we conduct to check whether the relevant legislation is being fully complied with. Therefore, wholesalers, manufacturers and importers of foods and goods with a safety impact were identified as high risk traders requiring closer attention. In view of this, a key performance target was introduced of achieving an annual 100% inspection rate of the types of premises that the team regulates.

The first six months have been very busy for the team, primarily due to the amount of self generated work by working in partnership with the police in tackling sales of age restricted goods and by conducting innovative projects to protect local residents.

The team submitted twenty one infringement reports dealing with offences under a wide range of legislation. Additionally, the team completed a safety project into the safety of upholstered furniture and is completing another into the safe repair of motor vehicle tyres. The team continued to visit a large number of businesses to check for compliance following the introduction of new licensing laws.

As in recent years, the team arranged for the free checking of child car seats. It was particularly important for this to be carried out this year with the impending changes in the law regarding the seating requirements for children in cars. Statistics from the BBC in 2005 showed that every year about 20 babies and toddlers are killed in car accidents and another 170 are seriously injured as a direct consequence of poorly fitted or inappropriate seats. Additionally, those figures have shown that approximately 70% of car seats are fitted incorrectly and, to put this into perspective, a staggering 100,000 children are involved in car crashes every year.

The Brent Metrology and Safety team were tasked with arranging the testing for both Brent and Harrow. The testing took place in the car park area of a major supermarket in Brent and at a different supermarket in Harrow. Over the two days, 57 child car seats were tested with an alarming 47% found to be fitted incorrectly. The vast majority of those were remedied on site by the expert fitter. Some of the frequent problems that our fitters encountered were that parts were missing; loose straps resulting in the seat being insecure; and the base of the seats were not being fitted correctly. 'Jake' of the Tweenies attended the campaign to make sure that the children were kept occupied whilst the testing was taking place. The value of this campaign was highlighted again by the introduction of the new legislation which came into effect on 18th September 2006. Furthermore, the campaign aroused more attention as it was held during Child Safety Week during which various other campaigns were highlighted in the national press.



Another project that is of great benefit to the residents of Brent and Harrow is the annual free testing of electric blankets. A total of 128 blankets were tested by an independent electrical expert who found that a staggering 20% of them were unsafe. The main findings were exposed live parts due to wear and tear, lack of protection from overheating, damaged electrical wiring and simply the age of the blanket, as a result of which they failed to meet the stricter control measures that blankets have to now pass.

An area of great concern to Brent Council, parents and the public at large is the sale of age restricted goods to minors such as alcohol, cigarettes, knives, solvents, spray paints, videos and lottery tickets. As a result, we have been eager to ensure that a strong message is sent to traders that formal action will be taken against anyone who illegally sells age restricted

goods to children. Brent and Harrow Trading Standards have helped in formulating the blueprint to establish the manner in which operations involving volunteer children are carried out and we have been party to many of the appeal court cases that have been decided.

During this period a large number of cases were concluded in relation to underage sales. For example, a local market trader pleaded not guilty to an offence of supplying a knife to two children both, of whom were aged 12. The knife was sold by an employee who had received verbal training on such sales. The trader stated that he had sacked the employee but could not provide information as to his whereabouts. His counsel argued that he had not been advised as to his obligations regarding selling products such as knives. The defendant was found guilty, but disappointingly, the Magistrates sentenced him to a 12 month conditional discharge and ordered him to pay costs of £441. This was particularly inadequate in light of the recent tragic stabbing cases involving the Special Police Constable in Wembley, the solicitor walking home from Kensal Green underground station and the schoolboy outside of the London Academy in Edgware. Unfortunately, the hard message that we want to convey to traders is not reflected by the sentences that are imposed by the courts. The Service will be writing to Brent Magistrates again, indicating the disappointment that we feel at the lenient sentences which have been imposed recently and the fact that their soft sentencing policy will not be seen as a deterrent by others.

Further examples of this were the cases of two sales of alcohol to a 15 year old boy from public houses. In the first of the cases, the manager/licensee and the corporate body which owned the pub were both given 12 month conditional discharges and ordered to pay a total of £582 in costs. The licensee in the second case was also given a 12 month conditional discharge and ordered to pay £582 in costs. Not only were the penalties for this type of activity again wholly inadequate, but the sales of alcohol to children is known to fuel other types of anti-social behaviour which eventually have to be dealt with by the police and other regulatory services. Furthermore, the victims of this type of behaviour are usually innocent members of the public.

Another area of responsibility for the team is to ensure that only safe products are supplied to our local residents. Unsafe consumer products represent a major burden to the taxpayer in terms of the resources required to rebuild property and provide health care when there have been serious failures with consumer products. According to the Royal Society for the Prevention of Accidents (ROSPA), every year there are approximately 4000 deaths as a result of home accidents mainly involving children under 15 years of age and those over 75. The estimated cost to society annually from home injuries has been estimated at £25 billion.

The project on the safety of upholstered furniture was concluded this year. This project involved buying items of furniture to determine whether the flammability requirements were met. Items from three different traders failed the tests, which involved burning the furniture to destruction under laboratory conditions. One of the traders who sold second hand furniture from his shop in Cricklewood was given a letter of caution whilst another from Wembley, who imported his goods from Egypt, was given a formal caution after he agreed to destroy all remaining suites under our supervision.



Another case that emanated from this worthwhile project is going for trial and an update on this will be given in the annual report.

Apart from furniture, electrical goods, if unsafe, can potentially pose a lethal danger in the home environment. During inspections of trade premises our officers are always on the lookout for any goods likely to pose a threat to our residents. One case that demonstrates this was concluded at the Magistrates' Court recently. In this case a trader from Kilburn sold an electrically operated ornament to an officer which was subsequently examined by an expert. The expert concluded that it was electrically unsafe and, in addition, was fitted with a plug which did not conform to the relevant British Standards. The failures included the fact that live parts could be accessed without the use of tools which could result in electrocution and that the plug would not operate adequately in use and this in turn could render the product unsafe. In this case the company and its director were both prosecuted. The director was sentenced to a 12 months conditional discharge and ordered to pay costs of £629, whilst the company was fined £1000 and ordered to pay costs of a further £1000.

In another case, the team had participated in a project which was run in conjunction with other Trading Standards Authorities across North West London into the safety of fans. One of the traders that sold an unsafe fan from Stonebridge ward was proceeded against. The company pleaded guilty to the offence and was fined £1700 and ordered to pay £749 in costs.

The team is active in terms of its dealing with colleagues within the Trading Standards community. The team has participated in a number of projects which run throughout North West London. This type of close working with colleagues helps to highlight problems of public protection on a larger scale and over a wider area. The team are in the throes of assisting in two weights and measures projects:- one is in relation to the accuracy of beer and spirit measures in pubs where the Service has already carried out a survey in conjunction with the Sunday Mirror into this business activity. The survey highlighted that some of the local publicans are serving short measure pints. Advice was given at the time and it is hoped that we may carry out a similar exercise again in the forthcoming year. The second project will target health food shops to establish whether the quantities of pills sold actually bear any resemblance to claims being made on the packaging.

The country carries out £1 billion of trade every day based on quantity, whether it be the goods that consumers buy at supermarkets or the petrol that is dispensed at filling stations. In view of this, the Service will be carrying out two projects based on internet shopping by weight and

determining whether the delivered goods correspond to the charges made. Another project underway is checking goods that are supplied by weight to local schools. Schools cater for a large student population and any discrepancies in delivery can have a profound effect on the budgets of the local education authority. More on this will be reported in the annual report later in the year.

Pricing problems form a large part of the work of team. A number of complaints emanate from the emotive area of car clampers. One particularly devious scam which was being used by unscrupulous clampers was to operate near the Wembley area during concert dates, posing as official parking attendants and ushering motorists to parking bays. The clampers then proceeded to clamp the unsuspecting concert goers and charged them huge sums of money for the release of the vehicles. A number of investigations into clampers are ongoing relating to a variety of different traders, some of which should have been concluded at the time of writing the annual report.

Brent Fair Trading Team

The Brent Fair Trading team is headed up 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 such as 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 businesses as well as by conducting routine inspections and by providing advice and assistance. The Brent Fair Trading team continues to develop close links with our partners with respect to enforcement. It has been to the benefit of the Service as well as our customers that these links have been forged. One such multi agency partnership project related to a very successful operation along Kilburn High Road with respect to the seizure of counterfeit DVDs and illegal cigarettes. This operation, which also included colleagues from Camden Council, was extremely successful and resulted in the arrests of 22 people and the seizure of thousands of counterfeit DVDs and cigarettes from both sides of the High Road. It is envisaged that a number of Anti Social Behaviour Orders will be applied for against these traders as a result of the operation. It proved to be remarkably successful in removing the DVD sellers from the vicinity of Kilburn High Road for a while and provided a much better shopping experience for the local residents. We aim to continue with this partnership working and repeat the operation closer to Christmas.

