

**MINUTES OF THE TRADING STANDARDS JOINT ADVISORY BOARD**  
**Wednesday, 16<sup>th</sup> July 2003 at 7.30 pm**

PRESENT: Councillor Gate, Councillor Arnold and Councillor Kinnear (London Borough of Harrow), Councillor O'Sullivan, Councillor Jones and Councillor J Long (London Borough of Brent).

The following officers were also in attendance: Martin Grout (Deputy Director of Trading Standards), Gareth Llewellyn-Roberts (Commissioner, Harrow), and John Taylor (Director of Trading Standards).

1. **Membership**

Councillor Gate confirmed that, contrary to the membership details on the agenda, he was in fact a principal member of the committee and not an alternate.

2. **Appointment of Chair**

RESOLVED:-

that Councillor Jones be appointed as Chair for the meeting.

3. **Minutes of the Previous Meeting – Thursday 28<sup>th</sup> November 2002**

RESOLVED:-

that the minutes of the previous meeting be agreed as a true and accurate record.

4. **Matters Arising**

John Taylor updated the board on the attempts to recover costs incurred through investigations and prosecutions by the service. He confirmed that a letter had indeed been sent to the Greater London Magistrates Court Authority relaying the concerns of the Trading Standards Service on this issue. He noted that the letter had been sent partly in response to past disproportion between Brent and Harrow in regard to costs recovered, updating the board that this had balanced out substantially over the 6-9 months preceding the meeting, and that the situation seemed to be improving.

RESOLVED:-

that the improvement in the area of cost-recovery be noted.

## 5. **Recruitment and Retention of Trading Standards Officers (TSO's)**

John Taylor reported that there was an ongoing problem with the recruitment and retention of qualified Trading Standards Officers (TSO's). He explained that this was a national issue, acute in London, and that the Brent/Harrow Consortium was constantly competing for these very specialised recruits with not only other London boroughs, but neighbouring counties as well. This was, he stressed, a problem common to many professions legally required by local government. He explained that, in recent years, the authority had come to rely most heavily on enforcement officers (recruiting of which was not a problem), since only one parliamentary act (the Weights and Measures Act) of the approximately 40 acts enforced by the Authority required the services of TSO's.

The standing staff requirements were one principal officer for each borough, two Trading Standards Officers in Brent and one in Harrow and one laboratory officer. At the time of the meeting, all three Trading Standards Officer posts were vacant. A market supplement had been advertised, and this had brought forward three candidates, one of whom had been unsuitable and two of whom had later rejected offers of employment.

Members were advised that retention issues had undermined the internal training the Local Authority had relied on in the past. He gave the example of an officer who had qualified in February and had resigned in June to move to another trading standards service for promotion and to avoid the congestion charge. This one trainee had taken his final exams and was awaiting his results. The market supplement costs to the boroughs, as taken out of the main budget were £21K per year for Brent and £11K per year for Harrow. He explained that there was the legal option of recovering the training cost from the officers if they left within a very brief period, but that there was an unofficial agreement between authorities not to do this if they relocated to another local authority. He suggested that the current high costs of London living made recruitment and retention more difficult.

John Taylor also clarified that the "top-up" training required at present for internal development of the posts was only 18 months in duration, but that the examination and certification process remained extremely rigorous.

Councillor J Long asked whether, as a national issue, this had been on the agenda of the various bodies such as the ALG and LGA mandated to assist local authorities. Mr Taylor replied that the issue had indeed been brought to the ALG's attention, as well as the Department of Trade and Industry, who had put forward funding for the training of officers, the last portion of which was to come through imminently. It was also pointed out that the skill set required by the officers was,

much like many local government professions, not included in the broad-based DfES (Department for Education and Skills) skills training schemes.

Councillor Gate then raised the issue of reciprocity with other councils, noting that however fair-minded the revolving-door approach might seem, it was an unfair situation unless all Local Councils had set up training budgets and were training up officers. Since this was not the case, the supposed reciprocity did not exist. The suggestion was made of utilising low cost housing as an incentive to attract more specialised staff to Local Government. As Councillor Jones reminded the board, key-worker housing was catered for in Council Planning, but that this was usually reserved for nursing and teaching staff. In response to queries about the possibility of job-share, John Taylor stated that the Authority was entirely open to the prospect. Councillor Kinnear's concerns about what the effect would be on the level of service were met with a guarantee from John Taylor that the enforcement of the Weights and Measures Act would not suffer. He referred to ex-officers now working in a freelance capacity as one short-term solution. Councillor Jones suggested that he contact council legal services to investigate the legality of building an obligation period into trainees' contracts. Councillor Arnold's suggestion of an incentive scheme for remaining in Council service was met with a clarification that undertaking training did place potential officers in line for an accelerated income increase if they were trained up from within the Council. Gareth Llewelyn-Roberts noted that an ongoing obstacle was the low salary levels within the profession as a whole when compared with work in the private sector.

