

 <p><b>Brent</b></p>	<p><b>London Boroughs of Brent and Harrow Trading Standards Joint Advisory Board</b></p> <p>24 October 2016</p> <p><b>Report from the Senior Regulatory Services Manager</b></p>
<p>FOR INFORMATION</p>	<p>All Wards</p> <p><b>Annual Report 2015/2016</b></p>

## **1 SUMMARY**

- 1.1 This report details the work of the Trading Standards Consortium for 2015/16.

## **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 an overview of the total work carried out by the Service. A copy of the report for the year 2015/2016 is attached for Members' information and consideration.
- 3.2 At the end of this period, the London Borough of Brent, being the consortium's hosting borough, deleted the Head of Service for Regulatory Services through a restructuring exercise and the responsibility of Aktar Choudhury, the Operational Director for Regeneration.

## **4 FINANCIAL IMPLICATIONS**

- 4.1 The Trading Standards Service for 2015/16 was provided within its agreed overall budget of £379,600.

## **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.

SIMON LEGG  
SERVICE MANGER



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# Brent & Harrow Trading Standards

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Annual report  
2015-2016

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## Introduction

During 2015-16, the service celebrated 50 years of working together as a consortium. Earlier in 2015 Brent and Harrow refreshed the legally binding Consortium Agreement to reflect changes in both authority's Executive decision-making arrangements and the subsequent operational changes.

Our annual report gives a summary of some of the many different areas of work and outcomes achieved by Brent & Harrow Trading Standards Service for the year.

The service started the year as part of a wider group of regulatory functions, called Regulatory Services although at the end of the year, commencing in April 2016, the department was restructured into a new team within Brent called Standards and Enforcement which consists of Trading Standards, Food and Planning Enforcement teams.

The Trading Standards service is managed by Simon Legg and Team Leaders Winston Brooks, Sanjay Thakrar and Anu Prashar.

## Priorities

The London Boroughs of Brent and Harrow have the following corporate priorities:

**Brent Council** Borough Plan 2015-2019 priorities:

1. Better Lives
2. Better Place
3. Better Locally



**Harrow Council** corporate priorities were:

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 corporate priorities:

Key activity	Brent	Harrow
Investigate consumer complaints about breaches of consumer protection laws and assisting the vulnerable consumers.	2	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.	1	3
Take action against those traders who break the law, providing confident consumers and allowing legitimate businesses that trade fairly to prosper.	2	2, 3, 4
Tackle doorstep crime and take action against rogue traders and scammers.	2	1
Act as 'Home Authority' or 'Primary Authority' for national businesses based within the Consortium.	1,2,	3
Operate a Responsible Trader scheme, offering tailored guidance and support to member businesses.	1,2,3	3
Reduce the level of age-restricted goods sold to children	1, 2,	2, 3, 4

In addition to setting the Service's annual work plan with corporate priorities determined by the London Borough of Brent and Harrow, we also contributes to regional objectives through our active membership of London Trading Standards (LTS) and operations coordinated by the National Trading Standards Board (NTSB).

## Budget

The joint partnership between Brent and Harrow, means that the consortium delivers significant efficiencies and economies of the scale resulting in savings for both boroughs.

The table below shows the consortium budget since 2008/2009:

Date	Budget
2008/09	£1,772,000
2009/10	£1,702,000
2010/11	£1,673,000
2011/12	£1,274,000
2012/13	£1,274,000
2013/14	£1,299,000
2014/15	£ 864,000
2015/16	£ 379,600

It should be noted that the budget from 2014/15 is not a like for like comparison due Brent Council changing the way it accounts for overheads. Prior to 2014/15 costs such as accommodation, financial support, HR support, IT, telephones, printing, copying and administrative support were included in the services' budget costs. These components of the services' costs are now centrally accounted and this has made comparison of budget prior to 2014 difficult. There has been no change in the contribution to Brent from Harrow for these service costs.

In addition, the service commits to meet the cost of providing our financial investigations team through a net contribution to the service from proceeds of crime of £250,000 p.a.

As the challenging financial pressures continue for both authorities, the service will explore options for future cost saving opportunities and efficiencies in the coming year.

## Performance

### Complaints of Dissatisfaction about the Service

During 2015/16, there were two formal complaints of dissatisfaction received about the Service.

The first complaint related to a trader who was unhappy about the way an Officer had spoken to a member of his staff and that we had no grounds to seize goods. The matter was investigated during which time we were able to speak to the alleged victim who did not share the views of her employer confirming that they had no concern whatsoever, with the way they had been spoken to. We disagreed with the second part of this complaint in relation to having the grounds to seize the complainant's goods and the complaint was accordingly, not upheld.

The second complaint was also from a Brent resident who was unhappy with our decision not to investigate his complaint about a business and the length of time we had taken to communicate this to him. After investigation, it was confirmed that our decision not to investigate the complainant's allegation about the business was correct. However, the length of time we had taken to communicate this to him had fallen well below the expected standards. Steps were taken following this complaint to tighten our procedures to prevent such a reoccurrence.

### Compliments about the Service

Despite the two examples of dissatisfaction highlighted above, I am pleased that the letters of thanks and appreciation we received, far outweighed those of complaint. I have highlighted some examples of the kind words or appreciation we have received during the year where members of the public have praised our staff:

*'I just wanted to say a massive thank you from Islington for acting as our AFI on a recent case. It was a great result..... Thank you for your professionalism and always explaining things to me very clearly – it is much appreciated'.*

*'I just want to thank Trading Standards and their team, particularly Denise, who was extremely helpful in resolving a dispute between myself and a Brent car trader'.*

*'I am writing to you to give my appreciation to one of your members of staff, Amar, who in the past month provided me with excellent guidance and help in an issue I was facing. Without him the situation I was in would of ended up very differently and would of caused me and my family a lot of grief and hardship'.*

*I would like to thank Andrew for his kind support and valuable guidelines to lead the matter in very right direction.....His constant and regular follow ups and commitment towards consumer interest is highly commendable. Personally I have been at high comfort due to Andrew's intervention in the matter. I am really pleased with his knowledge and skills.*



## **Freedom of Information Requests**

The Service received 8 requests for information under the Freedom of Information Act 2000, down from a total of 17 the previous year, all of which were responded to within the statutory timescale.

2 of these requests related to counterfeiting, 2 were about energy performance certificates in the rental sector, 1 was about the use of surveillance, 1 regarding fibre content marking and there were 2 requests about enforcement of food legislation, (something predominantly carried out by the Environmental Health teams).

## **High Risk Inspections**

The service has an objective to inspect an agreed number of high risk and/or our most complained about business during the year which formed one of Brent's corporate key performance indications. During 2015/16 to was met in full with a score of 102%.

## **Training and Qualifications**

There has been a great deal of change in the legislation the Service enforces in recent years with several long standing laws being repealed and replaced with modern equivalents. One significant change was the new Consumer Rights Act which came into force in October 2015 introducing changes to the rights, remedies and obligations applicable to contracts entered into between businesses and consumers for the supply of goods, services and/or digital content. This legislation also provides Trading Standards with a new set of powers and different ways of exercising them.

During 2015/16, staff completed 604 hours of training, (equivalent to 86 days) to make sure that we have professional and competent Officers. The majority of this training was completed with no cost to the Council other than staff time.

I am delighted to report that during the year, three member of staff achieved the level of knowledge, skill and competence required by the Chartered Trading Standards Institute to be awarded the status of 'Chartered Trading Standards Practitioner'. This award has obtained by just seven officers in London and it is great news that 3 of them, work for us.

## Supporting business

### Primary authority

'Primary Authority' is a statutory scheme, established by the Regulatory Enforcement and Sanctions Act 2008. It allows business to partner with a single local authority to receive help, support and advice in relation to achieving regulatory compliance. The enables businesses that trade in multiple locations, to follow advice from one regulator 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 helping them to reduce the cost of compliance whilst at the same time, providing certainty that what they are doing is legally correct.

Local authorities are allowed to charge for this service on a cost recovery basis. The charge for 2015-2016 was either £54 or £67 per hour depending on the type of contact a business opted for.

Currently we have nine active businesses who have requested a Trading Standards Primary Authority relationship with us. During 2015/16, we recruited three new businesses to the scheme, namely Cantalis Ltd, Dabur International Ltd and UK Electronic Cigarette Ltd. 177 hours of Primary Authority advice was provided to our members.

This represents a reduction on the previous year where we gave 186 hours of advice and is well below the 311 hours provided in the first year of operation. We tend to find that members of the scheme initially take a lot of advice and support from us, but once we have approved their operational systems or helped them with compliance, they continue their business without the need for continual support from us.

It is important that we continually look for new members to join the scheme and staff are very mindful of the need to promote the benefits of membership to businesses that they are in contact with.

### Inspections

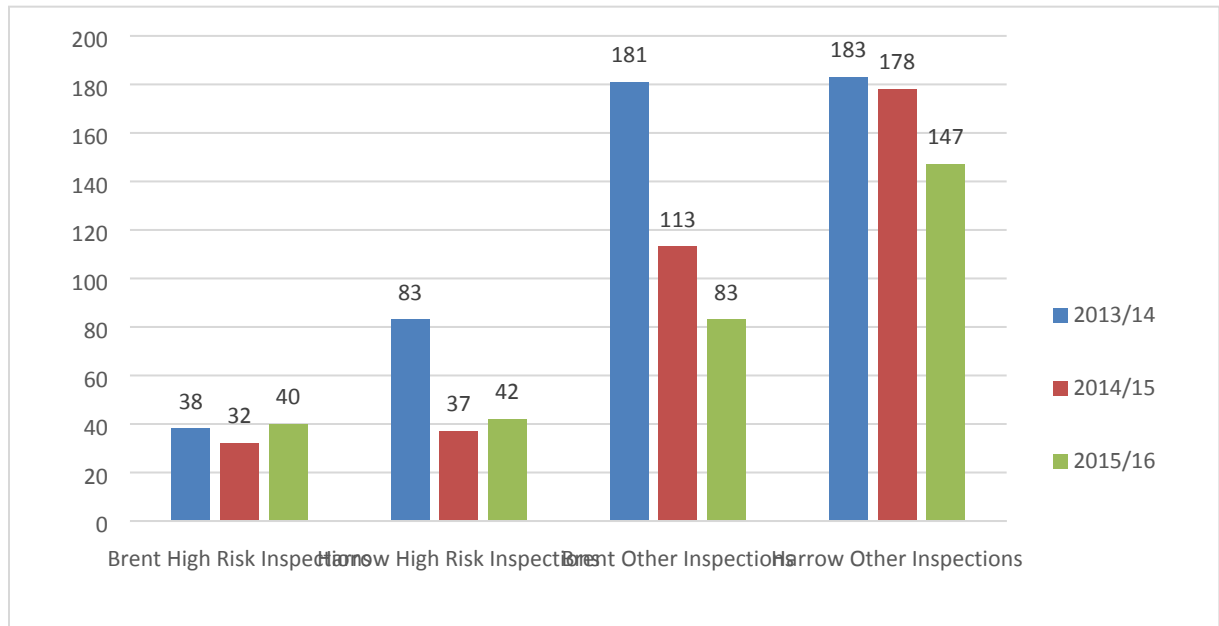
Since the Hampton Review in 2005, the number of inspections being carried out of business premises has been declining. Inspections are no longer routine, instead they are based on intelligence leads, risk assessment and a traders past track record.

During October 2015, the Consumer Rights Act 2015 came into force which provided Trading Standards Officers with a new set of consolidated and modernised set of powers.

The legislation added stronger safeguards regarding Officers powers of entry in accordance with the Protection of Freedoms Act 2012 to achieve a balance between effective and proportionate investigation of breaches of consumer law and not disproportionately burdening compliant businesses.

One key change brought about by this legalisation, is the need for Officers to give businesses two days written notice of their intention to inspect them (although there are some specific exemptions to this requirement in certain circumstances).

There was an overall reduced number of inspections carried out compared to previous years as shown below:



## Trader Enquiries

When a business contacts us asking for advice or where information is received from another Trading Standards authority about a business operating in our area who requires help or advice from us, these requests are logged and recorded as Trader Enquiries. There were 280 Trader Enquiries received by the Service during 2015/16. Advice can be given over the telephone, by email, letter or when necessary, a meeting can take place at the trader's business premises.