The Brent Fair Trading Team has developed close links with the Regional Assets Recovery Team (R.A.R.T), whom we have involved in some of our major and complex investigations. This team under the jurisdiction of HM Customs and Excise is tasked using powers under the Proceeds of Crime Act with investigating and discovering hidden assets from those who have made a profit from illegal trading. They are also tasked with the confiscation, seizure and freezing of ill gotten gains.

An area of concern is that one in five cars have had their mileage tampered with resulting in thousands of miles being wiped off the history of each vehicle. This is carried out by unscrupulous traders looking to increase the profit margin on the resale value of the vehicles. One major operation involving the Police, R.A.R.T. and a computer forensics expert, which is still being investigated by the team, led to the break-up of a car clocking ring and resulted in the seizure of cash and motor vehicles. Further details of this case will be provided in the annual report.

The Civil Advisor has been able to obtain a total refund of £13,112 for local residents during this period for local residents, many of whom are the most vulnerable members of our society, such as the elderly and those whose first language is not English. The Officer has also intervened in numerous consumer versus trader disputes and helped to achieve successful outcomes on a number of occasions. An example of this intervention led to the replacement for a mobile phone handset that had been stolen from a consumer at a fairground. The consumer complained to the Trading Standards Service after her insurers refused to honour her claim on the basis that the mobile telephone had not been taken with force. After our intervention the insurance company agreed to replace the telephone and we have referred the matter to the Financial Services Authority (FSA) who are now looking into the unfairness of this contractual term.

The Civil Advisor was also instrumental in obtaining a replacement dishwasher when faults started to develop with a consumer's washing machine a year after it had been purchased. The consumer unsuccessfully attempted to negotiate with the trader for the repair of the product. After our intervention, it was agreed that the trader's engineer would visit to inspect the appliance. Upon inspection, it was agreed that the consumer would be offered a replacement dishwasher.

One consumer purchased a number of items of furniture from a trader and noticed upon delivery that a bed base was faulty, the armchairs were of different colours and the coffee table was incomplete. On bringing this to the attention of the trader the consumer was met with silence and a refusal to exchange the goods. After our officer's intervention and negotiation with the company, replacement products to the same value were offered and accepted as settlement.

The Approved Motor Trader scheme is still a high profile scheme that the team is hoping to spread across the borough so that consumers can purchase vehicles from local traders in full confidence. The Service has undertaken a number of marketing initiatives to engage the public and increase membership of the scheme. For example, information is provided to local residents in our monthly newsletter and in the 'Ask Ash' column in the Brent Matters magazine that is distributed throughout the borough. Traders who wish to join the scheme have to undergo a strict audit to gain and retain membership. Thereafter all members are regularly audited to ensure that they are complying with all the terms and conditions of the scheme. Only then can their name remain on the list of approved traders which is also published on our website.

Approved Motor Trader Scheme



Unfortunately, not every case can be dealt by way of advice and assistance as there some businesses who have no regard for the law. The only option in these cases is to institute legal proceedings so that the courts can take whatever action they consider appropriate. One such trader who was caught supplying counterfeit goods at Wembley Market was sentenced to six months imprisonment by Brent Magistrates. During the investigation it had also been discovered that this defendant had overstayed illegally in the UK and, as a result of this, he was ordered to be deported upon his release.

In another case a property developer and a Harrow based estate agent were both given hefty fines after misleading a customer about a new building development in the heart of Wembley. Magistrates imposed fines totalling £8,400 on the two defendant companies and ordered them to pay £1,020 in prosecution costs to the Trading Standards Service after they pleaded guilty to making false representations as to the physical characteristics of the newly built apartment block. Investigations conducted by the Service showed that the picture in the property developer's computer generated brochure was different to how the development actually looked after it had been built. In fact the local estate agent, who was responsible for marketing the property, continued to display the image on their website six months after it was brought to their attention that the images were incorrect. Investigations also revealed that the computer image in the brochure had been printed despite the fact that the final plans for the building project had still not been approved by Brent Council's Planning Service. It appears that this is the first case under the Property Misdescriptions Act 1991 involving a prosecution against a developer as well as an estate agent.

A trader in Harlesden pleaded guilty at Brent Magistrates court to supplying counterfeit designer leisurewear. Officers searched his premises following a complaint and discovered that approximately 95% of the stock that he had on the premises was counterfeit. It resulted in the seizure of the stock valued at approximately £16,000. The defendant stated that he had purchased the goods from a 'white van man' but he had no further details for the so called supplier. He was fined £7,000 and ordered to pay costs of £1,679. He also forfeited all his goods for destruction.

A DVD trader based in Wembley was surprised by Trading Standards Officers attending his premises one Saturday morning and caught him red handed taping the latest blockbuster movies in the back of his shop. Officers also discovered his hire and sales records which proved he copied

films to order. After he disappeared for a few months, the officers eventually caught up with him and served summons on him. Following a number of missed court dates he eventually attended Brent Magistrates Court and pleaded guilty to all the offences. He was sentenced to a 150 hours community punishment order and ordered to pay costs of £1,719. Needless to say the court also ordered the forfeiture of all the counterfeit DVDs and the recording equipment.

One 'enterprising' trader broke into an empty shop in Kilburn High Road and set up a business selling counterfeit goods. Following a search of these premises by Trading Standards Officers the trader was arrested and interviewed at Wembley Police station. During the interview he stated that he was working on behalf of another man, but could not provide any further details to identify him. Subsequent investigations revealed that this trader was in the habit of practicing the same "modus operandi" across London. After having been caught in Brent he went on to do the same thing in Redbridge and in Ealing. At Harrow Crown Court the defendant pleaded guilty to offences under the Trade Marks Act 1994 and, after convincing the Judge that he had no income, he received a 150 hours community punishment order with no costs being awarded to the Service in bringing this successful prosecution. However, what he did not realise was that he had been observed by one of our officers arriving at court in an expensive Mercedes sports car. Further checks showed that this vehicle was registered to the defendant in the name of one of the aliases that he had used in the past and the case was, therefore, listed before the same Judge to reconsider his ability to pay our costs. Not surprisingly the Judge accepted the new evidence and duly ordered the defendant to pay £3,000 to the Service in prosecution costs.

In another case a trader was found to be supplying counterfeit football shirts at Wembley Market for which he pleaded guilty at Brent Magistrates Court. This was particularly annoying as he was found selling the goods underneath the new stadium which will host the national games and football showpiece events such as the F.A. Cup. He was fined £1,000 and ordered to pay costs of £500. All counterfeit goods were forfeited for destruction.

Another Wembley Market trader who was found to be supplying counterfeit goods over the Christmas period last year was summonsed to appear before Brent Magistrates Court. In mitigation the defendant's solicitor informed the Magistrates that his client had accepted his past errors and had started a new life by training to become a publican. He was fined £500 and ordered to pay costs of £250.

During the same operation last Christmas another trader was found selling counterfeit trainers from his stall at Wembley Market. He was arrested by the Police for supplying false identification and interviewed at Wembley Police station. He eventually gave his correct details and was released on bail pending further investigations into the counterfeit goods that had been found in his possession. He maintained that he had bought the goods from the proverbial "man in a white van". Nevertheless, at Brent Magistrates Court he pleaded guilty for which he was fined £400 and ordered to pay costs of £105. Not exactly the type of penalty one would expect for someone whose stock of counterfeit goods was valued at £22,000!!

Another Wembley Market trader was caught selling counterfeit tracksuits bearing some of the best known designer and sportswear trademarks. She

was interviewed at the site and stated that she owned the stock. Once again she was unable to provide any details of the person who had supplied her with the goods. She pleaded guilty at Brent Magistrates Court, and was fined £1,000 and ordered to pay costs of £450

4 HARROW TEAM

This Team consists of twelve members of staff who are directly responsible for all the Trading Standards enforcement functions within the London Borough of Harrow. The staffing level in the team has remained stable, although the Consumer Advisor post now forms part of the Fair Trading team. A new Advisor was appointed in June following the appointment of the previous advisor to an Enforcement Officer post. We were also fortunate in appointing an experienced previous member of staff back into an Enforcement Officer's role during this period. There remains one post on the Fair Trading team that is frozen, which is restricting the full enforcement operation of the team. The staff continue to produce innovative work by highlighting breaches of consumer protection legislation through investigations and projects, whilst maintaining a very high level of inspections of trade premises, thus, ensuring that we remain one of the best performing Authorities in London.

The Service Operational Plan details the work we have programmed for the year. Our performance against that programme is as follows:

HARROW TEAM 2006/7

	Planned	<u>½ yr est</u>	<u>Actual</u>
Requests for action (criminal)	740	370	506
Civil Investigations	170	85	75
Trader Enquiries (including HA work)	120	60	113
Enterprise Act Investigations	3	1	3
Announced Comprehensive Primary High Risk Insp.	103	51	26
Announced Comprehensive Primary Medium Risk Insp	902	451	156
Announced Comprehensive Primary Low Risk Insp	320	160	232
Announced Secondary High Risk Inspections	32	16	1
Announced Secondary Medium Risk Inspections	51	25	34
Other Inspection/Test Purchase Visits	400	200	730
Home Authority Referrals	112	66	62
Average Quantity Visits	15	7	6
Criminal Reports of Infringement	63	31	36
Civil Reports and Action	12	6	5
Prosecutions completed	32	16	9
Formal Cautions	12	6	4
Letter of Warning	15	7	8
Projects completed	5	2	0
Verification Visits	10	5	6
Multi-Agency Operations	5	2	0
Mileage checks (each car)	50	25	85
Web sites (per check)	40	20	37
Publications (per check)	40	20	23
Safety Lab tests (per batch)	0		0
Alternative enforcement action	4*	2	1
Mobile Display Unit Visits	13	6	7
Electric Blanket Safety Work	2	1	2
Child Car Seat Safety Work	1	0	1
Talks to external Bodies/Organisations	5	2	4

Harrow Safety and Metrology 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 a small but 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 Brent and Harrow Service is now the only one in North West London that has retained their Notified Body Status. This will hopefully mean that this Service will be able to attract more work of this kind especially when the Measuring Instruments Directive is fully implemented by the Government later this year.

The team consists of one Principal Trading Standards Officer, one Senior Trading Standards Officer, two Senior Enforcement Officers, and one Assistant Enforcement Officer. At the start of the year one Enforcement Officer had moved permanently to the Brent Team and this post was not filled until the beginning of September. Consequently the team has been short of one enforcement officer for most of the first six months of the financial year.

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. As I mentioned in last years report, the full implementation of the Licensing Act 2003 has 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. 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, and due to the success of this campaign, a repeat exercise took place in the summer of 2006.

Since 1st April 2006 officers from this team have visited 34 off licences where there were six sales made to a child volunteer, and 23 pubs where there were also six sales to the child volunteer. In the case of the off license sales, these are still ongoing investigations and I will report on these later in the year. The six sales which occurred at pubs were carried out in partnership with the police and were dealt with on the day by means of a fixed penalty notice. The notice is issued by a Police Officer to the physical seller of the alcohol, and if the penalty charge of £80 is paid within twenty eight days then no further action is taken. In these cases a Trading Standards Officer will speak to the licensee and ensure that they are aware of the seriousness of the offence, and impress on them the importance of training and monitoring their staff so that a repeat does not occur.

A new initiative recently implemented by this Team is to send a letter to all the premises that have had an attempted under age test purchase which has been refused. It was felt that this would be of value to those businesses who comply with the law as well as being a reminder to them to remain vigilant.

This Team has carried out other 'under age' operations attempting to test purchase, for example, knives and video games. During this period there has been one successful under age test purchase of a knife, and two successful under age test purchases of eighteen rated video games. These are all serious matters and I expect to be able to report on the outcomes of these cases in my next report.

Other routine visits are carried out according to the risk factor associated with the premises and I anticipate that by the end of the financial year, all the high risk premises for which this team has the responsibility will be inspected. Any that are found to be non-compliant will also be re-visited before the end of the financial year.

The team also carries out project work during the year and has completed a number of projects since April. One project involved the issue of spirit substitution. The International Federation of Spirit Producers in the UK (IFSP UK) is the organisation which protects the brand owners of spirits in this country. They have developed a piece of testing equipment called a spectrometer which is able to distinguish between different brands of a type of alcohol. They lend this equipment free of charge to Trading Standards Services for a week at a time. Officers from the team were able to take samples from 23 restaurants and 11 pubs and I am pleased to report that only one sample taken proved to have been substituted with an inferior brand. This is currently under investigation and I will be able to report on the outcome in my next report. Nationally, through the IFSP UK the rate of substitution has been reduced from approximately 8% in 1999 to 2% today.

In conjunction with the Brent Metrology/Safety Team we conducted the annual project on the safety of electric blankets being used in the home. Three days of free testing were organised, one in Pinner and one at the Harrow Leisure Centre and one at our office. The take up was very large and both days in Harrow were overbooked. We offer a free testing facility for electric blanket owners in Brent and Harrow together with a free collection and delivery for those that are unable to attend the venue in person. This year the Fire Service and Age Concern were also present and were able to offer advice and assistance to anyone who attended.

A total of 128 electric blankets were tested for electrical safety, 102 passed and 26 failed. This represents a failure rate of approximately 20% which continues to concern me. Anyone owning a blanket which failed was encouraged to leave it with us for destruction, and they were supplied with a discount voucher to use to purchase a replacement electric blanket.

This particular project is always very well received by consumers, and this is reflected in the fact that the take up is always 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 nearing completion and it is hoped to launch the scheme before Christmas.

There have also been many completed investigations during this period and below are the details of some of the completed cases.

A large importer of electrical goods from a neighbouring borough was discovered to have imported a significant number of electrically unsafe fans. A trader in Harrow had been supplied with electric fans by this importer but just as the case was about to reach court, the importer went into liquidation. However a large quantity of unsafe fans was removed from the market place.

A trader in Harrow Weald was convicted of selling a knife to a volunteer child purchaser from this Service and fined £1000 and ordered to pay costs of £511. This team regularly works with Harrow Police in the area of under age sales and has assisted with the Police in Operation "Blunt" involving knife crime. There will be further work done in this area during October in partnership with the Police who will be reintroducing a knife amnesty for a six week period. It is anticipated that there will be accompanying publicity through the local press and it is hoped that the number of under age knife sales will further reduce across the borough.

One case which will be heard before Christmas in a scheduled two day trial at Harrow Magistrates Court involves a herbal remedy product which, it is claimed, can help to cure many ailments. The product resembles a large teabag which is secured to the sole of the foot and left overnight. It is claimed that toxins within the human body are then removed by this bag helping to cure many diseases. I hope to be able to report on the outcome of this case in my next report.

It must also be noted that the Team has been assisting the Harrow Fair Trading Team in the regular patrolling of St Ann's 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 should be made, if resources permitted. Some of these illegal traders have been prosecuted and are now receiving custodial sentences and also anti-social behaviour orders. It is hoped that these may prove to be deterrents in the future.

Another interesting investigation involved a complaint from a number of students studying at Harrow College on a counselling course. Twenty students had effectively been overcharged for their course fees making it impossible for some of them to continue. Within a week, an officer from this team had visited the college, spoken to the person responsible and obtained an agreement to refund the excess amount. In total, £29,400 was saved as a result of this intervention, and the grateful affected students were able to complete their course.

Harrow 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's disadvantaged consumers resolve civil disputes with traders and if necessary assist them with Small Claims Court actions.

This year to date the team has dealt with 257 complaints and carried out 462 visits to trade premises and produced 33 infringement reports. It has also dealt with 74 requests for civil intervention and reported 2 matters with respect to instituting County Court Proceedings and recovered a total of £12,322 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'. The team has received 52 complaints on this issue alone so far, (up 68% on the same period last year). In terms of complaints received this is by far and away the issue of greatest concern to residents of the Borough. The traders who sell the DVDs are predominately of Chinese origin and often have language difficulties with English and no permanent address. This makes 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.

The problem continues to be tackled, where possible, on a multi-agency basis, with regular liaison between Trading Standards, Police and CCTV operators. These operations are supplemented by regular patrols by officers from the Team who seize goods from the traders on a weekly basis and report them for further action.

Resources continue to be a major concern when dealing with these traders, particularly, as the problem is at its greatest at weekends. Overtime budgets are, therefore, quickly exhausted and the continual need to hire interpreters further diminish operational finances. Police resources are also stretched which means that the team do most of their work without Police assistance. Unfortunately, the team has now reached a stage where it can no longer effectively respond to the problem at weekends simply because of a lack of available funds.

There have however, been a number of notable successes against these traders during the year. One case which resulted from a surveillance operation conducted by Trading Standards Officers identified an address in Headstone South at a flat above a restaurant which was used as a residence by two prolific DVD traders. A warrant was obtained from Harrow Magistrates and a raid was carried out on the address in partnership with Police. Four people were arrested and three were subsequently charged. At Court one trader received 28 days imprisonment while another two received conditional discharges. Over 1,000 counterfeit and pornographic DVDs were recovered and destroyed.

This is just one example of the many successes obtained against these traders and the team continues to devise novel methods to speed up the processing of these offenders through the Courts. This year the team have established a system whereby traders are charged at Police Stations rather than the traditional method of proceeding by way of summons. This method makes enforcement easier and dramatically shortens the time it takes to bring sellers before the Courts. The team are also now looking at obtaining ASBOs against the more prolific offenders and I hope to report further successes in the next six month period.

A major counterfeiting case which has been ongoing for nearly three years finally came to fruition in this period and represented a major victory for the team in that it was the Service's first case to culminate in Confiscation Proceedings under the Proceeds of Crime Act 2002 (POCA)

and the first case where Confiscation Proceedings had been successfully brought against a Limited Company.

POCA allows prosecuting authorities such as the Trading Standards Service to carry out a financial investigation of the defendant's assets and, where it can be proved that there has been a financial benefit from their criminal conduct, the Court can confiscate any assets belonging to the company or individual. This legal concept, which was originally brought in to tackle "drug barons" will have a major impact on those who trade in counterfeit goods in particular, as the legislation now allows Courts to go back up to six years and look at all assets spent, held or earned by the defendant, with the burden of proof being shifted to the defence to show that their money was earned legitimately.

The investigation itself began in October 2003 following a tip-off received by Trading Standards that counterfeit ladies handbags were being sold from a shop in Pinner High Street. A Trading Standards Officer carried out a test purchase of a handbag from the store that bore trade marks that were likely to be mistaken for the Louis Vuitton registered trade mark. The bag was examined by an expert who identified it as being counterfeit and subsequent enquiries were made that identified the importers. The team, raided the companies warehouse in Tower Hamlets in February 2004 and over 1,700 items were identified as being counterfeit including handbags, luggage, purses, phone holders, shoes and belts which breached famous trade marks such as Louis Vuitton, Celine and Versace.

During the trial at Harrow Magistrates Court in July 2005, the defendants tried to argue that all the seized goods had been designed by them and they had them manufactured and branded with their own trade mark. The defendant company tried to convince the Magistrates that the designs, which had been slightly changed from the registered trade marks, were significantly different and, as such, they would not cause confusion or mislead consumers. Evidence was presented in the Court comparing the original items to the counterfeit items and in most cases there was little or no difference between them and the defendants were found guilty. The Magistrates committed the case to Harrow Crown Court for sentencing and to allow for an application to be made by the Prosecution under the Proceeds of Crime Act 2002 for Confiscation Proceedings.

Ultimately the defendants were fined £24,000 and ordered to pay £23,500 costs after being found guilty of eight offences under the Trade Marks Act 1994 at Harrow Magistrates Court. The case was committed for Confiscation Proceedings at Harrow Crown Court and the Judge ordered that the Company pay a substantial sum within six months which represented the agreed benefit they had gained as a result of their criminal conduct. This case is believed to be the first 'Confiscation Order' in the country against a Limited Company, and such action could attract substantial income for the Service in the future.

I am pleased to say that the team's tireless work in the field of anti counterfeiting has been nationally recognised this year with one member of the team winning the individual National Award from the Anti Counterfeiting Group. This award not only reflects well on the standards of the officer concerned but on the support provided by all of the team in bringing complex cases such as the one mentioned above successfully before the Courts.

An investigation began following a complaint by a Harrow resident who had purchased a garden cabin from an internet based supplier. The consumer relied heavily on descriptions given by the company on their website with

regard to the quality and gauge of timber used in the cabin. Specifically, the roofing and flooring timber was described as being 30mm in thickness. As this was significantly thicker than the other companies in the market, the consumer decided to purchase the cabin from them. Following the delivery of the cabin and its subsequent installation by the company, the consumer found that the timber used in the roofing and flooring of the structure was significantly thinner. The case was taken to Court and Magistrates fined the Company £250, a Director £705 with costs of £546.

Complaints concerning transactions on Ebay continue to grow. A consumer from Harrow spent £500 on a diamond ring which was described as having a specific clarity backed by a test report with a valuation of £2,500. When it was received however, it was a source of disappointment in that it was cloudy and full of imperfections. Investigations revealed that the diamond was falsely described. The matter was taken to Court but ultimately settled when the Trader refunded the consumer in full.

The Enterprise Act requires that businesses do not act in a way which causes detriment to consumers. Sanctions are civil and allow Trading Standards to seek undertakings from traders to improve their performance, which can be backed by court sanction. One such investigation was carried out by the team following a complaint that a local restaurant in Stanmore had unfair cancellation clauses in its contracts for its function room. The consumer who had booked the room and tried to cancel felt it was unfair that the restaurant was under no obligation to attempt to re book the facility and could impose blanket cancellation charges regardless of their loss of profit. Officers looked at the terms and found that the restaurant indeed had imposed unfair terms on the consumer. Negotiations commenced through the Traders Solicitor and eventually new conditions were agreed which would be fair to all parties and ensure that in future there would be no further breaches of the Unfair Terms in Consumer Contracts Regulations.

The Team's Consumer Advisor continues to deal with a wide variety of cases with many notable successes.

In April this year a 90 year old Harrow resident complained to the Service that she had got new dentures fitted by a local dentist but she found that the dentures did not fit correctly. After negotiations between the dentist and the Service the dentist agreed to refund the consumer in full.

In June this year a dispute between a bath supplier and Harrow resident was resolved. The consumer complained to this Service that the bath supplied by the trader was not suitable for her disabled mother and was not the model that had been chosen by her previously. After a claim was issued against the trader with the help of the Service, the trader offered the consumer £2000 as full and final settlement which was accepted.

5 CUSTOMER SERVICES TEAM

The Customer Services Team (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 administrative support to the rest of the Service. The team now works closely with Consumer Direct, which is funded by the DTI to provide a national call

centre telephone service to the public on all consumer related matters. The more complex civil law enquiries and complaints relating to criminal consumer protection legislation are referred by Consumer Direct to Trading Standards Services like ourselves for investigation by our respective enforcement teams.

Despite the recent change our CST have been extremely busy during the first six months of this year and have dealt with 679 requests for action from both traders and the public. Despite the introduction of Consumer Direct, the CST has also handled the bulk of the 12,000 telephone calls received by the Service as well as personal visits from members of the public and businesses seeking help and assistance on a wide range of legal issues.

The new Service Development Officer commenced her post in July 2006 following the vacancy which had resulted following the resignation of her predecessor in January 2006. The role of this Officer is to concentrate on developing the Service and to ensure continual improvement. The work so far has concentrated on the following areas:-

- Satisfaction surveys
- Development of doorstep crime issues in Brent
- Increased awareness of the Service to the residents of Harrow
- Benchmarking

Surveys are conducted on a monthly basis over ten months with two months allocated for analysis and reporting. The surveys are carried out in three main areas, namely:-

- Customers
- Inspections
- Trader Requests for Service

The number of surveys sent out is based on 10% of the previous year's contacts, as outlined in the DTI guidance. The results are considered by the senior management team on a quarterly basis, if necessary, action can be taken to resolve any problems that are highlighted. The surveys ask about all aspects of the inspection visit or how a complaint was investigated. Additionally, some of the responses are part of the DTI National Performance Framework, which consequently feeds into the Comprehensive Performance Assessment and thus the corporate rating of the Boroughs overall. Previously only customers who had contacted the Service and those traders who had received inspection visits were surveyed, however, this year we have extended this to trader requests. This market segment covers any business, within our area, who contacts us for help or advice. We can then take onboard any suggestions made by them as a way of strengthening business links and help develop economic activity of the respective boroughs. To date all surveys have been carried out with a satisfaction rate in the upper threshold. We have also taken part in the Environment and Culture Department telephone survey for Brent residents who have complained to the Service. This was carried out in September and we are currently awaiting the results.

Another key element of Service Development is that of developing the Consumer Support Network (CSN) Projects for each Borough, as highlighted in previous reports. Packs are currently being developed to address each borough's individual needs.

Doorstep crime has been highlighted as the area that needs to be addressed in Brent. Utilising the CSN development funding, information packs are being introduced for the elderly and vulnerable, which are a particular target for this type of crime. Various types of information are in the pack including door hangers, window stickers and information in large text. The packs will initially be distributed by the Elders Voice, a charity that supports older people and has approximately 1000 members. Relationships have been forged with the Community Safety team to develop partnership working to compliment each others area of activity. For example, we attended an Older Persons Event in September to highlight and educate the audience on both the problem of bogus officials and doorstep crime. An advertisement has been produced for a Community Safety Booklet (due to be distributed in January 2007). We are also included in doorstep crime documentation being distributed to Kilburn residents by the local Crime Prevention Officer.

The second CSN project involves raising awareness of the Service in Harrow. To address this, information packs are being developed to inform consumers not only of the work of the Trading Standards Service, but also of our limitations within our legal remit. Presentations to local community groups also reinforce this message. To respond to the concerns of previous consultations, which highlighted that some ethnic communities were most dissatisfied with our service, information in the packs will include a number of booklets in ethnic languages. Monthly displays in Harrow Town Centre also publicise the Service. Again DTI development funding will finance this project.

Consumer education is also a way of developing the Service. Presentations and talks have been given to groups such as the Townswomen's Guild and Mother's Union in both Brent and Harrow on the work of the Service.

A number of joint events have been held with the Neighbourhood Watch Team and other agencies in various areas of Brent to highlight the work of the Trading Standards Service and the role that we play in protecting the public. The Service participated in a Community Safety Partnership event, aimed at the over 60s, in which a theatre production entitled "Ma Kelly's Doorstep" was performed by the Attic Theatre Company to educate the audience on how to deal with doorstep callers. The event was attended by 120 people and provided an avenue to distribute the Doorstep Sales information packs. From the positive feedback, the event will be repeated throughout the year.



Scene from 'Ma Kelly's Doorstep'

The Service continues to take part in various benchmarking activities, such as being an active member of the LOTSA Service Development and Benchmarking Group. The Service was successful in maintaining our Chartermark accreditation in June, through the dedication and hard work of all members of staff, who must be congratulated on their input. We are taking part in the Peer Review process and will audit Waltham Forest Trading Standards Service next year. The Service Development Officer will be the lead reviewer and will lead a team consisting of a reviewer from the iDEA agency and Tower Hamlets Trading Standards Service.

Contact has been made with the Brent and Harrow Work Experience Consortium to offer work experience placements to local students who will hopefully take an interest in Trading Standards either as a career option or to learn about their consumer rights.

After a successful surveillance visit, the Service has helped maintain Brent Environment & Culture's accreditation to ISO14001 for the Environmental Management System. Two Environmental Management Programmes on Green Claims and Energy Efficiency Labelling are ongoing.

The UKAS Management Group submitted a report and a recommendation to the Senior Management Team on the maintenance of UKAS accreditation a for the mass laboratory service. It was agreed to cease this facility from 1st October 2006. The main reasons for this decision was the cost of maintaining the accreditation and the cost effectiveness of providing this service in the future.

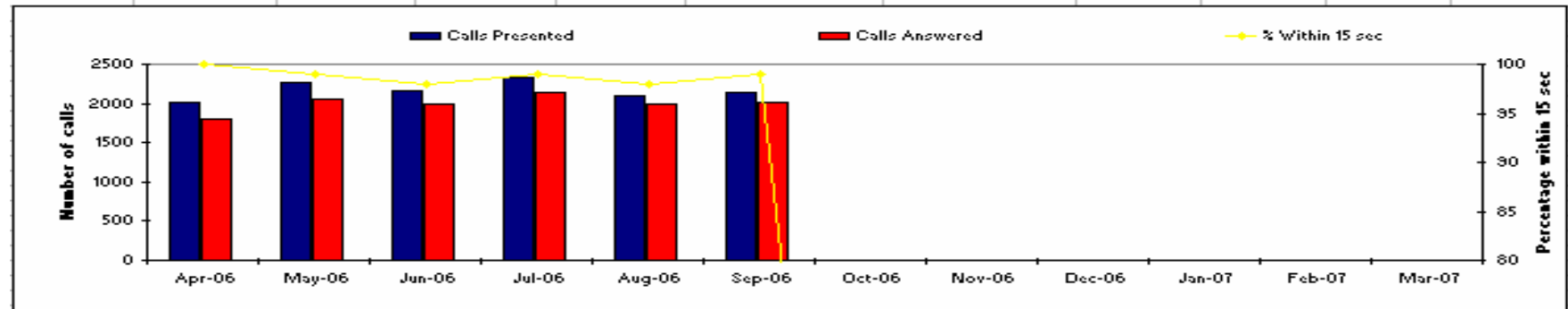
Appendix 1 Performance Monitoring



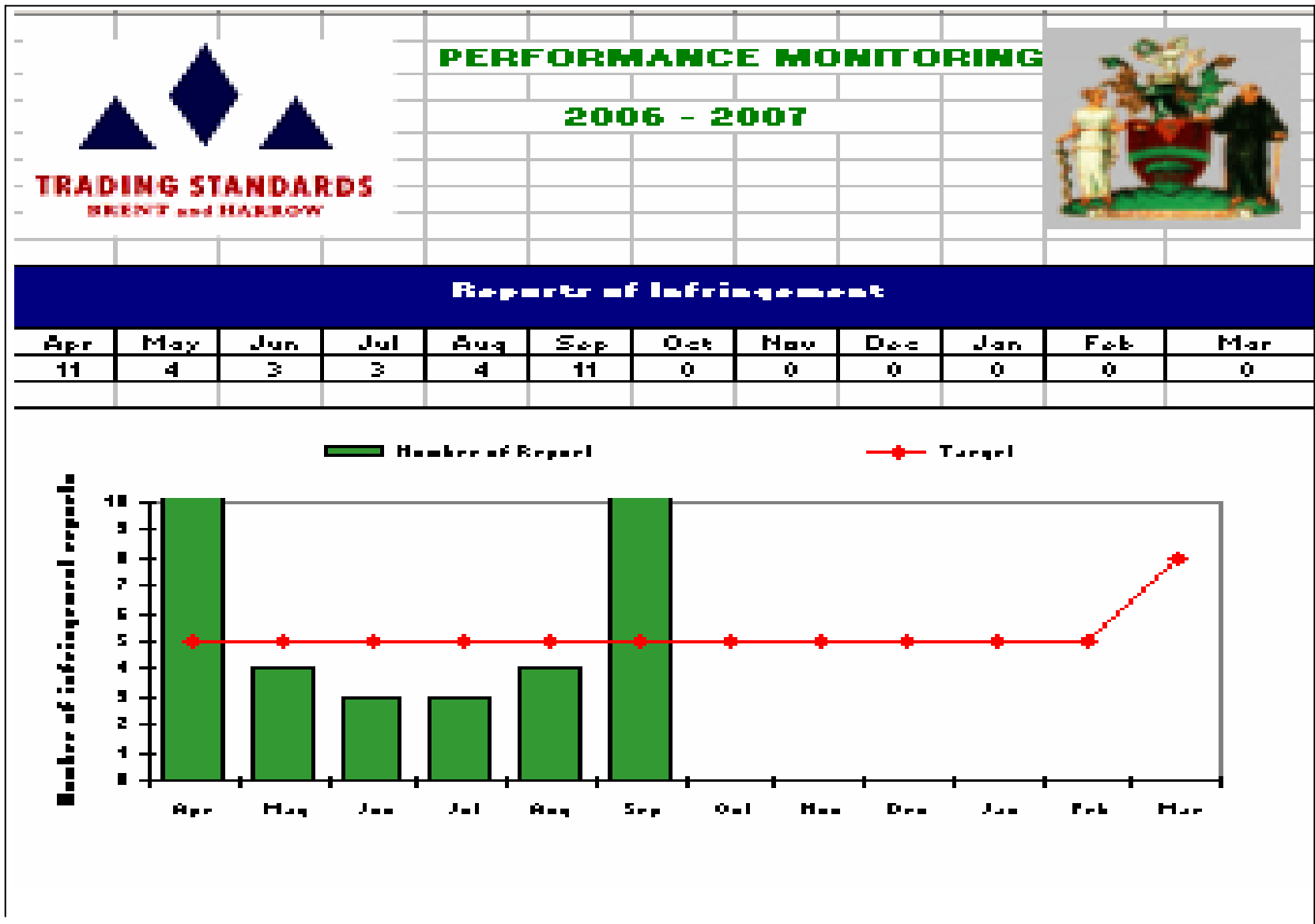
TELEPHONE PERFORMANCE 2006 - 2007

TELEPHONE PERFORMANCE SUMMARY 2005 - 2006

Date	Calls Presented	Calls Answered		Time to Answer			Engaged		Abandoned	
		Numbers	%	Avg	% Inside 15 sec on answered calls	% Inside 15 Sec on all calls	Numbers	%	Numbers	%
April	2004	1804	90	4	100	90	100	5	100	5
May	2267	2046	90	4	99	89	60	3	161	7
June	2171	1938	89	5	98	91	37	2	136	6
July	2334	2149	92	5	99	91	74	3	111	5
August	2108	1968	93	5	98	93	23	1	37	5
September	2137	2018	94	5	99	93	28	1	31	4
October	0	0			0					
November	0	0			0					
December	0	0			0					
January	0	0			0					
February	0	0			0					
March	0	0			0					

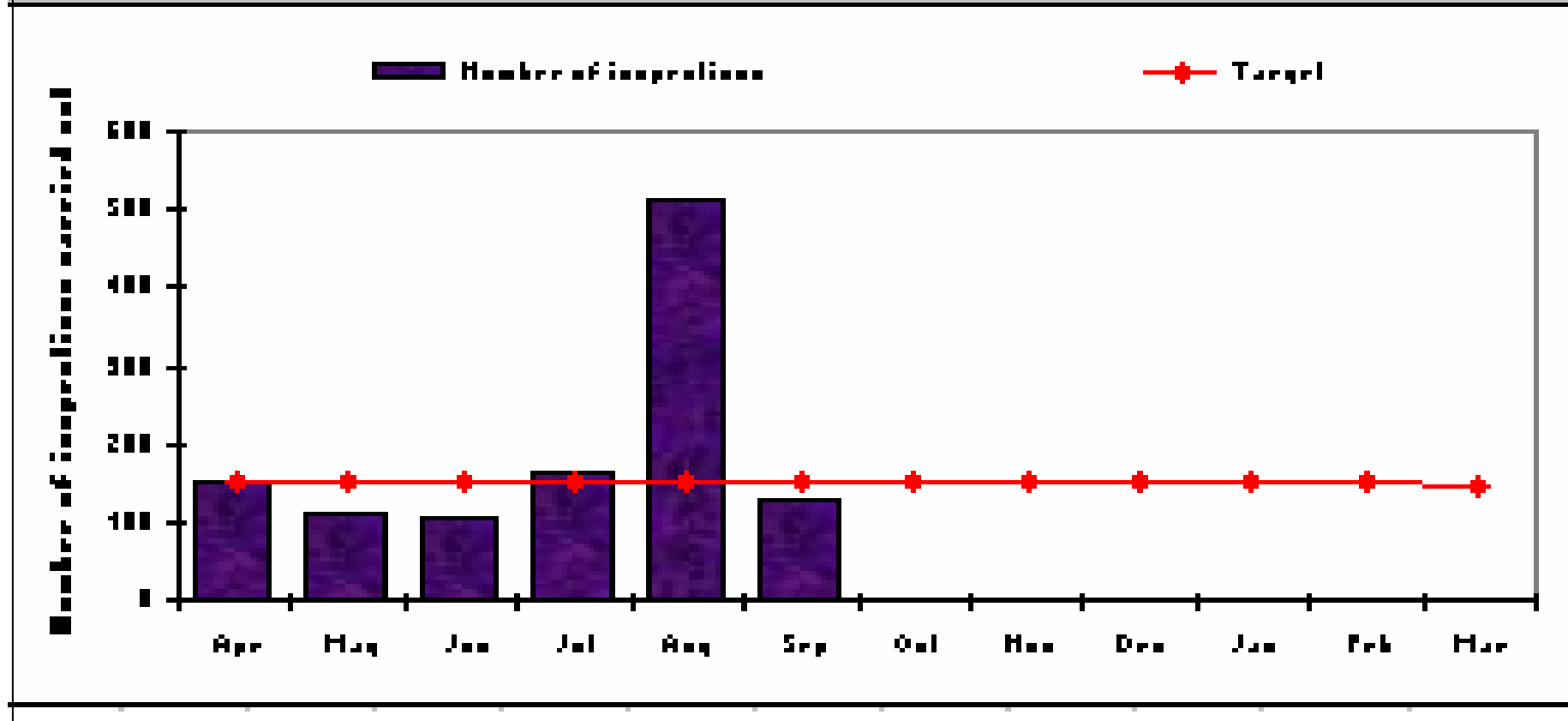


Appendix 1
Performance Monitoring




Appendix 1
Performance Monitoring


Total Number of Inspections											
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
152	112	106	164	514	131	0	0	0	0	0	0



