



## Trading Standards Joint Advisory Board

**Thursday 27 November 2014 at 7.00 pm**  
Harrow Civic Centre, Station Road, Harrow, HA1 2XY

### Membership:

Members Councillors:	Representing	Substitute Members
Aden	Brent	Councillors Filson, Hector and Hossain (LB Brent)
Chohan	Brent	
Khan	Brent	
Ferry	LB Harrow	Councillors Hall (C), O'Dell (L) and Fitzpatrick (L) (LB Harrow)
Varsha	LB Harrow	
Mithani	LB Harrow	

### For further information contact:

(LB Brent) Anne Reid, Democratic Services Officer  
020 8937 1359, [anne.reid@brent.gov.uk](mailto:anne.reid@brent.gov.uk)

(LB Harrow) Miriam Wearing, Senior Democratic Services Officer,  
(020) 8424 1542 [miriam.wearing@harrow.gov.uk](mailto:miriam.wearing@harrow.gov.uk)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit: [democracy.brent.gov.uk](http://democracy.brent.gov.uk)

**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Election of Chair for the meeting (from amongst the Harrow members)

Apologies for absence and clarification of alternate members

Item	Page
<b>1 Election of Chair</b>	
<b>2 Declarations of personal and prejudicial interests</b>	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
<b>3 Minutes of the previous meeting</b>	1 - 4
The minutes of the last meeting are attached for members' information.	
The committee is reminded that the meeting scheduled for 11 July 2014 was inquorate and an informal meeting was held.	
<b>4 Matters arising</b>	
<b>5 Deputations (if any)</b>	
<b>6 Annual report of the Head of Trading Standards for the year 2013/2014</b>	5 - 24
This report details the work of the Trading Standards Consortium for the 2013/2014 financial year.	
<b>Contact Officer:</b> David Thrale, Head of Regulatory Services Tel: 020 8937 5454 david.thrale@brent.gov.uk	
<b>7 Trading Standards Work Programme 2014/2015</b>	25 - 38
This report provides Members with information concerning the Trading Standards Work Plan for 2014/2015.	
<b>Contact Officer:</b> David Thrale, Head of Regulatory Services Tel: 020 8937 5454 david.thrale@brent.gov.uk	

**8 Trading Standards budget options 2015/16** 39 - 40

This report provides Members with information concerning budget options for the 2015/16 consortium budget.

**Contact Officer:** Michael Read,  
Operational Director (Environment and  
Protection)

Tel: 020 8937 5302

michael.read@brent.gov.uk

**9 Trading Standards Fees and charges 2015/16** 41 - 42

This report provides Members with information concerning the proposed level of fees and charges to be made by the Brent & Harrow Trading Standards service in 2015/16.

**Contact Officer:** David Thrale, Head of  
Regulatory Services

Tel: 020 8937 5454

david.thrale@brent.gov.uk

**10 Trading Standards Joint Advisory Board meeting forward plan** 43 - 44

This report provides Members with information concerning forthcoming Joint Advisory Board meetings and the planned programme of reports to the Board.

**Contact Officer:** David Thrale, Head of  
Regulatory Services

Tel: 020 8937 5454

david.thrale@brent.gov.uk

**11 Any other urgent business**

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager (London Borough of Brent) or his representative before the meeting in accordance with the constitutions of both councils.



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE TRADING STANDARDS JOINT ADVISORY BOARD Monday 25 March 2013 at 7.30 pm

PRESENT: Councillors Jones (LB Brent), Hashmi (LB Brent), O'Dell (LB Harrow) and Ferry (LB Harrow) and Mithani (LB Harrow, alternating for Hall)

Apologies for absence were received from: Councillors Hall (LB Harrow)

Officers in Attendance were: Bill Bilon, Michael Read and Hashith Shah

#### 1. **Election of the Chair**

RESOLVED:-

That Councillor Jones be appointed as Chair for the duration of the meeting

#### 2. **Declarations of personal and prejudicial interests**

None declared.

#### 3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 22 March 2012 be approved as an accurate record of the meeting.

#### 4. **Matters arising**

Members noted that a meeting of the Committee had not been held since March 2012 due to the Olympics and omissions from the Harrow calendar. It was requested that officers liaise with each Council to ensure all meetings are placed in the calendar.

#### 5. **Trading standards budget for 2013/14**

Bill Bilon, Head of Trading Standards, introduced the report on the 2013/14 Trading Standards budget, highlighting the reducing budget over the past five years and the implications this had caused, such as increased health and safety issues, increased anti-social behaviour and increased scams in the area. The Trading Standards Officer continued to highlight the work that was no longer able to be undertaken due to cuts, including doorstep crime initiatives, proactive investigations into car traders and one day sales. The Service had provided £50,000 income for each Council from the Proceeds of Crime incentivisation money with Harrow Council

hoping to receive £75,000 in 2013/14 along with a reduction of £140,000 from their base budget. It was highlighted that the income generated could not be predicted, with larger sums only achieved by undertaking larger investigations. It was explained that Planning enforcement cases were a good source of potential income if both authorities could encourage planning investigations and prosecutions although, it was clarified that Harrow had reduced their planning enforcement team to two officers, making the income forecast unachievable.

During discussions the impact of not undertaking underage alcohol sales work was queried despite money being generated from investigation works. It was explained that this work was still being carried out but at a reduced level with work being prioritised to ensure income was achieved through higher level investigatory works. It was clarified that cases were needed to allow the financial investigator to carry out investigations under the Proceeds of Crime Act. Bill Bilon informed the Board that the Service prided itself on being one of the best in the country as evidenced by the Accredited Financial Investigator recently winning the national individual award for Excellence in Financial Investigations. Members discussed the implications of the reduction of Planning enforcement officers, potentially leading to a lack of case, lack of income and the possibility of planning applications not being submitted due to the overall lack of enforcement. Harrow Council Members informed the Board that they were currently undergoing a restructure and felt that it would be appropriate to make a business case to retain and increase the current Planning enforcement team as a means to increasing income and to protect the future of Trading Standards. Officers appreciated the support of the Harrow Members and felt that discussions should be taking place by the summer to find a suitable direction to ensure the future of the Service.

It was clarified that the Brent and Harrow teams each received over 800 complaints per year which were investigated according to priority and, whenever possible, a joined up enforcement approach was undertaken with other partner organisations. Members felt alternative funding streams should be explored such as underage sales work being funded by Public Health England with a view to reducing health issues and pressure on the Health Service. It was explained that where alternative funding options were available, these were always explored and contributions had been received in the past for specific projects from the Tobacco Control Alliance. In response to a question, officers confirmed that service specific savings would not be achieved through moving to the Civic Centre.

It was queried what skills and knowledge could be traded to increase revenue. Officers explained that statutory legislation allowed the Councils to charge business for advice and assistance, with Ikea and Wicks already choosing to sign up to the scheme as 'Primary Authority' businesses. It was further explained that the team could charge by officer time or have a standard contract in place so that consistent advice and assistance could be provided to businesses that operate on a nationwide basis in line with the Government's agenda for reducing burden on businesses. It was hoped that a report would soon be available to take to the Executive detailing the proposal. Members expressed concern that there were not adequate staffing levels to enable further works to be undertaken. It was explained that the income from this initiative could be used to employ temporary staff for advising 'Primary Authority' businesses which would enable the permanent staff to continue to undertake the day to trading standards duties, i.e. inspections of trade premises, underage test purchasing and investigations. Following queries it was

clarified that weights and measures testing was still being carried out with the team testing equipment for numerous authorities.

The team were pleased to inform the Board that they kept prestigious records and continually sought to find income streams, including participating in national trading standards cases and in a recent example two raids had resulted in seizure of goods valued at over £150,000. The project will shortly receive national coverage on the BBC's Fake Britain programme and it was felt that the team was one of the best local authority teams in the UK.

Members commemorated the high level of work undertaken by officers in a climate of reducing budgets, particularly the drive to increase income and work with various partners. Members felt that the Service should be invested in to ensure a viable future.

RESOLVED:-

Members noted the report

#### **6. Trading standards work plan for 2013/14**

Bill Bilon, Head of Trading Standards, introduced the report which detailed the work that was proposed to be undertaken in 2013/14. During discussions Members noted the importance of planning and setting targets but queried whether there was adequate staffing resource to complete the work planned. It was clarified that the report was realistic with what was achievable, enabling work to be undertaken with what staffing resources were available. Following queries it was explained that each unit represented approximately an hour, with a particular number of units assigned to each task enabling the officers to manage their time effectively. It was further clarified that the team was performance managed with the plan being used to discuss workloads and future work during appraisals. Members queried the effect of the risk rating scheme. It was explained that the scheme was currently in its infancy, due to come into effect from the summer and therefore had not yet affected the plan for the current year. It was explained that the scheme was activity based rather than premises based and would now include web based activities which would change the direction to focus much more on e-commerce and e-crime. Following queries regarding Enterprise Act complaints, it was clarified that this was not a criminal matter and therefore the team did not need to undertake this work. However, this legislation allowed civil injunctions to be taken out if significant consumer detriment occurred to prevent further damage and to stop the business from trading in a manner that affected the economic wellbeing of consumers.

RESOLVED:-

Members noted the report

#### **7. Date of next meeting**

The date of the next meeting was to be confirmed following approval at the Councils' Annual Full Council meeting.

8. **Any other urgent business**

None.

The meeting closed at 8.20 pm

L. JONES  
Chair



**London Boroughs of Brent and Harrow  
Trading Standards Joint Advisory Board  
27 November 2014  
Report from the Head of Service**

FOR INFORMATION

**Annual Report of the Head of Trading Standards for the Year 2013/2014**

## **1 SUMMARY**

- 1.1 This report details the work of the Trading Standards Consortium for the 2013/2014 financial year.

## **2 RECOMMENDATIONS**

- 2.1 That Members consider the report and comment where appropriate.

## **3 DETAILS**

- 3.1 The Trading Standards Service is provided on a consortium basis for both the London Boroughs of Brent and Harrow. In accordance with the agreement between the two boroughs, an annual report is presented to the Trading Standards Joint Advisory Board. This provides an opportunity to give Members a detailed view of the total work carried out by the Service. A copy of the report for the year 2013/2014 is attached for Members' information and consideration.
- 3.2 Structural changes aimed at reducing the number of Heads of Service across Brent Council to achieve budget savings, resulted in the creation of a new larger host Unit for Trading Services. The new Regulatory Service came into being on 6 April 2014 under the leadership of Head of Service David Thrale.
- 3.3 A separate Forward Planning Report will be presented to the Board today which seeks to regularise timing of future Annual Reports.

## **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications.

## **5 STAFF IMPLICATIONS**

- 5.1 None relevant.

## **6 BACKGROUND INFORMATION**

6.1 Any person wishing to obtain more information should contact Simon Legg, Senior Regulatory Services Manager, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ. Telephone: (020) 8937 5522.

DAVID THRALE  
HEAD OF REGULATORY SERVICES



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# Brent & Harrow Trading Standards

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Annual report  
2013-2014

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## Contents

Introduction.....	2
Priorities.....	3
Supporting business .....	7
Primary authority .....	7
Inspections .....	7
Shisha workshop .....	8
Responsible Trader scheme .....	8
Investigations .....	9
Underage sales .....	10
Multi-agency operations .....	11
Financial Investigations .....	12
Brent Team Investigations .....	14
Harrow Team Investigations.....	15

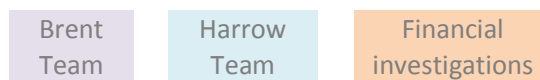
## Introduction

Trading Standards as a local authority service has a long history of partnership working. Brent has provided the service for Harrow on a consortium basis since the demise of Middlesex County Council on 1 April 1965 – thus the joint service will celebrate its 50th anniversary in April.

Originally, the service encompassed the Boroughs of Harrow, Brent and Ealing until Ealing left the consortium in the early 1990s. In 1996 a formal consortium agreement was drawn up between Brent and Harrow based upon the prior agreement between the three parties. In 2001 the Joint Advisory Board was established following the introduction of Executive arrangements. The Service discharges each Council's statutory obligation as a Weights and Measures Authority.

This annual report provides a summary of some of the work and outcomes achieved by Brent & Harrow Trading Standards Service for the year April 2013 – March 2014.

The service comprises three teams that are one of the larger groupings of enforcement teams in the new Regulatory Services Unit.



In addition to Trading Standards, the Regulatory Services Unit provide a Public Mortuary Service for Brent and Harrow too.

The work undertaken has a significant impact on the public with most consumers being unaware of the protection and benefits that underpin everyday transactions, such as buying groceries. Consumers often take for granted that they will receive the correct quantity of petrol when they fill their cars up with fuel, that electrical goods will work, are safe and will not cause us any harm; that the branded goods we buy are not fake; that they will be correctly charged when buying goods or services; or that convincing websites found online are legitimate. Many are unaware that behind the scenes, Trading Standards Officers are working to monitor and protect consumers' rights; ensure the goods we buy are safe and authentic; and that those businesses who do try to scam and deceive, are stopped at the earliest opportunity.

The impact of our work in the local community is through the preventative action we take to tackle problems that would otherwise have an adverse effect on the local and national economy. We maintain levels of compliance to create a fair and competitive trading environment for traders that choose to trade fairly and legally. Businesses who wish to invest, grow and prosper, can do so in the knowledge that their methods and goods are legally compliant or services that they provide are correctly applied with reasonable care and skill to the satisfaction of their customers.

## Priorities

The London Boroughs of Brent and Harrow have the following subject headings outlining their key priorities:

**Brent Council** corporate priorities 2013/14:

1. A strong community
2. Promoting jobs, growth and fair pay
3. Making Brent safer, cleaner and greener
4. Improving health and well-being
5. Better lives for children and families
6. Developing better ways of working



**Harrow Council** corporate priorities for 2013/14 were:

1. Supporting and protecting people who are most in need
2. Keeping neighbourhoods clean, green and safe
3. United and involved communities
4. Supporting our town centre, our local shopping centres and businesses
5. An efficient and effective organisation

It should be noted that Harrow' corporate priorities have since been changed in their 2014/15 Corporate Plan, and are now:

1. Making a difference for the most vulnerable
2. Making a difference for communities
3. Making a difference for local businesses
4. Making a difference for families

The table below, sets out how the service contributes to each Council's current priorities:

Trading Standards activity	Brent priority	Harrow priority
Investigate consumer complaints about breaches of consumer protection laws and assisting the vulnerable consumers in resolving disputes.	2, 3	1, 3
Advise businesses on the laws that affect them. As trading laws are largely EU-wide, this advice enables businesses to trade throughout Europe.	2	3
Take action against traders that break the law, providing confident consumers and allowing businesses that trade fairly to prosper.	2, 3	2, 3, 4
Tackle doorstep crime and take action against rogue traders and scammers.	3	1
Act as 'Home Authority' or 'Primary Authority' for national businesses based	2	3

within the Consortium.		
Operate a Good Trader scheme, offering tailored guidance and support to member businesses.	2	3
Reduce the level of age-restricted goods sold to children	2, 3, 4, 5	2, 3, 4

In addition to setting the service's annual work plan with corporate priorities determined by the London Borough of Brent or Harrow. The service also contributes to regional objectives through its active membership of London Trading Standards Association and operations coordinated by the National Trading Standards Board.

## Budget

The joint service has been delivered successfully by the Brent and Harrow consortium with demonstrable benefits arising from the economies of the scale of the operation. Since 2008/2009 there has been a £300k reduction in the cost of the service. In 2013/14 additional income and further efficiencies have resulted in a further reduction to both boroughs of £190k. The service is continuing to look for opportunities for finding efficiencies will apply for future years as well.

