

TRADING STANDARDS JOINT ADVISORY BOARD MINUTES

27 NOVEMBER 2014

Chairman: * Councillor Keith Ferry

Councillors: * Varsha Parmar London Borough of Harrow
* Mrs Vina Mithani

* Abdi Aden London Borough of Brent
* Bhagwanji Chohan
† Sabina Khan

* Denotes Member present

† Denotes Apologies

Officers Present:

London Borough of Harrow

Camille James

Venetia Reid Baptiste

Daksha Ghelani, Democratic & Electoral Services

London Borough of Brent

Simon Legg, Service Manager

David Thrale, Head of Regulatory Services

Michael Read, Operational Director (Environment & Protection)

1. Appointment of Chair

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

2. Declarations of Personal and Prejudicial Interest

RESOLVED: To note that there were no declarations of interests made.

3. Minutes of the Previous

RESOLVED: That the minutes of the meeting held on 25 March 2013, be taken as read and signed as a correct record.

4. Matters arising

None.

5. Deputations

None.

6. Annual Report of the Head of Trading Standards for the Year 2013/14

Simon Legg, Service Manager, introduced the Annual Report, which summarised the work and outcomes achieved by Brent & Harrow Trading Standards Service (The Trading Standards Consortium) for the financial year 2013/14. He explained that the work undertaken was linked to each boroughs' Corporate Priorities and how most of the consumer complaints investigated by the Service are received through the the national Citizens' Advice Bureau 'Consumer Service', which was responsible for logging all the complaints received and provided the initial advice. Some 8,000 complaints had been received in 2013 and these were prioritised by the Consortium in line with available resources.

Simon Legg added that the Consortium also worked directly with local businesses and sought compliance before taking enforcement action. Prosecutions were undertaken as a last resort, and businesses were supported through workshops, such as the 'do's and don'ts of selling shisha', 'landlord forums' and 'responsible trader scheme' which helped businesses to use best practice to prevent the sale of age restricted goods to children as part of the health agenda.

Members were briefed on the prosecutions undertaken, including financial investigations, and how the later had contributed to the income received by the service as legislation allowed a proportion of money to be clawed back.

Members asked questions about the supporting business programme, how services were marketed and online activity was targeted, including the carrying out of risk assessments. Simon Legg responded as follows:

- the national Primary Authority Scheme allowed businesses that traded in multiple locations the right to form a statutory partnership with one local authority for the purposes of receiving regulatory advice. Currently 10 businesses, such as IKEA, had joined with the Consortium to form a Primary Authority relationship. Sadly, Wickes had moved to a different authority as a consequence of their buy-out by another company that already had a Primary Authority arrangement with another Council when they closed the Harrow based Head Quarters.

Businesses could form a statutory partnership with any authority and did not necessarily have to have its Head Offices in that particular authority. Councils were not allowed to make a profit but to cover costs only whilst being competitive with other authorities. The Consortium operated a contract and pay as you go Primary Authority scheme;

- the Consortium actively marketed its services, for example by holding seminars to attract new businesses. There was expectancy amongst the business community and the public that as they paid rates and taxes, any advice given should be free. Whilst free advice was provided it had had to be capped to 7 hours per year to prohibit some businesses from abusing the Service taking a disproportionate amount of officers' time seeking complex legal advice;
- in relation to business inspections, there was a national risk assessment scheme which allowed authorities to build-in local variants, such as that operated by the Consortium in relation to shisha bars. Other work carried out was in relation to imported goods, particularly electrical items and second hand goods. Other areas of high risks related to car dealers of which there were 80 in Harrow and 100 in Brent;
- online purchases made by those living in Brent and Harrow would be investigated but the Consortium did not have the remit to investigate overseas scams which would usually be passed onto Action Fraud for investigation. Online purchases were often fraught with issues and complaints were numerous.

Members welcomed the style in which the information was presented in the Annual Report.

RESOLVED: That the Annual Report 2013/14 be received.

7. Trading Standards Work Programme 2014/15

Members Board received the report of the Head of Regulatory Services, which set out the plans for the forthcoming financial year and noted that it was closely linked to the budget and reflected the outputs achievable within the budget provided.