## Landlords Forum



During April 2015, Officers took part for the second year running, in the Harrow Council Landlord's forum held at the Cumberland Hotel in Harrow. The event aimed to educate and advise interested parties in the law and changes within the industry for landlords and letting agents. We gave a presentation alongside various other trade organisations. The afternoon and evening sessions were both considered to be a success.

## Responsible Trader scheme

During 2015/16, our free *Responsible Trader scheme* was refreshed and updated thanks to funding from Public Health. The scheme is offered to businesses encouraging best practice in preventing the sale of age restricted goods to children. Members receive free training, advice and marketing materials to use with their customers.

The number of members of the scheme dropped during the year from 267 to 245 (132 Brent and 113 Harrow). This is largely caused by businesses that change hands and then come under new ownership.

The scheme now has an updated training pack and with its fresh new look, we will be looking to recruit further new members during the coming year. Members of the scheme are subject to periodic audits to check the terms and conditions are being complied with, proving an opportunity to meet local business owners to remind them of their responsibilities and to help them with any problems or issues that they may have. A total of 80 audits were carried out during the year (37 Brent and 43 Harrow).

Responsible  
Trader Scheme



## Online Commerce

Following feedback from 2014/15's report, Members specifically asked for information about our work dealing with online business. Whereas we do not specifically focus our work on the online market place, we do certainly respond to complaints about online trading and advise businesses on any relevant legal requirements that they need to be aware of.

During 2015/16, the Service specifically checked advertising or terms and conditions on 58 Brent-based websites and 53 Harrow websites. Other ad hoc checks would also have been carried out as part of our routine investigations although we do not keep records of every check made as this would become overly onerous for Officers to record.

In circumstances where online businesses are operating outside of our jurisdiction, problems can be referred to the relevant local authority Trading Standards where the business is located or in some circumstances, the information can be sent to the National Trading Standards Board eCrime Unit for investigation.