Appendix 1 Performance Monitoring

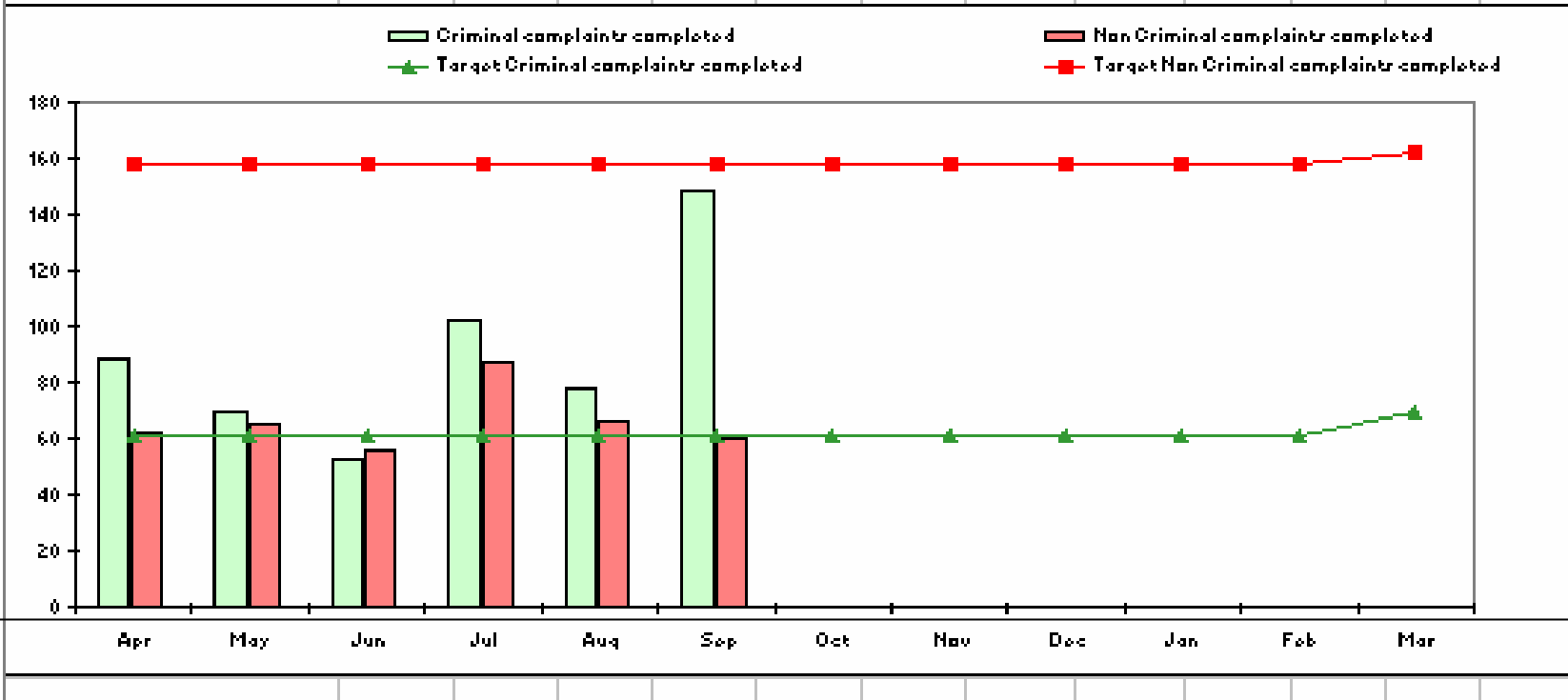


PERFORMANCE MONITORING 2006 - 2007

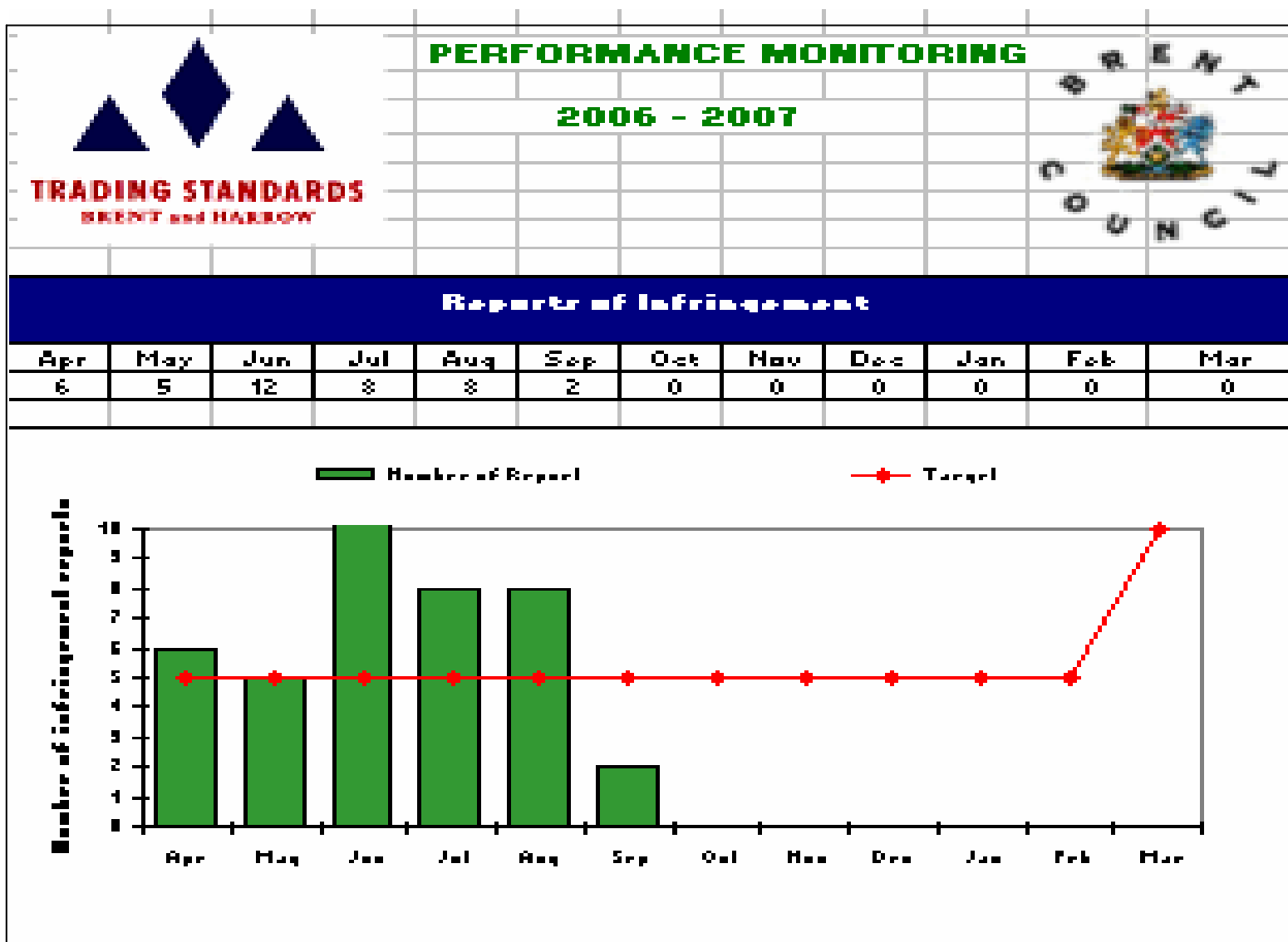


Request for Action - Criminal and Non Criminal

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Criminal complaintr completed	88	70	53	102	78	148	0	0	0	0	0	0
Non Criminal complaintr complete	62	65	56	87	66	60	0	0	0	0	0	0
Total Complaintr completed	150	135	109	189	144	208	0	0	0	0	0	0
% responder within 3 working days	98%	95%	100%									

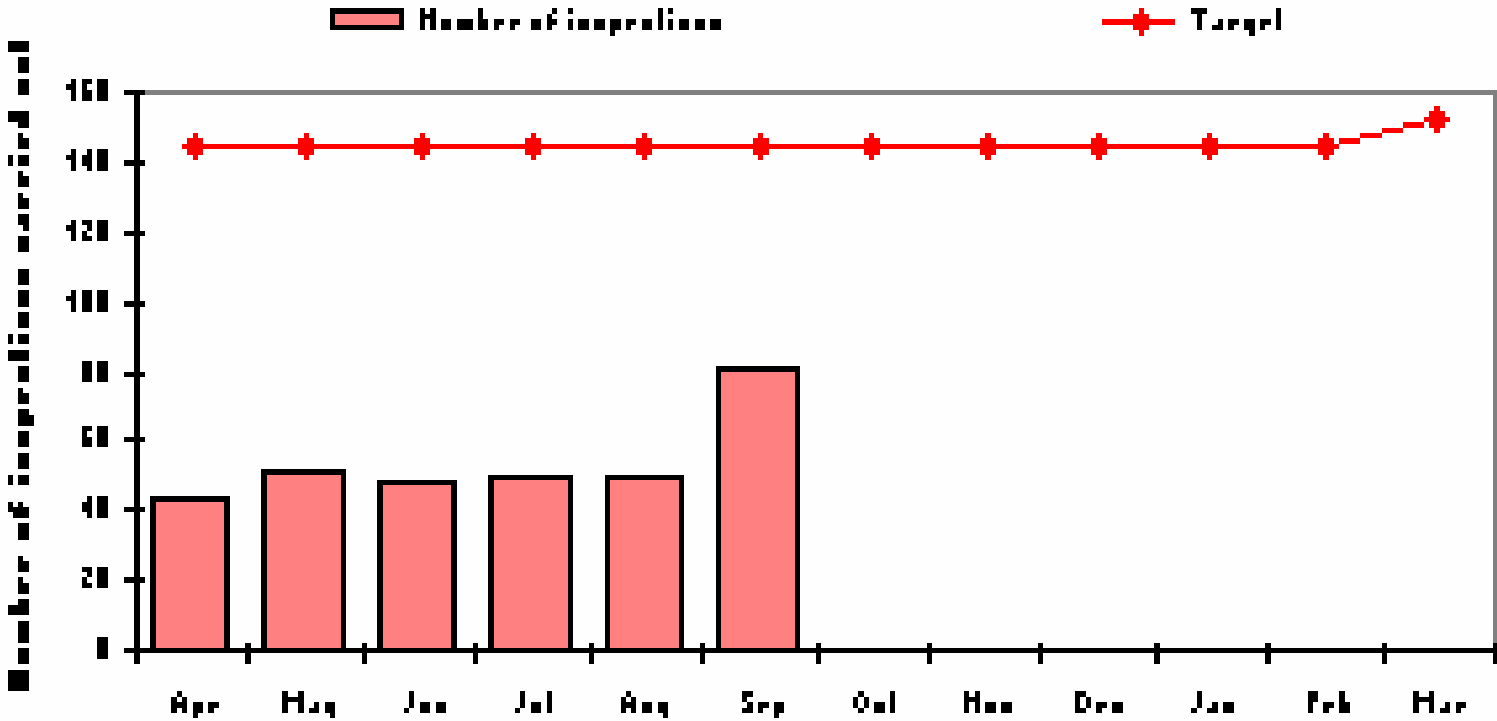


**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**



Performance Monitoring

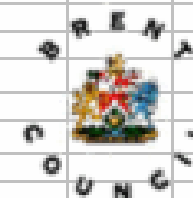
Total Number of Inspections											
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
43	51	48	49	50	81	0	0	0	0	0	0