The Chairman considered the Brent and Harrow Trading Standard Service to be the best in London and praised the work done by officers with reduced budgets year on year and additional duties imposed by the government.

Simon Legg introduced the report and outlined the performance management requirements of the various officers in terms of the work unit contribution expected, which were checked on a quarterly basis to ensure delivery and adjustments made, when appropriate. He added that much of the work programme was underway and that future reports would be submitted to the Board in March.

In response to questions from Members, the officer stated that:

- shortfall in vacancies would have an impact on the units produced but it was dependant on the type of vacancy and when it arose. In such instances, the Commissioning Officers would be contacted and they would decide if the vacant post should be filled on a temporary basis or they would seek a reduction in the yearly consortium fee;
- the Brent & Harrow Trading Standard Service had lost managerial staff and a recent restructure had led to team being merged into an all encompassing Regulatory Service.

RESOLVED: That the report be noted and it be also noted that the next report would be submitted to the Board in March 2015.

8. Trading Standards Budget Options 2015/16

The Board received a report of Michael Read, Operational Director, Environment and Protection, which set out budget options for the Consortium's 2015/16 budget. He added that whilst both Councils were in the process of finalising their budgets, the following options required consideration:

- a no change to standard units of work undertaken would require an inflationary increase to meet salary costs of 2.2% and would amount to an increase in costs of £22,000, split between the two authorities;
- a no change in the cash limit would mean a real term decrease in resources due to increasing cost of salaries and supplies. This option would require a post to be held vacant for part of the year.

Members were asked that their views and that these be sent to the officers.

The Chairman stated that Harrow would make its representations to the Portfolio Holder, who was also a member of the Board.

RESOLVED: That the report be noted and that Members submit their views to officers.

9. Trading Standard Fees and Charges 2015/16

The Board received a report of the Head of Regulatory Services, David Thrale, which proposed the level of fees and charges to be made by the Brent and Harrow Trading Standards Service in 2015/16. He informed Members that statutory fees were set nationwide by the government and Councils had no discretion to vary these. However, Councils had options to set fees in other areas but that the fee income of £23,500 was a small contributor to the Trading Standard Service. Any decision to leave fees unchanged would potentially result in a budgetary shortfall for 2015/16, albeit a small one.

In response to a question about licence fees, the officer stated that this did not fall within the remit of the Board and was specific to Brent Council.

RESOLVED: That the report be noted.

10. **Trading Standards Joint Advisory Board Forward Plan**

The Board received a report of the Head of Regulatory Services, which set out the role of the Board, its meetings and the planned programme of reports. The intention of this style of reporting was to ensure that both the Board and the officers worked with an agreed forward looking Plan which would be presented to all future meetings of the Board, as required under the Service Level Agreement (SLA) between Brent and Harrow Councils. It was noted that the next meeting of the Board was scheduled to be held on 26 March 2015.

The Head of Regulatory Services invited Members to make suggestions that could be built into the Plan.

RESOLVED:

(1) That the report be noted and that meetings for the Municipal Year 2015/16 be included in the Programmed Calendar of Meetings in order to allow Members to diarise the meetings in advance and to ensure that other meetings were not booked for the same evenings;

(2) That meeting for Municipal Year 2015/16 be discussed further as the proposed meeting for July was not suitable.

11. **Any Other Urgent Business**

(a) Message from Brent Councillors/Social Media:

Councillors from Brent Council, who were new to the work of the Board, thanked officers for the excellent work and hoped that Brent and Harrow Councils would continue to work together and bring in revenue which would allow the work of the Trading Standards Service to continue to flourish.

The Chairman stated that, as a former resident of Brent, he used to attend meetings of this body and it was suggested that Brent Council would use both Harrow and Brent Councils Communications Teams as a vehicle to encourage attendance from businesses and local residents to meetings of the Board.

(b) Press Releases:

The Chairman requested that copies of press releases be distributed to Board Members and noted that these were released through the respective Communications Teams of both Councils.

The Chairman stated that it was important that Members of the Board were informed in advance of the work carried out by the Service, including its successes, before these appeared in the local press. He suggested that such briefings be sent by email so that Members were aware of the matters, particularly when these impacted on the Wards. Officers undertook to ensure that such briefings were provided.

(Note: The meeting, having commenced at 7.00 pm, closed at 7.52 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman