



Brent & Harrow Trading Standards

Annual Report
2019-2020

Contents

Introduction.....	3
Supporting Business	4
Primary Authority	4
Responsible Trader Scheme.....	5
Inspections	6
Assisting Consumers	6
Responding to Service Requests.....	6
Investigations	8
Brent Investigations	9
Harrow Team Investigations	10
Operation Snowball	10
Other Harrow Team Investigations	11
Financial Investigations.....	12
Publicity	14
Annex 1 Number of Business Inspections.....	15
Annex 2 Comparison of Inspections to previous years.....	16
Annex 3 Investigation Outcomes	16
Annex 4 Age Restricted Sales	17

Introduction

This Annual Report highlights some of the key work outcomes delivered by the Trading Standards Service for the period of the April 2019 to March 2020. Towards the end of this period, due to the pandemic officers routine and proactive work was suspended due to Government advice of only essential travel.

The service is managed by Anu Prashar with Samuel Abdullahi covering a Team Leader role. The Service Manager reports to the Head of Regulatory Service, Simon Legg, who has overall responsibility for Food Safety, Air Quality, Licencing and Health and Safety. This team sits within the wider Regeneration and Environment directorate.

It has been another exciting and busy year for Trading Standards in which I am pleased to report we concluded a major fraud and money laundering prosecution, which had taken well after over a year to investigate. The trial involved five defendants and took six weeks to hear the evidence in the Crown Court resulting in a total of 18 years imprisonment between each of the defendants. A record sentence for our Service.

In another case, the Service seized unsafe children's fancy dress costumes from an importer in our area. This led to a prosecution and the all the unsafe costumes forfeited for destruction.

The Trading Standards Service has responsibility for the vast majority of consumer protection issues that arise in Brent & Harrow. We provide advice and guidance to consumers and businesses based within the borough, in conjunction with Citizens Advice Consumer Service. We ensure consumers are more empowered to resolve their disputes and businesses are confident to invest and trade.

Our Primary Authority Partnerships, compliance inspections and offering a free 'Responsible Trader Scheme' to businesses selling age restricted products are two of the many ways the service supports business to help them trade confidently and grow.

We are strongly committed to have competent and trained officers to deliver our services to local residents and businesses. This year one of our officers was the first in Brent Council to complete an apprenticeship, a level 4 Diploma in Intelligence Operations. The officer's new qualification will assist the team in improving its intelligence led enforcement, to ensure we target our resources in the most needed areas of our work.

In addition, I am pleased to report that another member of staff has qualified as a Chartered Trading Standards Practitioner, evidencing the highest level of Trading Standards competency. At the current time, every employee in the Trading Standards team, holds a professional qualification.

Supporting Business

We continue to provide advice to businesses and traders to help enable and support economic growth. Our experience is that the majority of businesses and traders in Brent and Harrow seek to trade fairly and ensure they maintain necessary standards, but our support, increases business confidence, helps them to streamline processes and reduce costs and maximises compliance with a wide ranging spectrum of legislation.

Primary Authority

We continue to have Primary Authority partnerships (PA) with businesses that have bases both within and outside our area. PA is a contractual cost recovery arrangement between the service and the business, to provide ongoing specialist assured advice on specific areas of regulations such as product safety, fair trading.

In 2019/2020 we had 16 PAs, spent just under 200 hours giving advice and support and recovered costs of £22,000. We also signed up a new business in the fashion sector to the partnership and supported them on several product recalls.

Each partner has a dedicated officer and we tailor our partnerships to the needs of the business. A large number of the interactions involve liaising with other local authorities and acting as a single point of contact for any enquiries concerned with our Primary Authority companies, thereby reducing burdens on business and preventing any unnecessary duplication. The advice given by our officers under this scheme is considered robust and reliable and therefore other councils have to take this into account when carrying out inspections or addressing non-compliance to



these businesses in their areas. This helps reduce businesses costs and assures those in trade, that what they are doing will not be subject to challenge elsewhere.

Not all our partnerships are with big companies, we also have partnerships with medium and small businesses as well, who are also given assured advice. This support is invaluable to smaller businesses as without it, they would have to obtain much more expensive advice from legal experts which doesn't come with the added benefit of the protections offered by PA advice.

We support our businesses and traders in many different ways, including information on our website, inspections and Primary Authority.

(See Annex 1 for our table on the number of businesses enquires).

The Service also agreed their statutory Product Safety Incident Management Plan which assists businesses with such things as product recalls. The Office for Product Safety and Standards in conjunction with the British Standards Institution (BSI), the UK's National Standards Body, has published the first government-backed Code of Practice (PAS 7100) for product safety recall and corrective action in the UK. The Code sets out guidance and advice local authorities should make available to enable businesses to meet their legal responsibilities and act in the public interest.

Responsible Trader Scheme

During 2019/20, our free *Responsible Trader scheme* was refreshed and updated with pages regarding age restricted knife sales. This was in line with the initiative that had been developed in partnership between the Mayor's Office for Policing and Crime (MOPAC), the Metropolitan Police Service and London Trading Standards (LTS) in response to reducing knife crime in London. Members receive free training, advice and marketing materials to use with their customers.

Responsible Trader Scheme



A total of 36 members received audit visits to ensure the scheme's terms and conditions were being adhered to and standards maintained

The number of members of the scheme remained the same as the previous year of 206, (108 Brent and 98 Harrow).

A new member joining the RTS Scheme

Inspections

All of our business inspections are conducted in on a risk based approach. They are not routine, instead being based on need, determined by intelligence, risk and a trader's past compliance history.

On some occasions, the Consumer Rights Act 2015 applies to our officers which requires them to give two days written notice to business owners of their intention to carry out an inspection unless a specific exemption exists. This prohibits unannounced spot checks of businesses unless there is a specific reason.

The numbers of inspections and comparisons to previous years, are shown in Annex 2.

Assisting Consumers

Responding to Service Requests

The Service continues to work with our partners Citizen's Advice Consumer Service. Any enquiries they receive which concern either a Brent or Harrow resident or business are referred to us if an alleged criminal breach is identified. Unfortunately, we cannot investigate every complaint so we continue to operate a systems of risk assessing each enquiry and prioritise the most serious ones to ensure our resources are applied to those situations where they are needed the most.

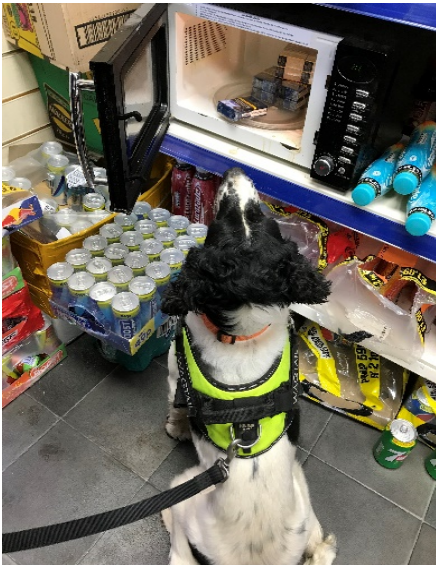
The Service investigated 639 complaints. 387 complaints were investigated by the Brent team and 252 by the Harrow Team.

Citizens Advice Consumer Service provide first tier advice to members of the public giving them the ability to resolve their own disputes or enforce their contractual rights in the marketplace.

Investigations

Another key area of work for the service is investigations into breaches of legislation. There are a range of sanctions/outcomes with many cases needing nothing more than some advice to the businesses, but where necessary, the Service follows the Enforcement policy to impose more formal sanctions.

During the year, the Brent Team submitted a total of 21 investigation reports and the Harrow Team a total of 16. This represents an overall decrease of the number of investigations, largely attributable to the smaller staffing resource, meaning there are a lower amount of complaints investigated and reduced intelligence leading to these investigations. A table can be found in Annex 3 comparing previous years.



The Service takes the growing supply of illicit tobacco being sold from most of our high streets very seriously. Both teams were involved in operation Wagtail targeting possible sellers of illicit tobacco, working with sniffer dogs to uncover the tobacco from all the novel hiding places traders try to conceal their stock. Illicit tobacco was seized from 15 businesses, over 15,000 cigarettes, 10kg of hand rolling tobacco and over 6,000 niche tobacco products were seized.

Brent Investigations



After receiving a complaint from a trade mark representative that a business in our area was supplying counterfeit children's and adults fancy dress costumes, Trading Standards officers carried out a search of their warehouse. The officers found uncovered a selection of children and adult dressing up costumes. The storage boxes were partially full, suggesting that several had been supplied to retail clients. These were branded Superman, Supergirl, Zorro, Spiderman, Batman, and Bat Hero. The officers seized over 2000 items, most were unsafe and counterfeit. Some of the children's fancy dress were found to fail the flammability and strangulation tests under the Toys (Safety) Regulations. The defendants pleaded guilty and were fined £6500 and ordered to pay £3,666.