Performance Monitoring

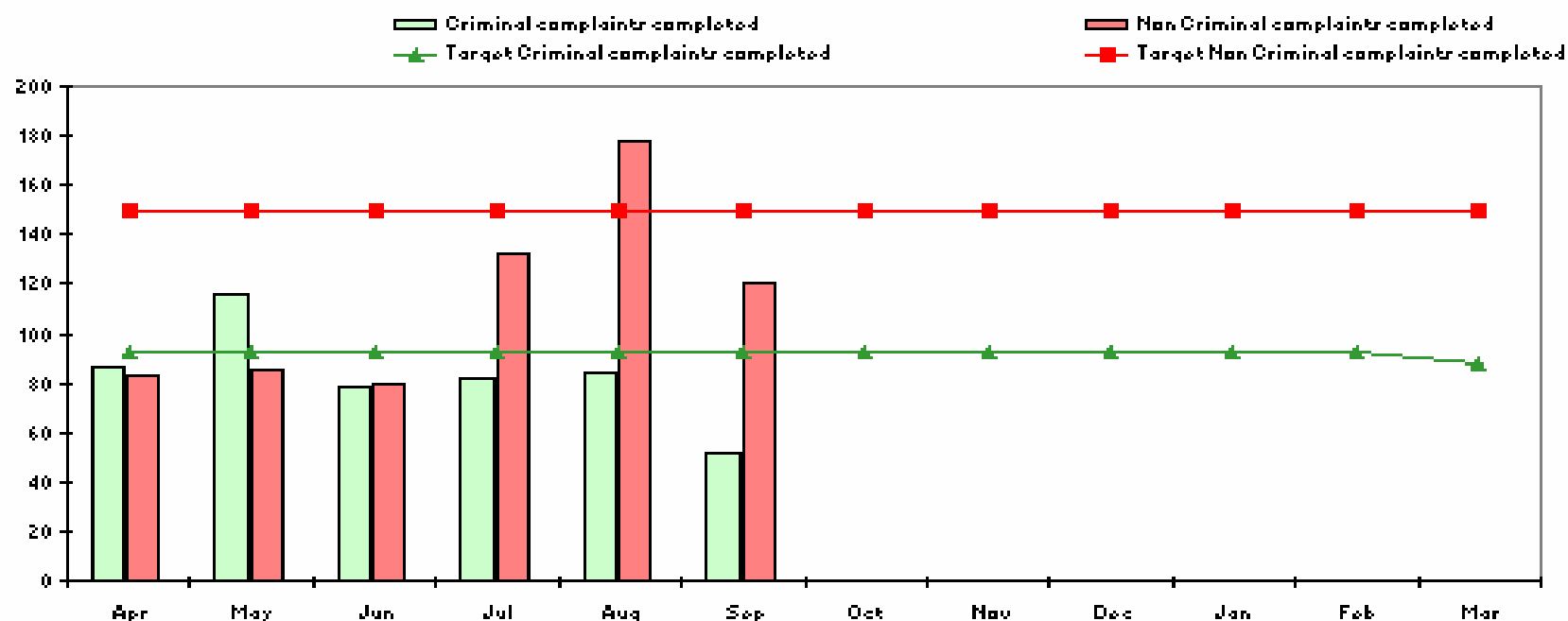


PERFORMANCE MONITORING 2006 - 2007



Request for Action - Criminal and Non Criminal

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Criminal complaintr completed	86	116	78	82	84	52	0	0	0	0	0	0
Non Criminal complaintr complete	83	85	80	132	178	121	0	0	0	0	0	0
Total Complaintr completed	169	201	158	214	262	173	0	0	0	0	0	0
% responder within 3 working days	96%	92%	98%	99%	99%							



**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**

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>
66/05/B	6	Beauty Parlour	Recklessly made a statement which was false as to the provision of a facility	14	£900	£3302
89/05/B	2	Retailer	Offered to supply goods to which a false trade description was applied.	1	Withdrawn	
138/05/H	2	Jeweller	Offered to supply goods to which a false trade description was applied.	1	Withdrawn	
175/05/B	3	Retailer	Offered to supply goods to which a false trade description was applied.	1	£1500	See TMA
10/06/B	8	Market Trader	Offered to supply goods to which a false trade description was applied.	1	£500	£250
18A/06/H	5	Director of below	Offered to supply goods to which a false trade description was applied.	1	£750	£546
18B/06/H	5	Garden Outbuildings	Offered to supply goods to which a false trade description was applied.	1	£250	See above
21/06/B	2	Market Trader	Offered to supply goods to which a false trade description was applied.	1	£400	£150

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**

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>
34/04/H	8	Importer	Had in possession for supply infringing goods	92	£24000	£23500
89/05/B	5	Retailer	Had in possession for supply infringing goods	92	See VRA. See note 1	
96/05/B	2	Retailer	Had in possession for supply infringing goods	92	See note 2	£3000
130/05/H	18	Retailer	Had in possession for supply infringing goods	92	See note 3	£2288
175/05/B	11	Retailer	Had in possession for supply infringing goods	92	£5500	£1679
11/06/B	2	Market Trader	Had in possession for supply infringing goods	92	£1000	£500
34A/06/B	10	Retailer	Had in possession for supply infringing goods	92	£500	£696
34B/06/B	10	Director of above	Had in possession for supply infringing goods	92	Withdrawn	
44/06/H	2	Fly pitcher	Had in possession for supply infringing goods	92	See note 4	

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**

LICENSING ACT 2003

<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>
35A/06/B	1	Public House	Supplied alcohol to a person under the age of 18	146	See note 5	£482
35B/06/B	1	Employee	Supplied alcohol to a person under the age of 18	146	See note 5	£100
37/06/B	1	Employee	Supplied alcohol to a person under the age of 18	146	£450	£400
42/06/B	1	Employee	Supplied alcohol to a person under the age of 18	146	See note 5	£582

VIDEO RECORDINGS ACT 1984

<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>
89/05/B	3	Retailer	Had in possession for supply unclassified video works.	10	See note 6	£1719
130/05/H	5	Retailer	Had in possession for supply unclassified video works.	10	See TMA	
187A/05/B	1	Retailer	Supplied an '18' classified DVD to a person under the age of 18	11	£600	£400

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**

PROPERTY MISDESCRIPTIONS 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>
2A/06/B	2	Property Developer	Made a false statement as to description of a new development	1	£2800	£510
2B/06/B	4	Estate Agent	Made a false statement as to description of a new property	1	£5600	£510

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>
157/05/H	8	Importer	Supplied unsafe electrical equipment	12	Withdrawn	
194A/05/B	1	Director	Supplied unsafe electrical equipment	12	Withdrawn	
194B/05/B	1	Importer	Supplied unsafe electrical equipment	12		
26A/06/B	10	Importer	Supplied unsafe electrical equipment	12	£1000	£1000
26B/06/B	10	Retailer	Had in possession for supply unsafe electrical equipment.	12	See note 7	£629
59/06/B	3	Retailer	Had in possession for supply unsafe electrical equipment.	12	£1000	£630

**TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06**

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>
200/05/B	1	Retailer	Supplied a knife set to a person under the age of 16	141A	See note 8	£441
203/05/H	1	Retailer	Supplied a knife set to a person under the age of 16	141A	£1000	£511
52A/06/B	1	Builders Merchant	Supplied a knife set to a person under the age of 16	141A	£200	£300
52B/06/B	1	Employee of above	Supplied a knife set to a person under the age of 16	141A	£100	Nil

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>
89/05/B	1	Retailer	Failed to display a notice detailing ownership details of the business.	4	Withdrawn	

TRADING STANDARDS SERVICE
PROSECUTIONS 01/04/06 - 30/09/06

Note 1.	TMA 89/05/B	No separate penalty
Note 2.	TMA 96/05/B	150 hours Community Punishment Order
Note 3.	TMA 130/05/H	6 months sentence suspended for 12 months & 150 hours Community Punishment Order
Note 4.	TMA 44/06/H	2 year conditional discharge
Note 5.	LA 35A/06/B	12 month conditional discharge
	LA 35B/05/B	12 month conditional discharge
	LA 42/06/B	12 month conditional discharge
Note 6.	VRA 89/06/B	150 hours Community Punishment Order
Note 7.	CPA 26B/06/B	12 month conditional discharge
Note 8.	CJA 200/05/B	12 month conditional discharge

6 month period	TOTAL NUMBER OF CASES	TOTAL NUMBER OF INFORMATIONS	TOTAL FINES	TOTAL COSTS
2006/7	37	158	£48050	£44128
2005/6	59	299	£25270	£62478
2004/5	83	283	£30025	£28576

TRADING STANDARDS SERVICE
FORMAL CAUTIONS 01/04/06 - 30/09/06

VIDEO RECORDINGS ACT 1984

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
187B/05/B	Video Retailer	Supplied an '18' category video to a person who had not attained that age.

TRADE MARKS ACT 1994

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
28/06/B	Market Trader	Possession for supply of infringing goods
40/06/B	Market Trader	Possession for supply of infringing goods

CONSUMER PROTECTION ACT 1987

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
27/06/B	Mobile Telephones	Gave a misleading price indication
57/06/B	Furniture retailer	Had in possession for supply unsafe furniture

TRADE DESCRIPTIONS ACT 1968

<u>Reference</u>	<u>Trade</u>	<u>Nature of Offence</u>
24A/06/H	Restaurant	Supplied goods to which a false trade description was applied
24B/06/H	Restaurant	Supplied goods to which a false trade description was applied