The budget for 2013/14 was £1,299k.



## **Performance**

### **Complaints of dissatisfaction about the service**

During 2013/14, two formal complaints of dissatisfaction were received. One was in respect of a Brent consumer who was dissatisfied about the time taken to respond to their enquiry, and the other was from a Harrow resident who was initially dissatisfied about the progress made in resolving their consumer complaint. Both complaints were successfully resolved.

### **Other performance data**

This annual report provides further performance data on inspections, intervention outcomes, prosecutions, under-age sales and proceeds of crime in the sections that follow.

## Supporting business

### Primary authority

The national Primary Authority scheme gives businesses that trade in multiple locations the right to form a statutory partnership with one local authority for the purposes of receiving regulatory advice, which is generally binding on other enforcement authorities. This gives businesses greater assurance that their approach to ensuring compliance is uniformly accepted by regulators wherever they trade in the UK. This helps businesses to reduce the cost of compliance and give certainty too.

Primary Authorities can also determine a national inspection plan, which other local authorities must have regard to during inspections of branches in their geographic area.

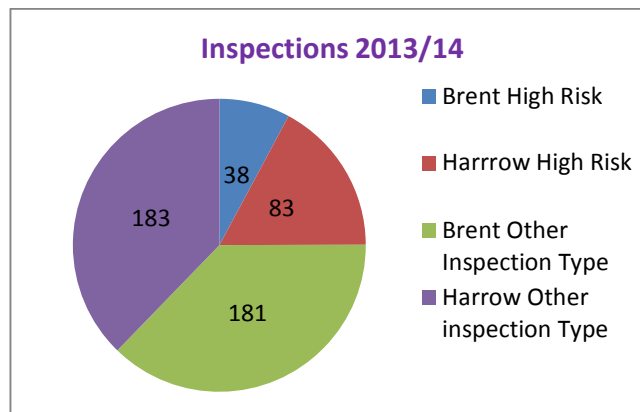
Local authorities are allowed to charge for this service, and Brent & Harrow does levy a charge.

Currently, ten businesses have joined up with our Service which includes companies such as Ikea, Bestway and Orders Direct. Despite being outside the Consortium's geographical area, Pernod Ricard has chosen to sign up as a Primary Authority with our consortium. Unfortunately, Wickes have since moved to a different authority as a consequence of their buy-out by a company that already had a Primary Authority arrangement. Nevertheless, the Service sold 311 hours of Primary Authority advice to our members, which is a considerable achievement in our first year offering the statutory scheme.

### Inspections

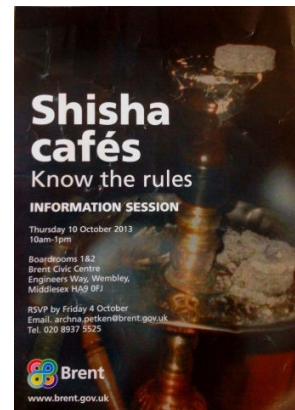
A combination of Government policy to reduce the administrative burdens on business by reducing inspection arrangements, and a decline in funding, has had the effect of changing our focus away from routine inspection of all businesses.

The inspections that we continue to undertake are determined by intelligence leads, risk assessment and recent track-record for businesses. The pie chart below shows the number of inspections carried out.



## Shisha workshop

As a result of several problems with businesses selling shisha, including smoke-free law, underage sales, planning consent and the absence of health warnings, a seminar for Brent business was provided in November 2013. This covered the *do's and don'ts* of selling shisha..



Officers in Harrow conducted a talk at the popular Landlords' Forum where over 100 landlords and letting agents from the public and private sector gathered. We explained the requirements for electrical appliances, furniture and the due diligence checks. Also present were the Electrical Safety Council, National Landlords Association, Gas Safe and others.

## Responsible Trader scheme

Since 2007, we have operated a free *Responsible Trader scheme* that helps businesses to use best practice to prevent the sale of age restricted goods to children. Participants receive free training and advice, occasional audits of their arrangements, and marketing materials to use with their customers. We currently have over 250 participants across both boroughs.

### Responsible Trader



## Investigations

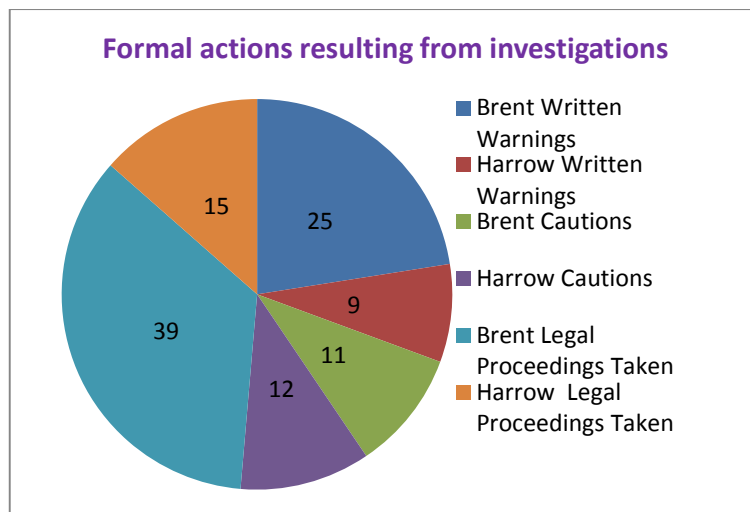
During the year, the Brent Team submitted a total of 78 investigation reports and the Harrow Team a total of 32.

Investigation reports are prepared and submitted by Officers where there is compelling evidence to prove the commission of a criminal offence(s). Outcomes can include:

- no action;
- letters of warning;
- re-inspection;
- issue of a Simple Cautions if the trader accepts their guilt; or
- legal proceedings.

We undertake all criminal prosecutions using our own staff, who issue summonses and appear as advocates in the Magistrates' Courts. This is both cost effective and provides an in-house source of advice for ongoing investigations, leading to a high success rate.

The chart below shows the outcomes of our 2013/14 investigations:



As a result of our prosecutions last year, traders were fined a total of £27,420. The highest fine being £8,000 against an individual who was wholesaling selling counterfeit electrical accessories such as phone covers and chargers, batteries, adaptors, cables and computer hardware. The lowest was £100, for a trader who was selling similar items on a much smaller scale.

Other notable penalties include:

- two defendants who received prison sentences totalling 20 months and the destruction of counterfeit goods with a street value of up to £17 million;
- one defendant given an 8 week suspended sentence;
- five defendants given Community Service Orders totalling 550 hours.
- one defendant given a 6 month curfew order
- a £138,000 Confiscation Order obtained against a convicted 'car clocker'



A total of £17,379 prosecution costs was awarded to the service. Although this figure is much lower than in previous years, these costs help the service to recoup the costs involved in taking these cases.

## Underage sales

As described on page 8, the *Responsible Trader Scheme* continues to be a success, with the vast majority of businesses having audited procedures and processes in place to prevent underage sales. During the year, the Harrow Team conducted 114 member audits and the Brent 40.

Nevertheless, despite our continued programme of advice to businesses and the promotion of the scheme, there are still a small number of traders who continue to sell age-restricted goods to children.

The below table shows the results of our test-purchasing in 2013-14:

Product	Test purchases (no.)		Sales (no.)		Failure rate (%)	
	Brent	Harrow	Brent	Harrow	Brent	Harrow
Alcohol	78	104	4	10	5	9
Tobacco	31	17	1	1	3	6
Knife	6	1	1	0	16	0
Fireworks	24	21	0	1	0	4
Spray Paint	0	1	0	0	0	0
<b>Total</b>	<b>140</b>	<b>144</b>	<b>6</b>	<b>12</b>	<b>4</b>	<b>8</b>

This is a slight improvement in Brent compared to the previous year, and no change for Harrow.

Our child volunteers wear covert recording equipment when carrying out these operations. This provides an irrefutable record of what was said and done by the trader and purchaser for evidence purposes. A pre-cursor to each test is a requirement for prior judicial approval.

Cases include an off-licence that pleaded guilty to selling four cans of Strongbow cider to a 15 year old schoolboy. A search after the underage sale also found hidden stash of illegal cigarettes and hand rolling tobacco, none of which contained the statutory health warnings. The defendant was fined £300 for each offence and was ordered to pay a further £840 in prosecution costs.

Surprisingly, fireworks were sold to a 12 year old by a member of our *Responsible Trader Scheme*. It transpired following investigation that the member of staff who had made the sale claimed not to be able to speak any English. The owner provided training records and documents demonstrating he had systems in place to prevent such sales, but that this was compromised by the employment of an employee with insufficient grasp of English. In this instance, the trader was given further advice and accepted a formal caution for the sale after agreeing their guilt.

## Multi-agency operations

Both borough teams regularly lead on and take part in multi-agency operations, which sees us working alongside other Council departments, the Police, Her Majesties Revenues and Customs (HMRC), UK Boarder Agency, Medicine and Healthcare Products Regulatory Agency, Illegal Money Leading Team etc. This approach tackles issues ranging from doorstep crime, the sale of illicit medicines, tobacco and alcohol, anti-social behaviour, tax evasion, people trafficking, illegal immigrants and unlicensed money lenders\loan sharks etc. This working forges strong relationships with other enforcement bodies and increases information and intelligence sharing about problem traders.

Our partnership working has included support for:

- Week of action events in both boroughs;
- Operation Condor and Operation Big Wing which are some of their biggest policing operations focusing on licensed premises;
- Operation Liberal, tackling rogue builders;
- Operation Lauderdale which was a pan-London Trading Standards initiative that tackled self storage businesses that were letting units to unscrupulous traders .



A particular problem found in Harrow has been the supply of counterfeit and non duty-paid tobacco and alcohol. A seizure of non duty-paid goods was made from an articulated lorry in Mollison Way. Another operation with HMRC encountered 5,328 litres of contraband beer, 956 litres of contraband wine and 29 litres of contraband spirits. That trader had evaded £7,890 in duty and £1,900 in VAT.

In Brent, communities experience increasing problems with establishments selling shisha flouting Trading Standards, Food Safety, Planning and Licensing laws. It has now become the norm for evening enforcement inspections to take place jointly between these departments carrying out spot checks on things ranging from smoking in enclosed places, the health warning being used on shisha pipes, the sale of illicit shisha tobacco, unsafe business premises void of appropriate planning permission and underage sales. Several prosecutions were taken in 2013/14 and this is likely to continue this coming year, which will see some establishments facing second prosecutions, or closure using anti-social behaviour controls.

## Financial Investigations

The Financial Investigation Team consists of two Accredited Financial Investigators, led by our Senior Prosecutor. Under the Home Office Incentivisation scheme the service receives 37.5% of any funds recovered for the public purse.

The team has a portfolio of Proceeds of Crime Act (POCA) cases including:

- 5 from Brent Trading Standards
- 2 from Harrow Trading Standards
- 6 from Brent Planning
- 3 from Harrow Benefit Fraud

The team secured 12 confiscation orders under POCA totaling £1,386,231.61 during 2013/14. Details of which are tabulated later in this report. As a result the Service received **£572,015.26** in incentivisation payments.

The service was the highest performing UK local authority for incentivisation payments received

One case this year was a landlord that had converted a single dwelling property into 9 self-contained dwellings unauthorised. A referral was received following successful prosecution by the Planning Service. We successfully obtained a Court Order for £494,314.30 – equivalent to the rental income for nine dwellings - and the defendant was given six months to pay up or serve three years in prison. The defendant has since paid in full and Brent Council will receive 37.5% of this order, £185,367.86.

Another successful case involved a trader of counterfeit music CDs. He was ordered to return £60,000 proceeds of crime. In addition, the trader was given 150 hours community service, fined £2,800 and given an eight month suspended jail sentence. He was given six months to pay the order or face 15 months in prison. He has paid in full, and the service will receive 37.5% or £22,500.



In a final example, a car dealer was ordered to pay £138,000 following a conviction for the supply of clocked cars. He was ordered to pay in within six months or face two years in prison. At the time of writing this report, this order currently remains unpaid, however the permitted time to pay has not yet expired.

From November 2009, Local Authority Accredited Financial Investigators have had the powers to seize cash under POCA. Cash seizure can be used as a quick, hard-hitting alternative enforcement method. Those who trade illegally often deal in cash and can make vast profits. Seizing cash and then applying for detention and forfeiture can be done without the need for a criminal prosecution and 50% of any successfully forfeited cash goes to the authority that seized it. Cash detention and forfeiture is dealt with in the Magistrates' Court and the applicant has to prove that on the balance of probabilities, the seized cash has come from criminal conduct or is to be used in criminal conduct. Since using these powers we have seized just over £95,000 in cash, some of which has been forfeited and some of which is still subject to proceedings in the Magistrates' Court.

The table below provides further details of the POCA case that were concluded in 2013-2014.

Referrer	Confiscation ordered	Due to Referrer	Due to Trading Standards
Harrow Benefit Fraud	£18,700.00	£5,610.00	£1,402.50
Harrow Benefit Fraud	£1.00	£0.62	£0.38
Harrow Benefit Fraud	£30,000.00	£9,000.00	£2,250.00
Brent Planning	£494,314.30	£148,294.29	£37,073.57
Harrow Trading Standards	£60,000.00	£22,500.00	£22,500.00
Brent Trading Standards	£138,000.00	£51,750.00	£51,750.00
Brent Planning	£150,000.00	£45,000.00	£11,250.00
Brent Planning	£85,000.00	£25,500.00	£6,375.00



<b>Harrow Benefit Fraud</b>	£21,648.62	£6,494.58	£1,623.65
<b>Brent Planning</b>	£205,310.42	£61,593.13	£15,398.28
<b>Brent Planning</b>	£111,257.27	£33,377.18	£8,344.30
<b>Brent Planning</b>	£72,000.00	£21,600.00	£5,400.00
<b>Totals</b>	<b>£1,386,231.61</b>	<b>£430,719.80</b>	<b>£163,367.68</b>

## Brent Team Investigations

The director of a beauty school was fined £500 and ordered to pay costs of £1,307 plus £2,129 compensation to two disgruntled students for reneging on the '100% Money Back Guarantee' advertised on his company literature. Before paying for their course, the students were shown impressive state-of-the-art facilities at the London Metropolitan University, yet days before it was due to start, they were informed their course was being held at a different location which turned out to be a dark room, with no proper treatment, toilet or washing facilities. Both students invoked their right to a full refund as had been advertised on the website, but this was never forthcoming.

A market trader who operated from the old Wembley market site, was sentenced to a 6 months curfew order, ordered to refrain from entering the market for 12 months, and to pay £200 costs. He had pleaded guilty to offences for attempting to sell 1,239 items of counterfeit goods. The haul of fakes included Tiffany jewellery, Rolex watches, Chanel jewellery and Louis Vuitton accessories. Had the items been genuine, they would have been worth nearly £200,000.



Our regular work during Wembley Stadium events resulted in a husband and wife team being summonsed for selling counterfeit scarves during a NFL Football game. The court was told that Trading Standards Officers gave the stall holders an opportunity to take the infringing scarves off of sale but despite indicating that they would remove the items, officers spotted the same scarves being sold again hours later.

The duo and were fined £1,300 between them and ordered to pay £890 in prosecution costs plus

Working jointly with our colleagues in the Food Safety, a shisha café was prosecuted for selling tobacco shisha without the required statutory health warnings similar to those found on packets of cigarettes. The company and its director was fined £3,000 and ordered to pay costs of £963 The trader had been advised how to comply with the law on three separate occasions but had chosen to continue trading unlawfully.

An overseas student was given a suspended three month jail term, 100 hours of unpaid community work and required to pay £800 costs for selling counterfeit and unsafe mobile phone chargers, headphones and electrical accessories. The investigation commenced following a tip-off from HMRC who had detained counterfeit goods that the defendant had intended to import.

In a case heard at Wood Green Crown Court an importer based in Ealing had supplied retailers in Brent and Enfield with dangerous toys. They pleaded guilty and were fined £1,000 and ordered to pay £3,000 in costs.

## Harrow Team Investigations

In our previous annual report, we reported an investigation into the supply of unsafe and counterfeit electrical goods. This has since concluded and transpired to be one of the Harrow Team's largest seizures. Four businesses trading in Edgware were interlinked in what turned out to be a complex and lengthy investigation with each being pursued through the Courts. To date, the cases against two of these companies have concluded. The first in which evidence was heard that stock was being purchased for a pound and sold on at a profit for £10. The trader was fined £2,000 and ordered to pay £1,000 in costs. All the seized items were forfeited.



The second prosecution resulting from this investigation concerned a company from whom we seized 8,300 items bearing registered names including Toshiba and Dell. The items included headphones, keyboards, adaptors and labels. The total retail value of the goods had they been genuine was £42,670. The company was fined £8,000 and ordered to pay costs of £3,365. All the seized items were forfeited.

The two remaining companies have had their cases transferred to the Crown Court and are yet to conclude. I hope to be providing details of successful outcomes in next years Annual Report.

A trader operating from home copying huge volumes of CDs and selling them on eBay was apprehended and 2,843 private discs were seized from his home. In Court, the defendant's Counsel said that he did not realise the selling counterfeits was a crime as others were doing it, but once he did realise, it was difficult for him to stop as it had become routine. Proceeds of Crime proceedings followed.

In a joint operation with the Metropolitan Police Service, a local man appeared before Harrow Crown Court for possession of over 100 cannabis plants, intended for supply. The Police were unaware that we had already been investigating the trader when they also found over 9,000 counterfeit £1.00 postage stamps. In May 2013, the defendant was sentenced to 28 months in custody.

During November 2013, two company directors were made to pay a total of £1,625 in fines and £2,253 costs, after being convicted of selling stickers many of which depicted logos which were the intellectual property of Premier League football clubs. Following an undercover test purchase to the defendant's business premises in Stanmore, 3,000 counterfeit stickers were seized displaying trade marks and computer equipment used to print them. The directors had been advised previously by Liverpool FC that their activities were illegal, but they continued to trade unlawfully.

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**London Boroughs of Brent and Harrow  
Trading Standards Joint Advisory Board  
27 November 2014**

FOR INFORMATION

**Trading Standards Work Programme 2014/2015**

## **1 SUMMARY**

- 1.1 This report provides Members with information concerning the Trading Standards Work Plan for 2014/2015.

## **2 RECOMMENDATIONS**

- 2.1 That Members consider the report and comment where appropriate.

## **3 DETAILS**

- 3.1 Each year, the service produces a work plan, which details the work the Trading Standards Service is due to undertake for the financial year ahead. The plan is closely linked to the budget and reflects the outputs achievable with the budget provided.
- 3.2 This years plan has been adjust to reflect changes to the way that the service is organised, following changes to the way administrative services are provided and a restructuring of Trading Standards host service which took place early 2014 and the revised management structure that resulted from this. The Work Plan is presented later in the year than would normally be the case.
- 3.3 A copy of the plan for the year 2014/2015 is attached as an appendix.

## **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial considerations arising from this report. The Work Plan reflects the amount of work that can be achieved with the annual budget provided for the Service for 2014/2015.

## **5 STAFF IMPLICATIONS**

- 5.1 None relevant.

## 6 BACKGROUND INFORMATION

- 6.1 Any person wishing to obtain more information should contact Simon Legg, Senior Regulatory Services Manager, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ. Telephone: (020) 8937 5522.

DAVID THRALE  
HEAD OF REGULATORY SERVICES



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# TRADING STANDARDS

Work plan  
2014 - 2015

The Service starts 2014/2015 following a restructure that has seen most regulatory functions being brought together in a new Regulatory Service Unit. This change coincided with the departure of the previous Head of Service and one of the two Assistant Heads of Service.

The service managers now are:

Head of Regulatory Services	David Thrale
Most senior Trading Standards professional	Simon Legg
Brent Team Manager	Winston Brooks
Harrow Team manager	Sanjay Thakrar.

Sanjay Thakrar is the holder of the statutory appointment of Chief Inspector of Weights and Measures<sup>1</sup>.

Regulatory Services now encompasses:

**Brent and Harrow**

- Brent & Harrow trading standards
- Brent & Harrow public mortuary

**Brent only**

- Animal health
- Food safety
- Health & safety
- Health checks
- Licensing & public safety
- Nuisance control
- Pest control
- Environmental monitoring
- Sanitary health
- Smoking cessation & tobacco control

The service is now co-located with officers from the Metropolitan Police which further assists in joint work and collaboration.

For 2014/2015, the service has equally sized borough teams meaning that each team will produce 7,956 units of output - a total 15,912 units. The service has 19 FTE staff, although one manager and a prosecutor and two proceeds of crime staff are not included in the unit work calculation.

The main activities of the Service are based on units of work set out in the table on the following page. Each unit equates to 1 hour's work and each day equates to 7 units. Based on 260 working days available during the year –

Less -	9 days bank holidays
Less -	31 days annual leave
Less -	12 days for administration
Less -	6 days briefing / 1-1 sessions
Less -	7 days training
Less -	6 days meetings

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<sup>1</sup> Weights and Measures Act 1985. Section 72(1).



A total of 189 days @ 7 hrs per day = 1,323 hrs for enforcement work is available per officer per year.

Since 2011/12, each Assistant Enforcement Officer (AEO) has been expected to contribute approximately 25% of a warranted officers value to their respective team's target. This reflects their role has no statutory powers and largely consists of supporting Enforcement Officers with their duties. This equates to a total contribution of 330 units each.

Following the restructure, the new Team Leader roles have been included in this work plan with an expectation that they will contribute 350 units each. This reflects the outputs that were previously expected from the two Service Managers acknowledging that these roles largely consist of management functions responsible for each Borough team.

Last year, we included some new duties to reflect changes in the way in which the Trading Standards profession now works. These duties such as the Primary Authority Scheme, RIPA (surveillance) approvals, a new national inspection risk rating scheme, monitoring e-crime on the internet and the sharing of intelligence using the 5x5x5 model will all remain although some of the figures will vary now we have the past years data measuring the number of units achieved.

Office of Fair Trading 'Consumer Credit Visits' have been removed from the work plan following the Office's closure in April 2014. Their credit work is now being overseen by the Financial Conduct Authority (FCA). As far as we are aware, the FCA intend to carry out the inspection visits the OFT used to refer to us themselves meaning we no longer have this responsibility.

This year, work units have been apportioned to an additional subject area of work, this being 'Service Improvement'. In the past, the Trading Standards had the benefit of a Service Improvement Officer but this post was deleted during the 2011 restructuring.

Since then, Service Improvement has been the responsibility of the management team. However, given the reduction in managerial capacity and the loss of other business support offices, capacity is required in this area of work.

The Trading Standards profession generally is going through a rapid period of change as new and innovative ways of working are being introduced in response to new legislation and the need for local authorities to manage financial pressures.

In order to maintain professional standards, identify and introduce efficiency savings, comply with new legislative regimes and to ensure the Service is as fit for purpose as it can be in years to come, it is necessary to carry out some much needed Service Improvement work. This is best achieved by gaining input from all levels of staff, especially those responsible for delivering front line duties.

A total of 200 units of work per team has been made available to assist the Service Manager deliver various Service Improvement initiatives during the course of the year. Examples include, the computerised evidence database, the Civica database performance dashboard, implementing the Regulators Compliance Code, preparing for the changes proposed in the Consumers Rights Bill, linking in with key partners (especially in London Borough of Harrow) to include public health and improving the Service's website.

## **Allocation of units for different activities**

<b>Activity</b>	<b>Number of units</b>
Complaints Completed	3.5
Trader Enquiries (including HA work)	5.25
Average Quantity Visits	5.25
Announced High Risk Inspections	3
Other Inspections	1.5
Underage Test Purchase Visits	3
Home Authority Referrals	1.75
Primary Authority Hours	1 p/h
Criminal reports of Infringement	≥ 7 (depending on complexity)
e Reports	≤ 7 (subject to other unit allocation)
Prosecutions completed (Magistrates Court)	35
Prosecutions completed (Crown Court)	70
Simple Cautions	7
Letters of Warning	2
Projects completed	≥ 20 (depending on complexity)
Approved Trader Scheme audits	2.5
Verification Visits	3.5
Doorstep Crime Multi-agency Operations	21
Doorstep Crime Rapid response actions	14
Local Partnership Working and Weeks of Action	≥ 7 (depending on work involved)
Samples, Mileage, Written Publications and Website checks	2
Samples Other (test purchases, seizures etc)	2
5x5x5 Submitted	1
Press Releases issued	3
RIPA Applications	7

### **Financial Investigations**

The financial investigation team consists of two full time officers and is managed by the Service's Senior Prosecutor. They carry out financial investigations using powers under the Proceeds of Crime Act. Their work is referred to them by Officers of the Service and from others such as from within Brent and Harrow Councils and other local authorities.

Following a financial investigation, if a Court makes a confiscation order which is then paid by the defendant, part of the money is divided in accordance with the Home Office incentivisation scheme.

Where work is referred from an external agency, an agreement is entered into which provides for a fee to be charged to cover the costs of their investigatory work and/or a share of any funds obtained resulting from the Home Office incentivisation scheme are obtained.

In accordance with the Joint Advisory Board decision in 2011, the Service now budgets for the Financial Investigations team to generate £125,000 for each borough via proceeds of crime incentivisation receipts.

Accordingly, as the duties undertaken by this team focus solely on financial investigation, it is not subject to the same output units of work. Instead, the team's performance is monitored entirely by its success of their investigation work.

It is not possible to calculate exact figures as every case is different, but in broad terms, in order to achieve a combined income of £250,000 via the incentivisation scheme, it is necessary for the team to have annual confiscation orders granted in excess of £600,000. This may be more than achieved by one large case, or could require several smaller cases or lesser amounts to make a larger combined total.

To achieve figure in one go, would mean that orders need to be paid immediately when they are made which is rarely the case, with often defendants given up to two years to make their payments. Instead, a pipeline of incentivisation cases needs to be maintained in order to receive a spread of payments throughout the year.

The team keep detailed records and carefully monitor their cases as they progress to ensure not only that this commitment is met, but also that referring authorities receive their share of the money paid by the Home Office.

## Harrow Enforcement Team 2014/2015

The following staff contributes directly to Harrow's work:-

- 1 x Team Leader
- 5.5 x Senior and/or Enforcement Officers
- 1 x Assistant Enforcement Officer

	<u>Planned</u>	<u>Units</u>
Complaints Completed	720	2520
Trader Enquiries (including HA work)	26	136
Average Quantity Visits	4	21
Announced High Risk Inspections	40	120
Other Inspections	150	225
Verification Visits	2	7
Primary Authority Hours	50	50
Underage Test Purchase Visits	140	420
Infringement Reports (average 55 units per report)	44	2420
eReports (average 3.5 units per report)	11	38
Prosecutions completed – Crown Court	3	210
Prosecutions completed – Magistrates' Court	13	455
Simple Cautions	15	105
Letters of Warning	15	30
Projects Completed (average 40 units each)	4	160
Service Improvement Work	200	200
Approved Trader Scheme Audits	50	125
Doorstep Crime Multi-Agency Operations	4	84
Doorstep Crime Rapid Response Actions	4	48
Local Partnership Working and Weeks of Action Events	10	210
Samples, Mileage and Websites checks	110	220
5x5x5 Submitted	100	100
Press Releases Issued	8	24
RIPA Applications	4	28
<b>Total</b>		<b>7956</b>

## Brent Enforcement Team 2014/2015

The following staff contributes directly to Brent's work:-

- 1 x Team Leader
- 5.5 x Senior and/or Enforcement Officers
- 1 x Assistant Enforcement Officer

	<u>Planned</u>	<u>Units</u>
Complaints Completed	720	2520
Trader Enquiries (including HA work)	40	210
Average Quantity Visits	3	15
Announced High Risk Inspections	40	120
Other Inspections	100	150
Verification Visits	2	7
Primary Authority Hours	201	201
Underage Test Purchase Visits	125	375
Infringement Reports (average 55 units per report)	44	2420
eReports (average 3.5 units per report)	20	70
Prosecutions completed – Crown Court	5	350
Prosecutions completed – Magistrates' Court	17	595
Simple Cautions	15	105
Letters of Warning	20	40
Projects Completed (average 40 units each)	2	80
Service Improvement Work	200	200
Approved Trader Scheme Audits	30	73
Doorstep Crime Multi-Agency Operations	1	21
Doorstep Crime Rapid Response Actions	2	28
Local Partnership Working and Weeks of Action Events	4	84
Samples, Mileage and Websites checks	75	150
5x5x5 Submitted	100	100
Press Releases Issued	7	21
RIPA Applications	3	21
<b>Total</b>		<b>7956</b>

## Infringement Reports

The units allocated for infringement reports are based on the complexity of the investigation, both in terms of legislation being enforced and length of time taken to fully investigate/report each individual case (as shown below).

<u>Category</u>	<u>Time taken for investigation (in days)</u>	<u>Minimum number of units</u>
eReports	Less than a Day	< 7
0	1	7
1	2.5	17.5
2	5	35
3	7.5	52.5
4	10	70
5	15	105
6	> 16	@ 7 units per day

The criteria for assessing each category is detailed below:-

### eReports

Simple seizures and or basic investigation of small quantities of goods, likely to be disclaimed at time with no interview and minimum background checks. Reported using template submitted in an electronic format.

### Category 0

Very brief report, likely to involve a short interview. No other witnesses and resulting in no further action or a letter of warning.

### Category 1

Very few background enquiries required small amounts of correspondence (largely standard letters), few difficulties encountered, straight-forward and routine, investigation usually completed the same day. Investigation does not normally involve outside witnesses. Straight-forward interview.

### Category 2

Usually one or two non-Trading Standards witnesses. Some research and correspondence may be required. May involve seized or purchased evidence. Evidence straightforward to catalogue and analyse. Minor difficulties may be encountered during investigation. A simple supply chain may be documented and records usually one step back from the retailer. Usually one taped interview. Does not require substantial resources of officer time.

### Category 3

Will contain the elements of a category 2 report plus one element from the criteria listed under category 4.

#### **Category 4**

- a) This level of investigation will contain the elements of a category 2 report plus at least two of the following elements:-
- b) large teams of officers necessary over a shorter time scale or smaller teams of officers spending significant amounts of time on background enquiries or observations.
- c) Interviews - multiple interviews requiring preparation or single interview of an extremely complex and demanding nature.
- d) Statements - several witness statements from non Trading Standards Officers required.
- e) Evidence - large quantities of evidence involved or smaller quantities of evidence of a diverse nature requiring considerable analysis.
- f) Report - large and complicated report required to fully explain the investigation and the nature of the offences.
- g) Other enquiries - significant problems encountered during investigation, large amount of non standard correspondence required (for example solicitor's letters). High profile investigation attracting media attention during the investigative process. Major financial impact (e.g. goods seized of high value, suspension notice especially of high value items).

#### **Category 5**

This level of investigation will contain the elements of a category 2 report plus at least three elements from the list under category 4.

#### **Category 6**

Will contain the elements of a category 2 report plus at least four elements from the list under category 4 including criterion (a).

### **Enforcement priorities**

The priorities below are based on the hazard that a particular type of trading activity poses to the local community, the impact that the activity will have on local consumers and the likelihood of the activity occurring. The greater the hazard, impact and likelihood of an activity, the more resource this Service will put into combating this type of crime. Lower priority is given to those activities that are less likely to occur and have little hazard or impact. However, all complaints concerning breaches of the law are investigated and vulnerable customers are treated as a higher priority.

#### **High priority**

Underage Sales – knives	Underage Sales – alcohol
Doorstep Crime	Underage Sales – tobacco
Unsafe Goods	Clocked & Insurance 'write off' Cars
Most Complained About Traders	Counterfeit Goods
Underage Sales – fireworks	Proceeds of Crime
Misleading Claims	Consumer Credit/illegal lending
Niche Tobacco Products	Primary Authority

### Medium Priority

Misleading Prices	Incorrectly Labelled Goods (safety)
Price Marking	Copyright
Furniture and Furnishings	Un-roadworthy Cars
Underage Sales – spray paints	Video Recordings – Unclassified DVDs
Package Travel	Underage Sales – DVDs / games
Harassment of Debtors	Business Names
Weights and Measures	Bogus Colleges
Underage Sales – butane	Hallmarking
Storage of Fireworks	

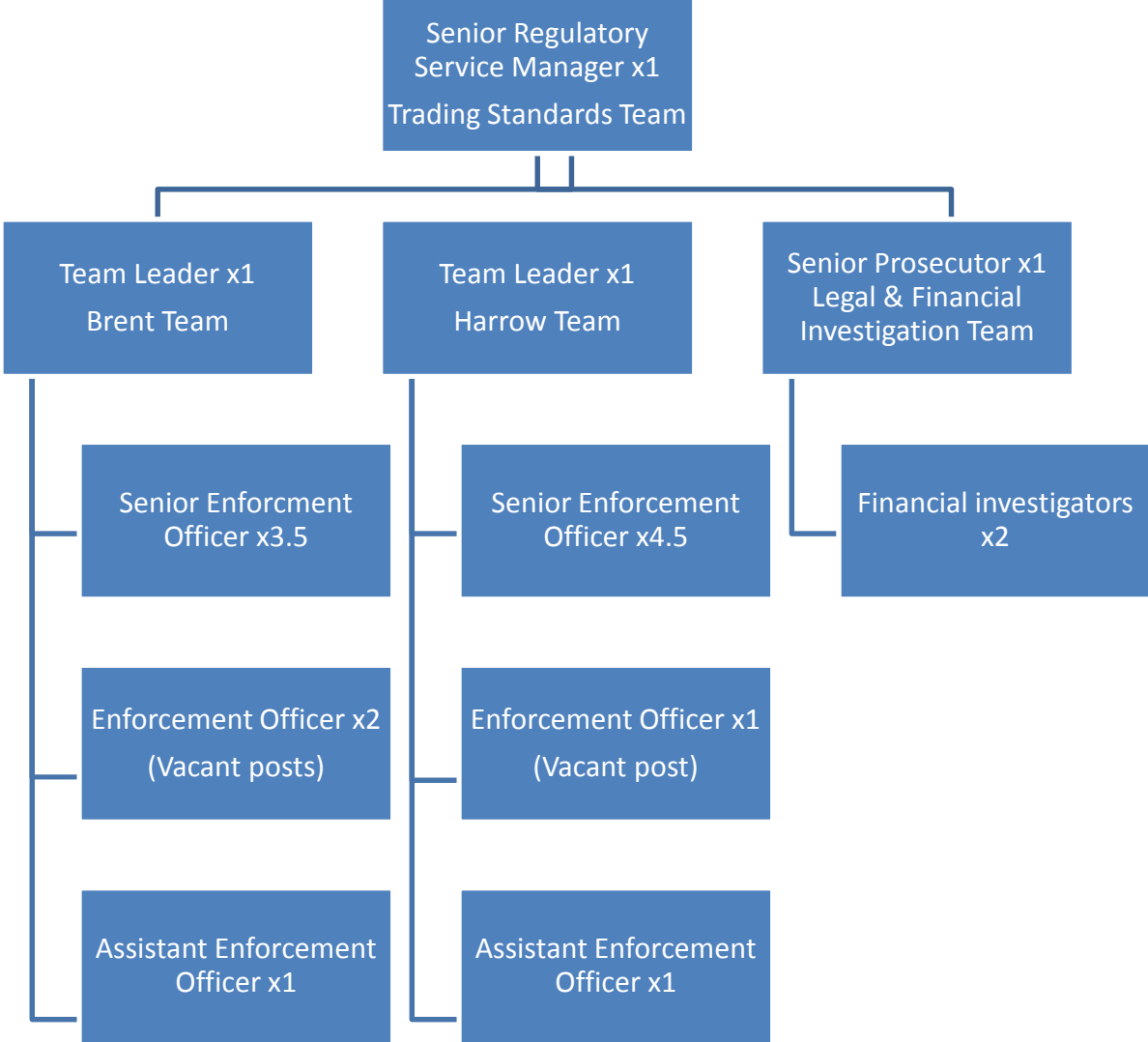
### Low Priority

Energy Labelling of Goods	Restrictive Notices
Misleading Descriptions (low value goods)	Underage Sales – lottery
Energy Performance Certificates	Estate Agents/Letting Agents
Mock Auctions	Essential Packaging
Road Traffic – Overloaded Vehicles	Underage Sales – crossbows
Metrication	Motorcycle Exhaust Silencers



**Appendix 1: Trading Standards Service Structure**

**Part of Regulatory Services**



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**London Boroughs of Brent and Harrow  
Trading Standards Joint Advisory Board  
27 November 2014**

FOR INFORMATION

**Trading Standards budget options 2015/16**

## **1 SUMMARY**

- 1.1 This report provides Members with information concerning budget options for the 2015/16 consortium budget.

## **2 RECOMMENDATIONS**

- 2.1 That Members consider the report and comment where appropriate.

## **3 DETAIL**

- 3.1 The Consortium Agreement requires that in advance of annual budget setting that the:
- Commissioners and the Head of Service shall meet to discuss a range of alternative budget and activity level proposals;
  - Head of Service inform the Commissioners of the estimated budget which would be required from each Council to enable performance to take place in the next year of the same number and types of activity and the estimated number of Standard Units of Work which it would be possible to achieve;
  - Head of Service inform the Commissioners of the estimated number and types of activity and the estimated number of *Standard Units of Work* which it would be possible to achieve were either or both Councils to increase or decrease the budget set for the next year, as compared with that set for the current year;
  - Where it is anticipated by the Head of Service and the Commissioners that the budgets may be increased or decreased, by each or either Council, the Head of Service shall explain to the Commissioners the implications and effect of the increases and decreases discussed, on the number and types of activity and number of *Standard Units of Work* which it would be possible to achieve; and
  - options discussed shall then be set out in a report by the Brent Commissioner to be presented to the Joint Advisory Board.

3.2 This paper sets out two options that will contribute to future budget making process for the 2015/16 Trading Standards budget, namely:

- a. no change *Standard Units of Work* undertaken; or
- b. no change in the cash limit.

3.5 **No change *Standard Units of Work* undertaken**, is estimated to require an inflationary increase. Salary cost tables have not yet been made available, but for the purposes of this report, we have used the headline local government pay settlement of 2.2% over the 15 month period from January 2015 to March 2016. The 2.2% increase would apply to the whole of the 2015/16 financial year and would amount to an increase in costs of £22k. This would require an increase in the contribution made by each borough of £11k for the year.

3.6 **No change in the cash limit**, as in 2014/15 would mean a real-terms decrease in resources due to increasing cost of salaries and supplies and services. This would require a post to be held vacant for approximately half a year and would lead to a likely loss of Standard Units of Work of around 660 units over the year or 330 for each borough. For example, this would be equivalent to not investigating around 95 complaints received in each borough and the loss of further work units such as inspections and formal actions, which would have derived from the investigation of these complaints.

#### 4 **FINANCIAL IMPLICATIONS**

4.1 This report deals entirely with financial matters and it reflects options that will contribute to future budget making process for the 2015/16 Trading Standards budget.

#### 5 **STAFF IMPLICATIONS**

5.1 Paragraph 3.6 identifies that no increase in the current budget allocations would require a post to be held vacant for part of the year. It is not thought likely that this would require any redundancy and is most likely to be managed through natural wastage..

#### 5 **BACKGROUND INFORMATION**

5.1 Any person wishing to obtain more information should contact Michael Read, Operational Director, Regulatory Services, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ.

MICHAEL READ  
OPERATIONAL DIRECTOR  
ENVIRONMENT AND PROTECTION  
[michael.read@brent.gov.uk](mailto:michael.read@brent.gov.uk)  
020 8937 5302

**London Boroughs of Brent and Harrow  
Trading Standards Joint Advisory Board  
27 November 2014**

FOR INFORMATION

**Trading Standards Fees and charges 2015/16**

**1 SUMMARY**

- 1.1 This report provides Members with information concerning the proposed level of fees and charges to be made by the Brent & Harrow Trading Standards service in 2015/16.

**2 RECOMMENDATIONS**

- 2.1 That Members consider the report and make any recommendations where appropriate.

**3. DETAILS**

- 3.1 The Consortium Agreement provides that the Board should consider and make recommendations on the level of fees and charges to be made to the public in respect of any part of the service, for consideration by whoever is authorised to make fees and charges decisions by each respective council's constitution.

- 3.2 The service has a unified fee structure with the same levels of fees and charges made in Brent and Harrow.

- 3.3 Fees fall into three categories, as follows:

- 3.3.1 **Statutory fees** are set nationwide by Government. Local Authorities have no discretion to vary the fees, which are usually not announced until just before the start of the financial year, and were not known at the time of writing. The current statutorily set fees for 2014/15 are:

Service	2014/15 (£'s)
Explosives licence 1-250Kg (fireworks Harrow)	105.00
Explosives licence 251-2,000Kg (fireworks Harrow)	178.00
Explosives licence 1-250Kg (fireworks Harrow Renewal)	52.00
Explosives licence 251-2,000Kg (fireworks Harrow Renewal)	83.00
Fireworks All Year Round licence	500.00
Replacing Lost and/or Transfer of licence	35.00

3.3.2 an **RPI escalator** applies to Primary Authority Partnership charges that apply to any multi-branch business that elects to seek UK-wide guidance from Brent or Harrow. Brent's 17 June 2013 Executive, in a report entitled "*Introduction of a Charge Based Regulatory Advice Service for Businesses*", decided to increase the rates on an annual basis on 1st April each year by the annual change in the Retail Price Index (RPI) for January of the year concerned. As of September 2014 the Retail Prices Index was 2.3%.

3.3.3 The remaining fees are **determined annually**, with any change in the fee charged being determined each year according to prevailing circumstances.

3.4 The prevailing rate of RPI, i.e. 2.3% has been used to illustrate possible fees for 2015/16. The exception are fees for Weights and Measures, for which local authorities use the recommendations of the Association of Chief Trading Standards Officers.

Service	VAT	2014/15	'2015/16	
			(excl VAT)	(incl VAT)
Primary Authority – fixed contract (per hour)	0%	52.98	54.20	
Primary Authority - pay as you go (per hour)	0%	66.23	67.80	
Registration of premises for auction	0%	310.00	317.10	
Verification of weights & measures equipment	20%	58.00	58.56	70.30
Calibration of weights for business	20%	58.00	58.56	70.30
Testing for other LAs (per item)	0%	58.00	58.56	
Additional officer testing assistance (per hour)	0%	35.00	35.33	42.40
Use of safety lab (per hour)	20%	60.00	61.40	73.70
Officers working Stadium events (per hour)	0%	35.00	35.80	

## 4 FINANCIAL IMPLICATIONS

4.1 Fee income is a relatively small contributor to the Trading Standards service budget, with budgeted fee income totaling £23,500 for 2015/16 (excluding Court cost or proceeds of crime recovery). The anticipated increase in fees is expected to amount to approximately £500. Any decision to leave fees unchanged will potentially result in a budgetary shortfall for 2015/16.

## 5 STAFF IMPLICATIONS

5.1 None.

## 6 BACKGROUND INFORMATION

6.1 Any person wishing to obtain more information should contact Simon Legg, Senior Regulatory Service Manager, Regulatory Services, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ.

DAVID THRALE  
HEAD OF REGULATORY SERVICES

**London Boroughs of Brent and Harrow  
Trading Standards Joint Advisory Board  
27 November 2014**

FOR INFORMATION

**Trading Standards Joint Advisory Board meeting forward plan**

## **1 SUMMARY**

- 1.1 This report provides Members with information concerning forthcoming Joint Advisory Board meetings and the planned programme of reports to the Board.

## **2 RECOMMENDATIONS**

- 2.1 That Members consider the report and comment where appropriate.

## **3 DETAILS**

- 3.1 The Joint Advisory Board (JAB) is established through the Agreement establishing and governing the Consortium. The powers and responsibilities given to the JAB by that Agreement are:

“In order to oversee and review the arrangements set out in this agreement the *Joint Advisory Board* will:

- (a) consider the operation, extent and management of the Trading Standards service;
- (b) consider the annual report of the Head of Service, subject to prior discussion and agreement by Commissioning Officers for Brent and Harrow;
- (c) consider the report on budget options for the following year mentioned in Sub-Clause 23.3 and make any recommendations relating to that report for consideration by whoever is authorised to make budget decisions by each respective council’s constitution
- (d) consider management reports concerning complaints from customers about the service;
- (e) receive reports and representations submitted to it by the relevant commissioning officers in Brent and Harrow Council on matters relating to the service; and

- (f) consider and make recommendations on the level of fees and charges to be made to the public in respect of any part of the service, for consideration by whoever is authorised to make fees and charges decisions by each respective council's constitution.

3.2 The Board is required to have a minimum of two meetings a year, with an option to have more if necessary.

3.3 Agreed dates for forthcoming Board meetings are:

- 27 November 2014
- 26 March 2015.

3.4 As a result of a number of inquorate meetings and one cancelled meeting the some updates for the Joint Board are later in the municipal year than would ordinarily be the case. The below forward plan seeks to rectify this at today's meeting, and to regularise the reporting timetable for future meetings.

3.5 Forthcoming Board meetings and planned reports are set out below:

<b>Board meeting</b>	<b>Planned reports</b>
27 November 2014	<ul style="list-style-type: none"> <li>• 2013/14 Annual Report</li> <li>• 2014/15 Work Plan</li> <li>• 2015/16 Fees and charges</li> <li>• 2015/16 budget options</li> <li>• Forward plan report</li> </ul>
26 March 2015	<ul style="list-style-type: none"> <li>• 2015/16 Work Plan</li> <li>• SLA review</li> <li>• Brent Enforcement Policy review</li> <li>• Forward plan report</li> </ul>
Summer 2015 - TBD	<ul style="list-style-type: none"> <li>• 2014/15 Annual Report</li> <li>• 2016/17 budget options</li> <li>• Forward plan report</li> </ul>
Autumn 2015 - TBD	<ul style="list-style-type: none"> <li>• 2016/17 Fees and Charges</li> <li>• Forward plan report</li> </ul>

#### **4 FINANCIAL IMPLICATIONS**

4.1 There are no financial considerations arising from this report.

#### **5 STAFF IMPLICATIONS**

5.1 None.

#### **6 BACKGROUND INFORMATION**

6.1 Any person wishing to obtain more information should contact David Thrale, Head of Service, Regulatory Services, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ. Telephone: (020) 8937 5454.

DAVID THRALE  
HEAD OF REGULATORY SERVICES