

# Trading Standards Joint Advisory Board

## Minutes

### 21 October 2020

**Present:**

<b>Chair:</b>	Councillor Keith Ferry	– London Borough of Harrow
<b>Councillors:</b>	Vina Mithani	– London Borough of Harrow
	Angella Murphy-Strachan	– London Borough of Harrow
	Daniel Kennelly	– London Borough of Brent
	Promise Knight	– London Borough of Brent
	Janice Long	– London Borough of Brent

**1. Election of Chair**

**RESOLVED:** That Councillor Keith Ferry be elected as Chair for the meeting.

**2. Declarations of Personal and Prejudicial Interests**

**RESOLVED:** To note that there were none.

**3. Minutes of the previous meeting - 13 November 2019**

**RESOLVED:** That the minutes of the meeting held on 13 November 2019 be approved and signed as a correct record.

**4. Matters Arising - From the Minutes**

The following matters were raised in relation to the minutes of the meeting held on 13 November 2019:

### **Minute 3 – Outstanding Delegations**

Simon Legg (Head of Regulatory Services, Brent and Harrow Trading Standards) reported that the outstanding issues regarding letting agents and environmental energy certificates remained unresolved and that there had been no further progress due to the absence of an operational lead from Harrow.

May Patel (Contract Manager - Harrow Council Regulatory Services) advised that the issue of an operational lead was being reviewed by Harrow Council through the Divisional Director and the Board would be advised in due course.

The Chair requested that Harrow Council's Corporate Director for Community be approached to appoint an operational lead.

**ACTION:** Simon Legg to follow up with Harrow Council's Corporate Director for Community and to inform the Board.

#### **5. Deputations**

**RESOLVED:** To note that there were none.

#### **6. Trading Standards Fees and Charges 2020/21 Report**

Members received the Trading Standards Fees and Charges 2020/21 Report which provided information concerning the proposed level of fees and charges to be made by the Brent and Harrow Trading Standards Service during 2020/21.

The Board considered that statutory fees were set nationally by central government. Local authorities had no discretion to change the fees although, on occasion, the legislation would permit a fee to be set locally up to a maximum value.

**RESOLVED:** That the report be noted.

#### **7. Tenants Fees Act and Client Money Protection Policy Report**

The Board received the Tenants Fees Act and Client Money Protection Policy Report on determining the appropriate level of financial penalties.

The report advised that the Ministry of Housing, Communities and Local Government had produced statutory guidance under both the Tenants Fees Act 2019 (TFA) and the Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme) Regulations (CMPR).

The guidance required Trading Standards to develop and publish their own policy on determining the appropriate level of financial penalties to impose with regards to breaches in the legislation.

The Board queried whether landlords that did not use agents were covered under the legislation, and if houses in multiple occupation (HMOs) were included. It was advised that such landlords were still covered, and if there

was a complaint against them, these would be investigated. HMOs were covered under licensing regulations.

**RESOLVED:** That the responsibility of the Head of Regulatory Services to agree and implement the policy be noted.

## **8. Trading Standards Annual Report 2019/2020 Report**

Members received the Trading Standards Annual Report 2019/2020.

It was a requirement of the Trading Standards Consortium Agreement that an annual report was presented to the Board, which included details of the work undertaken by each borough team during the financial year to which it related.

**RESOLVED:** That the report be noted.

## **9. The Trading Standards Service Response to Covid-19 Report**

Members received the Trading Standards Service Response to Covid-19 Report, which detailed the Trading Standards Service's response and change of duties during the Covid-19 pandemic.

Following the outbreak of Covid-19, the Trading Standards Service was required to review its service delivery to ensure it was responding to the most important tasks and at the same time, undertaking new duties placed on them.

The Trading Standards Service had continued to respond to consumer issues, prioritising those where victims were vulnerable or if the issue was high risk, such as scams and product safety. In addition, the Service had maintained the provision of business advice which had increased significantly.

Ongoing investigations had continued to progress. The Trading Standards Service had received over 700 Covid-19 related service requests since the beginning of the pandemic.

The Board considered the fast-paced nature of the pandemic and the resultant legislation, which at times appeared ambiguous.

Members raised concerns about how some parts of the legislation had been crafted. For instance, currently, the prevention of "household mixing" in hospitality venues was challenging to enforce. It was not clear whether venue owners were expected to verify if their patrons were from the same household.

**RESOLVED:** That the changes in duties undertaken during the Covid-19 epidemic be noted, and the contribution made by staff acknowledged.

(Note: The meeting, having commenced at 7.00 pm, closed at 8.16 pm).

(Signed) Councillor Keith Ferry  
Chair

