

**MINUTES OF THE TRADING STANDARDS
JOINT ADVISORY BOARD
Monday 1 December 2008 at 7.30 pm**

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

Officers in Attendance were: Bill Bilon (Director of Trading Standards, London Boroughs of Brent and Harrow), Andrew Mckenzie (Interim Head of Community Safety, London Borough of Harrow), Simon Martin and Ash Shah, (London Boroughs of Brent & Harrow Trading Standards).

Apologies for absence were received from Councillors Jones (London Borough of Brent) and Weiss (London Borough of Harrow)

1. Appointment of Chair (from amongst Harrow members)

RESOLVED: That Councillor Hall be appointed as Chairman for this meeting.

2. Minutes of the Previous meeting – 24 July 2008

RESOLVED: That the minutes of the previous meeting held on 24 July 2008 be approved as an accurate record.

3. Matters arising

RESOLVED: To note that there were no matters arising

4. Report No. 2/08 from the Director of Trading Standards

Half Yearly Report: Six Month Report on the Operation of the Service – April 2008 to September 2008

Officers of the London Boroughs of Brent and Harrow, presented a report on the operation of the Trading Standards Service for the first six months of the current financial year 2008/09. The officers advised that:

- The four ring-fenced Team Leader positions had been filled by existing Senior Officers who would be responsible for supervising team members on a day to day basis.
- An officer within the team had commenced a secondment with the Regional Asset Recovery Team of the Metropolitan Police. The purpose of this was to provide the officer with necessary practical skills and allow him to gain first hand knowledge of the Proceeds of Crime Act.
- As well as providing administrative support to the Service, Civil Advisors in the Development and Support Team had saved Brent consumers £11,803 and Harrow consumers £20,858 in the first six months of this financial year.

- The service had recently purchased four portable computers for staff to use whilst conducting site visits.
- The Trading Standards service had attended events, such as the, “Under One Sky” festival in Harrow and “Respect” festival in Brent to promote the service within the community.
- All businesses and 85.1% of consumers within the boroughs had been pleased with the work done by the team to date.
- The number of initiatives conducted by the Brent and Harrow Trading Standards service. The service would play an active role in promoting Operation Blunt II as part a Home Office initiative to tackle knife related crime. The service would also display posters to launch “Shop the Shop” a new initiative from January 2009. Trading Standards would also be working in partnership with the Police Schools Officers who would encourage children, teachers and parents pass on information to Trading Standards about the sale of age restricted goods to children. It was anticipated that this model could be used by other Trading Standards services throughout the country in the future.
- In the six months prior to the end of September 2008 out of 258 visits to shops, there where 21 sales to young persons were able to purchase age restricted goods, such as, knives, alcohol, cigarettes and lottery tickets. Officers confirmed that a more detailed report of results would be provided at the next meeting of the Board.
- An account of the work conducted on Consumer Safety was provided to the Board. Free car seat testing had been provided by the team during Child Safety week. The Trading Standards team had identified that 32% of car seats tested had been fitted incorrectly, which had been a slight fall of the previous years’ failure rate. Officers expressed their concerns regarding the increase in the volume of unsafe toys and electrical goods that had been tested. Previous work conducted with other North West London Trading Standards teams had resulted in 67% of cheaper electrical goods sampled failing safety tests. The results of both projects highlighted the need to conduct and promote safety projects.
- They would revisit hospitals in both boroughs that had failed to maintain their weighing and measuring equipment, to identify what remedial measures had been implemented in response to the detailed results reported by the Service.
- A joint project with the North West London Trading Standards services would be conducted to ensure that there was a consistent approach and enforcement across neighbouring boroughs to the increasing number of incidents where fruit and vegetables were being sold by the bowl.
- Trading Standards Officers had worked in partnership with the Police and Community Safety Officers to develop new schemes to tackle consumer complaints about unregulated builders. In response, information packs had been produced to provide vulnerable consumers with information regarding doorstep crime and cowboy builders. Officers confirmed that a part of “Operation Rogue trader” checks had been conducted on 31 builders as part of an initiative to ensure they had been complying with the appropriate legislation.

During a discussion, Members commended officers efforts to successfully prosecute a car clumper who had overcharged consumers for “illegally” parking their cars on private land, and those involved in selling counterfeit DVDs and trainers.

RESOLVED: That the report be noted.

5. **Report No 3/08 from the Director of Trading Standards**

Trading Standards Budget for the year 2009/10

The Director of Trading Standards for Brent and Harrow, presented a report which provided the Board with information on the Trading Standards budget required for 2009/10, that had been forecast in accordance with Clause 23 of the Consortium Agreement.

The Director of Trading Standards reported that the recommended amount in the proposed budget would maintain the service at its current level. He advised that one of the key concerns advised that any significant reductions in the 2009/10 budget could result in the number of staff employed by the service being reduced. The Director of Trading Standards suggested that this should be reported alongside other considerations outlined in the report to the respective committees in each Borough. Other forms of income were discussed, which included the opportunity for the service to seize the assets of residents who had benefitted from criminal activity (such as, counterfeiting) under the Proceeds of Crime Act 2000. He added that there could be potential in the future to establish a Financial Investigations team to investigate these issues on behalf of other Councils. Referring to the prioritisation of work, the Director of Trading Standards advised Members that prosecutions were prioritised on a cost basis, and would be pursued against offenders to protect the public and bona fide businesses.

Members were asked to consider the impact that new legislation could have on service provisions. The Director of Trading Standards recommended that a new officer in each respective Borough may have to be appointed as a response to an increase in service demands. The Director of Trading Standards advised that if the service were to fulfil its additional statutory obligations the total budget for the service would need to be increased by at least a minimum of 5% of the total budget.

In light of the report, officers agreed to keep Members updated on the budget before the next meeting of the Board in March 2009.

RESOLVED: That the report be noted.

6.
7. **Report No. 4/08 from the Director of Trading Standards**

Update on New Legislation

An update on new legislation applicable to the service was provided. A significant change was the introduction of the Protection of Consumers from Unfair Commercial Practices Regulations 2008. The new regulations protected the consumer against unfair business-to-consumer transactions before, during and after a contract had been created.

The implementation of the Protection of Businesses from Misleading Marketing Regulations 2008 and Section 75 of the London Local Authorities Act (LLAA) 2007 was explained. Officers confirmed that a separate report on implementing controls for mail forwarding businesses (as outlined in the LLAA) to be considered by the Board would be submitted in due course. In a discussion on the Housing Act 2004 and the Home Information Pack (No. 2) Regulations, Members were advised that despite advice being provided by the service, some Estate Agencies had not been complying with the Act in all transactions.

RESOLVED: That the report be noted.

8. **Any other Urgent Business**

RESOLVED: To note that there was no other urgent business.

9. **Date of Next meeting**

RESOLVED: To note that the next meeting of the Board was scheduled to take place on Wednesday 18th March 2009, to be held at the Council Chamber, Brent Town Hall, Forty Lane, Wembley.

The meeting ended at 8.33 pm

Councillor Susan Hall
Chairman