The team had two illicit tobacco cases in court, for one of the defendants this was his third time in front of the magistrates for identical offences. The defendants had to pay a total of £6,622.

Our lettings agents work has continued, with 18 agents being inspected which resulted in £16,500 in financial penalties. (see also the Harrow update below). Unlike other London authorities, we have had very few agents appealing our formal notices, suggesting our approach is fair and proportionate with most agents agreeing to pay the penalties.

Traders selling age restricted items to people under the age of 18 were inspected. Out of the 99 inspections, we found 3 businesses that did sell to our volunteers, one was given a simple caution and the other two of the businesses received letter of warnings.

See Annex 4 for Table comparing the results.

Harrow Team Investigations

Operation Snowball

As mentioned in my introduction, during September 2019, a six weeks trial began at Harrow Crown Court. This was after an investigation which commenced in September 2017, following two Harrow residents, aged 84 and 86, being cold called by bogus roofers who claimed that minor repair work was required on their properties. The repairs and costs rapidly escalated with the vulnerable residents eventually making payments totalling £350,000 for the unnecessary works.



The Service made enquiries which led to the discovery of three more elderly victims from across London. In two cases, roofs were left exposed when the vulnerable victims refused to pay more money. When our Accredited Financial investigators analysed the financial records they discovered that much of the money was transferred through a web of bank accounts before being funnelled out of the UK to Dubai, China and Singapore in a sophisticated international money laundering operation.

Officers found that a further £400,000 sent to one of the company accounts, was in fact payment for a fictitious investment bond, leaving a 92-year-old without his life savings, intended to pay for his wife's care.

Between September 2017 and March 2018, a total of £870,000 was taken from the six victims.

Five dawn raids were executed by our Service across England and Wales during May 2018, leading to the arrest of two of the defendants on suspicion of conspiracy to defraud and money laundering. A further defendant was in Lithuania at the time and later interviewed. Two further warrants were executed in London in September 2018 and a fourth defendant was interviewed for his role in the transfer of large sums of the money via various company bank accounts.

Mobile phones, laptops and diaries recovered from the defendant's homes provided crucial evidence of the offences along with prosecution witnesses which included building surveyors and a forensic accountant.

Sentencing followed unanimous guilty verdicts with four of the defendants given a total of 18 years imprisonment for conspiracy to defraud and money laundering offences.

The Service was also commended by the judge hearing the case saying "this was a very professional and well conducted case by Trading Standards".

During the two-year investigation, our Service obtained 82 witness statements, 2000 pages of exhibits, executed 7 entry warrants resulting in the seizure and analysis of 17 electronic devices, conducted 5 interviews under caution and carried out 24 communication data checks in relation to telephone, website and IP addresses relating to the defendants.

More than £200,000 has since been returned by the banks as a result of our intervention and we are continuing to pursue Confiscation Proceedings against the defendants for their financial benefit, under the Proceeds of Crime Act 2002.

Other Harrow Team Investigations

In April 2019, the conclusion of a case regarding a business selling and providing fitted kitchens, that were either never or partially provided. The customers had paid thousands of pounds, and in some cases had their old kitchens ripped out, but only to find that they either did not receive any new kitchen or only part of a new kitchen. When they asked for a refund they did not receive any and were given excuse after excuse why he could not. The defendant even went to extreme lengths to make his business sound reputable by faking customers' testimonies.

This investigation was assisted by National Trading Standards, who looked into over 40 complaints across South East London. At Harrow Crown Court the defendant was



sentenced to 98 weeks prison sentence, suspended for 2 years and ordered to do 150 hours community service and pay our costs of £59,354. The defendant also paid refunds back to his victims of a total of £76,000.

In July 2019, a builder carrying out home improvements to a Harrow resident's home

pleaded guilty to engaging in an unfair commercial practice. The builder had given the home owner a quote and timescale to renovate her home. The victim ended up paying the defendant nearly £100,000

After making an initial payment, the defendant began demolition on the property but stopped work after 4 days and began demanding more money. The service investigated the complaint and found that the defendant had left his victim confined to one room, with no kitchen, running water or heating through the winter of 2017.

The defendant was sentenced to 9 months imprisonment, suspended for 12 months, ordered to undertake 200 hours of unpaid work and his company fined £500.

In one case, a business from Harrow who had previously been prosecuted for possessing illicit tobacco, was yet again in court and this time the company and its director were given a fine of £3,000 and we were awarded costs of £1,236. The business also had their alcohol licence revoked following a review of their activity.

