

**NOTES OF THE INQUORATE TRADING STANDARDS
JOINT ADVISORY BOARD
Tuesday, 27th November 2007 at 7.30 pm**

PRESENT: Councillor Jones (Chair, London Borough of Brent), Councillors Baker and Hashmi (London Borough of Brent) and Councillor Ferry (London Borough of Harrow).

Officers in Attendance were: Bill Bilon (Director of Trading Standards, London Borough of Brent), Andy Appleby (London Borough of Harrow) and Simon Martin and Ash Shah (London Borough of Brent).

Inquorate Meeting

The Director informed the Board that the minimum presence of Members for the meeting to be quorate was two from each borough. As the meeting was inquorate an informal discussion took place. Members expressed disappointment that the meeting was inquorate due to the non-attendance of some members.

Appointment of Chair (from amongst Brent members)

Councillor Jones was appointed to Chair the meeting.

1. Minutes of Previous Meeting – 28th November 2006

Members noted a number of minor amendments to the minutes of the last meeting that had been presented with the agenda.

2. Matters Arising

Best Value Review

Officers reported that Harrow Council had initiated a Best Value review of the Trading Standards Service. They explained that the outline of the review would be agreed shortly in consultation with officers, members and also Brent Council. Officers agreed to report back to the committee with more information about the review at an appropriate time.

Members requested more details regarding the relationship with reviews that had been undertaken by Brent Council and about fears that these reviews were generally an excuse to look to cut staff. Officers responded that Brent are not currently undertaking Best Value reviews but do continuously look at the efficiency of the services they provide. In relation to Trading Standards, officers stated that they expected the review to show that the service was more expensive than most in London but that it provided a far higher level of service. Historically this was what both Councils had looked for and it was hoped that this would remain the case despite continuing financial

pressures. Members expressed their view that the current Trading Standards Service was very highly regarded.

Annual Report

Members requested that their thanks for the work officers had undertaken in producing the Annual Trading Standards Report be noted.

3. Half Yearly Report: Six Monthly Report on the Operation of the Service - April 2007 to September 2007.

Bill Bilon presented the Half Yearly Report on the work of the Trading Standards Service. He reported that the reorganisation that had been reported at previous meetings had now been completed and that the Service had settled back into its work.

In discussing the report, Bill Bilon highlighted some specific issues and services including the new Unfair Commercial Practices Directive which it was expected would significantly impact on the service as it required them to look to take civil enforcement action initially rather than relying on the criminal courts. It was noted that this would likely lead to a drop in income from court awards. Other issues raised included the work of the development and support team, metrology work, including some performed for other councils, education talks to interested groups and the young consumer of the year competition.

In respect to enforcement actions and related work, projects to ensure restricted goods weren't sold to young people, testing car seats and electric blankets, and checking car tyre repairs were all highlighted. Sections of the report dealing with illegal DVD sales, combating clocked cars and cases progressing through the courts were noted. In particular officers reported that they were developing a responsible trader scheme to help companies train their staff to spot issues related to illegal trading and also that they had recently had successes in court cases related to DVD sales with 5 cases in court resulting in 4 Anti-Social Behaviour Orders (ASBOs) being served.

Specific work at Wembley Stadium was reported whereby officers were required to certify all the beer taps in the stadium before it could be licensed to serve alcohol. Officers had also carried out investigations to ensure that counterfeit goods were not available for sale near the stadium on event days.

Finally it was explained that new sections of the Copyright, Designs and Patents Act 1988 were now in force and that a couple of cases had already been taken to court.

During discussion Members asked if seized goods were recycled or offered to charities and officers responded that all seized stock was

offered to charities as far as possible. Relating to a recent case involving thousands of pairs of Nike trainers it was explained that Nike were now storing the footwear themselves until the court case.

Further questions were asked regarding information from the public, forecourt trading and Wembley Market. In response, officers explained that a number of complaints do come from the public in regard to illicit and dangerous goods sales but that a large number of cases are the result of proactive work from officers and also that officers were working jointly with the Council's Health, Safety Licensing team and others to try to tackle premises where they had hired out their forecourt for unrelated activities but that action was often difficult.

In relation to problems at Wembley Market, officers explained that these were still being tackled but that it was difficult to arrange for the required number of staff and police officers to be present should they wish to tackle illegal goods sellers due to the high costs involved but that they were also exploring other options such as requesting the market management company to withdraw trading licences from problem traders. Officers also reported that the market company has a responsibility not to allow these traders to operate and so they were being encouraged to take action and that the wholesalers who supply illegal goods were also being targeted.

Discussions continued around the sale of illegal goods and related issues. Officers reported to the Advisory Board that initiatives were continuing and that as the meeting was in progress one member of staff was seizing over 30,000 counterfeit condoms and that, in relation to, illegal DVD sales, the Service were attempting to work with the Immigration Service to look to deport as many sellers without immigration status as possible as an added deterrent and that ASBOs were also pursued for a similar reason.

4. Trading Standards Budget for the year 2008/2009

Bill Bilon introduced a report setting out a proposed budget for the Joint Trading Standards Service for 2008/09. He explained that the report stated the required budget to continue to operate the service at its current levels and that it was hoped that this would be agreed by both Councils.

The report set out specific information on the staffing implications of budget cuts, the impact of variable costs and the likely continued reduction in fees and court income due to changes in legislation. Officers explained that following several years of budget cuts the only option to deal with further cuts would be to remove some posts within the Service and that this would lead to a reduction in the services offered.

During discussion Members expressed concern that the Service could be required to make further budget cuts and felt that this should be resisted as strongly as possible and consequently they asked that they be kept informed of any developments in the funding negotiations.

A discussion followed as to which areas of work would suffer should funding be cut and officers explained that they would be required to continue with their statutory duties and so the first cuts would be to prevention work such as the projects looking to stop underage purchases of licensed products, tests of items such as car seats for children and heated blankets for the elderly. In addition, efforts to prevent the sale of illegal DVDs would also be hit. It was noted that many of these projects involved work outside of standard office hours and that this had the effect of further increasing the costs involved in staging them.

Officers agreed to a request to inform the Members of budget developments in advance of the next meeting should this prove necessary.

5. **Date of Next Meeting**

The next meeting of the Trading Standards Advisory Board was scheduled to take place on Tuesday, 18th March 2008 at the Civic Centre, Harrow.

The meeting ended at 8:40 pm

JONES
Chair

S:\COMMITTEES\MINUTES\Minutes 07-08\Other Bodies and Panels\TradStad\tradstad27nov07.doc