RESOLVED:-

that John Taylor should investigate the possibility of building obligation periods into training contracts.

6. **Annual Report of the Director of Trading Standards for the Year 2002/2003**

Martin Grout (Deputy Director of Trading Standards) referred the board to the Annual Report and noted some key areas of interest and concern. One was the issue of improperly fitted child-car seats. Impromptu inspections had revealed a high percentage of improperly fitted seats, or of very young children travelling unsecured. Councillor Kinnear noted this as cause for great concern, and Mr. Grout commented that the traffic authorities were being contacted to seek their co-operation. Councillor Jones suggested that some form of publicity campaign should be undertaken.

Mr Grout then went on to highlight the Trading Standards Service's recent successes in identifying offences of misleading price indication, artisans making false claims to memberships of trade federations, the

sale of fireworks and cigarettes to minors (through the use of child test-purchasers), and dealing in counterfeit or pirated material. He explained that the sale of cigarettes to minors via unsupervised vending machines had been targeted. He explained that there had been significant co-ordination with the police to prosecute fly-pitchers, but that there was an ongoing problem of merchants in counterfeit goods that treated fines as part of the cost of doing business. Mr Grout explained that both Ealing Road and the Wembley Sunday market continued to be hot spots for sale of counterfeit and pirated goods, but that the overtime costs involved in policing such weekend activities were prohibitive.

Councillor Kinnear thanked the Trading Standards Service representatives, and congratulated them on delivering a much appreciated service.

Councillor Gate raised the question of whether fines against professionals such as builders were enough of a disincentive to poor work. He cited the example on p25 of the report of a builder fined only £150 for misrepresentation of his professional credentials to secure sub-standard work for which he had received £36,000. He conceded that the low level of such fines were a statutory issue, and suggested that the Board should lobby their respective MP's to get such fines raised.

On a related issue, Councillor Kinnear inquired whether the trade federations had any prosecutorial procedure of their own for individuals making false membership claims and being responsible for poor work, considering that such people brought the profession into disrepute. Mr. Grout responded that they were not procedurally equipped for the task, and explained that their key concerns were merely to prevent these individuals making false claims and ensuring that those who did advertise their affiliation were paid-up members. They tended to rely on the council for any form of further action to be taken.

Councillor O'Sullivan asked whether complaints had to be made before investigative action was taken. Mr Grout clarified that there was a three-tier programme of work undertaken by the Service comprising response to complaints, pro-active enforcement and special projects targeting key enforcement areas. He explained that in many cases, such as breach of safety guidelines, the public would be unaware of the offence occurring.

Councillor Jones enquired whether the drive to convince shops and manufacturers to cut down on superfluous packaging was having any effect. Mr Taylor responded that, although the Service had approached several larger producers to raise the issue, they remained heavily influenced by their marketing concerns.

Councillor Jones queried the Officers about the specific plans for enforcing new legislation that restricted the sale of spray-cans to young people. Mr Taylor assured the board that this would be treated as one of a number of growth issues concerning the sale of restricted materials to young people.

Councillor Gate asked for clarification on whether the informal traders that frequented St. Anne's and St. George's Centres were licensed, and whether CCTV cameras might be used as an enforcement tool if they were not. Mr. Grout responded that the licensing of street traders was a function, under the new council structure, of the new Community Safety division. He felt that CCTV might be unnecessary, as this was not, strictly speaking, a criminal issue. Councillor Gate also asked for clarification on whether members of the public had a clear idea of who to contact to lodge a complaint with the Service. The officers responded that there was a fair amount of publicity, but this had to be balanced against cost. It was noted that the Service did send out press releases, but that the press rarely published information items, unless there was some wider news interest in the issue.

Councillor Arnold expressed his concern that the low number of false-membership claimants prosecuted reflected a low level of these instances being reported. It was responded that not all complaints were in fact prosecuted.

**7. Any Other Urgent Business**

There was none at this meeting.

**8. Date of Next Meeting**

RESOLVED:-

that the next meetings of the Trading Standards Joint Advisory Board take place on the following dates:

- Wednesday, 19<sup>th</sup> November 2003 at the Harrow Civic Centre
- Wednesday, 3<sup>rd</sup> March 2004 at the Brent Town Hall.

The meeting ended at 8.40 pm.

L JONES  
Chair

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