Our lettings agents work has continued, with 18 agents being inspected which resulted in £11,320 in financial penalties. (See the Brent update on letting agents above).

Financial Investigations

During the financial year 2019/20 the team have secured nine confiscation orders under the Proceeds of Crime Act 2002 (POCA) totalling £1.2m and some of these cases are detailed below.



have since been paid in full.

During April 2019 two confiscation orders were made for £105,000.00 and for £65,250.00, which represented the benefit made from a building that had been erected by the side and attached to a petrol station. Brent Council served an enforcement notice, which required the six self-contained dwellings contained within the construction to cease. The enforcement notice was ignored therefore Brent Council started legal proceedings for the planning breach. After convictions had been secured, the Council took action under POCA to recover the rental income that had been made from crime. The two orders

During July 2019, a confiscation order was made, after a lengthy trial. Brent Council took confiscation proceedings against a company after it converted a single dwelling into six self-contained flats. The judge found that the defendants did benefit from its criminal conduct and did not find any reason to reduce the benefit figure. A confiscation order was awarded of £88,436 which has been paid in full. Below is a picture of the living conditions in the property.



In October 2019, another confiscation order was made against AA Property & Construction Services Ltd for £356,443.18. An Accredited Financial Investigator employed by Brent Council conducted this case on behalf of Lambeth Council. This matter also related to a planning infringement, whereby an enforcement notice had been breached, following the conversion of a single house into two self-contained dwellings. The sum of the confiscation order reflected the rental income that had been made from crime.

During October 2019, a confiscation order totalling £260,000 was made following a case when houses were converted into flats without planning permission. These orders have now been paid in full.

During February 2020, a confiscation order was made against difficulties as the proprietor was not a resident in the UK. The Accredited Financial Investigator applied for a Restraint Order which was granted which placed a restriction on the property with Land Registry and prevented its sale before the Council were notified. It is effective way to secure the benefit from criminal conduct where there is a likelihood the asset may be dissipated.

We continue to work with all departments within Brent Council and see more POCA cases being referred to us from other London Councils.

Publicity

The service has been very successful in publicising our work. We have featured in the BBC's Defenders UK aired on the BBC1. The programme filmed officers regarding the case of a travel agent who defrauded over 20 victims by not booking their flights and holidays and a received over £70,000 from these victims. He received a 25 months prison sentence.

They have also filmed officers regarding the above two cases featuring home improvements. The new season has yet to be aired.

We were also delighted to be featured in a double page article within Harrow People where the role of a Trading Standards officer explained.

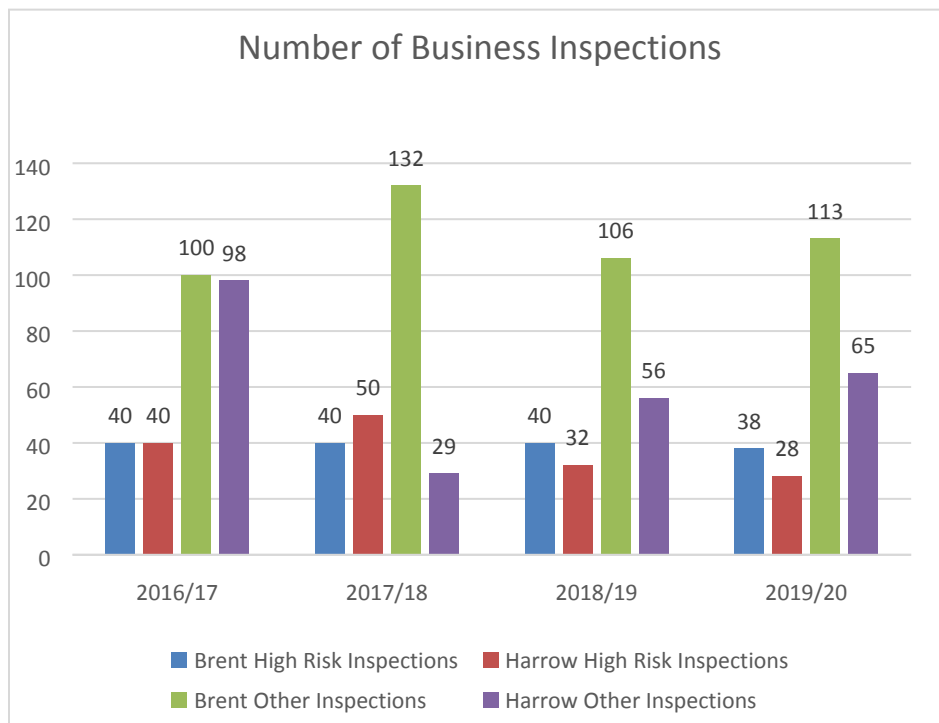


We also have made posts throughout the year on council's Twitter accounts and Facebook posts alerting members of the public of any scams and advice.

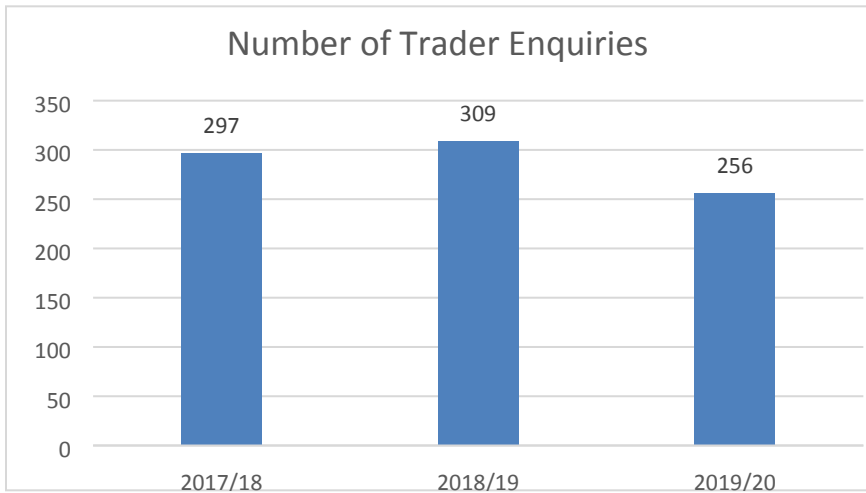
Our work also made an appearance in an edition of the Evening Standard.



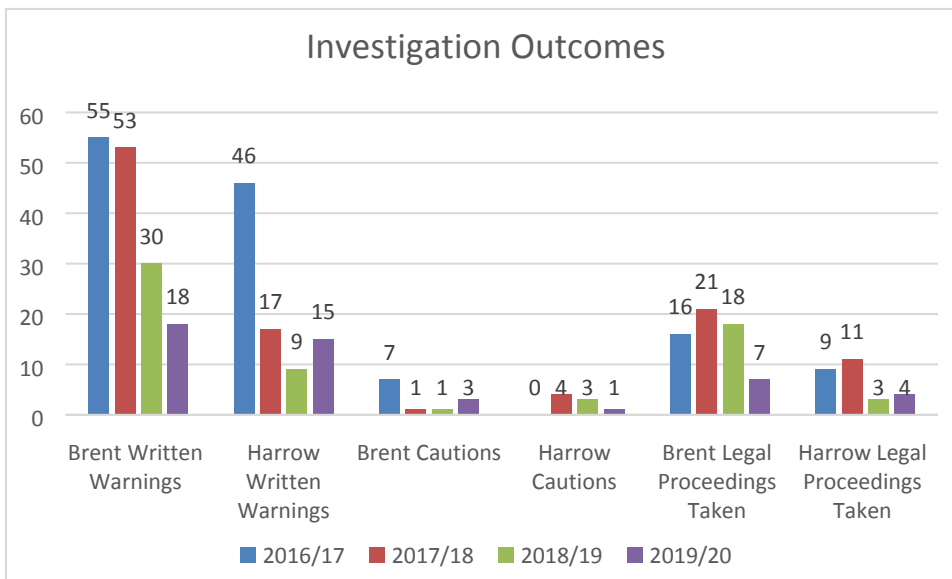
Annex 1 Number of Business Inspections.



Annex 2 Comparison of Inspections to previous years



Annex 3 Investigation Outcomes



Annex 4 Age Restricted Sales

Product	Test purchases (no.)		Sales (no.)		Failure rate (%)	
	Brent 2019/20	Harrow 2019/20	Brent 2019/20	Harrow 2019/20	Brent 2019/20	Harrow 2019/20
Alcohol	65	29	3	0	4.6	0
Tobacco	28	19	0	1	0	5.3
Knife	6	6	0	0	0	0
Fireworks	0	0	0	0	0	0
E-Cigarettes	4	0	0	0	0	0
Total 2019/20	99	54	3	1	3.0	1.9
Total 2018/19	114	52	4	7	3.5	9.6