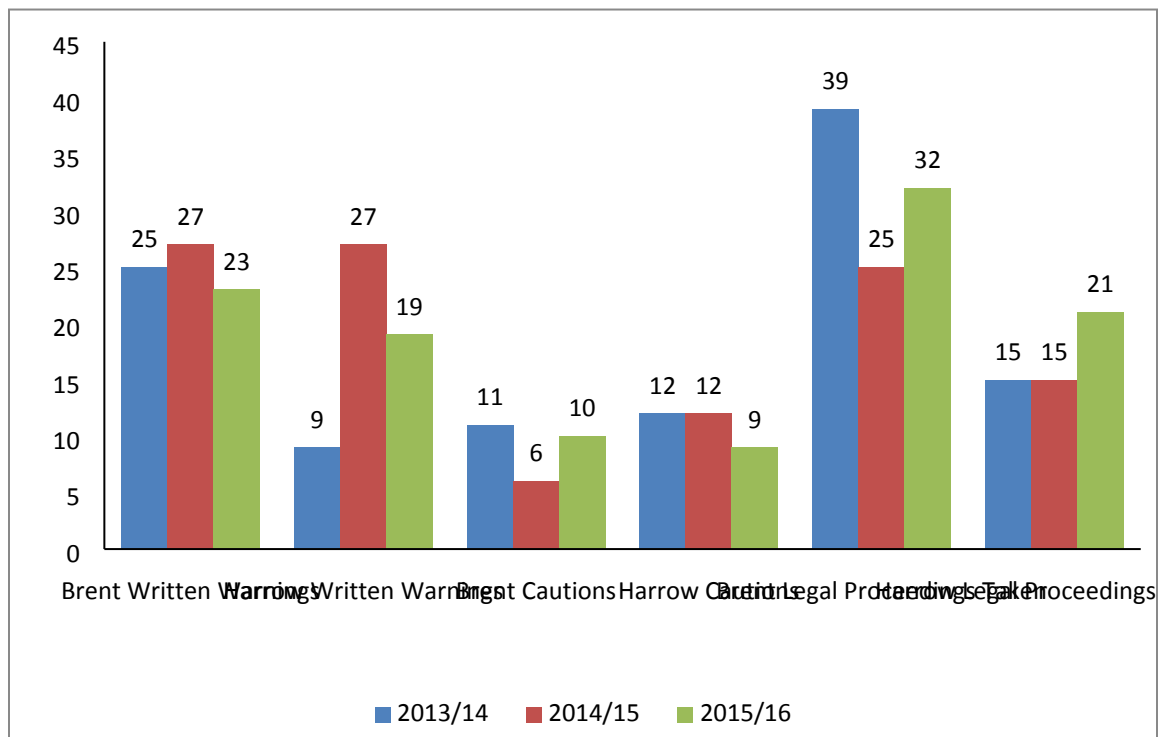
## Investigations

During the year, the Brent Team submitted a total of 50 investigation reports and the Harrow Team a total of 42, an increase of 27 submissions from the previous year.

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 further action;
- re-inspection/advice;
- letter of warning/advice;
- issue of a Simple Cautions if the trader accepts their guilt; or
- legal proceedings.

The table below shows the number of formal actions taken last year alongside the previous years for comparison. It should be noted when considering this data, that these prosecutions related to 18 businesses in Brent and 14 in Harrow. The figure showing the legal proceeds can appear higher because in some cases, we may prosecute the company and its director. This would show as two examples of legal proceedings although it is only one business or case.



As a result of our prosecutions last year, traders were fined a total of £37,675 compared to a combined total of £39,630 the previous year. A total of £28,560 was awarded to us in prosecution costs. This is a considerable increase from the previous year's total of £6,947 and £17,379 awarded in 2013/14. These prosecution costs provide an essential income towards the Service's budget.

The highest fine was £3,460 awarded against a company who was supplying counterfeit clothing online, and the lowest fine was £75 imposed against a tyre fitting company who supplied an unsafe part worn tyre.

## Underage sales

Despite advice to businesses and the offering of our Responsible Trader scheme, there are still a small number of traders who continue to sell age-restricted goods to children.

The following table shows the results of our test-purchasing in 2015/6, with an overall comparison to the previous year.

Product	Test purchases (no.)		Sales (no.)		Failure rate (%)	
	Brent 2015-16	Harrow 2015-16	Brent 2015-16	Harrow 2015-16	Brent 2015-16	Harrow 2015-16
Alcohol	65	59	4	2	6	3
Tobacco	51	47	1	0	2	0
Knife	14	7	1	2	7	29
Fireworks	0	21	0	0	0	0
Spray Paint	0	0	0	0	0	0
E-Cigarettes	0	7	0	2	0	29
Video	1	0	0	0	0	0
<b>Total 2015/16</b>	<b>131</b>	<b>141</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>4</b>
Total 2014/15	125	141	3	3	2	2

We shall not comment in any greater detail regarding our work preventing underage sales as this subject was presented in a specific report to the Trading Standards Joint Advisory Board at the meeting on 21 March 2016,

## Multi-agency operations

We frequently take part in multi-agency operations, working alongside other Council departments, Public Health, the Police, Her Majesty's Revenues and Customs (HMRC), UK Border Agency and the Illegal Money Lending Team etc. Our work focuses on issues ranging from doorstep crime, the sale of illicit tobacco and alcohol, anti-social behaviour, tax evasion, 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:

- Regular attendance at Harrow's weeks of action events;
- Operation Condor with the Police focusing on licensed premises and Operation Trident preventing young people access to buying knives;
- Operation Liberal, tackling rogue builders; (see below)
- Implementing trial 'No Cold Calling Zone' in Harrow
- Talk about underage sales compliance to Brent On-Premises License Holder's with the Police
- Various London Trading Standards (LTS) initiatives
- Supporting a Fraud Prevention workshop in Harrow in association with Barclays Bank
- Proving Brent Communications with 11 of the Council's 75 Tweets during #ourday generating 70,000 views in a day

## Tobacco and Alcohol

The supply of foreign label and non duty-paid tobacco and alcohol remains a continual problem. Working whenever possible with HMRC, we conducted approximately 20 seizures of alcohol and 40 of tobacco during the year. Retailers are becoming much more creative finding all kinds of hiding places for their illicit stock to avoid it being detected when we visit. We successfully applied for funding to pay for a day when we had the use of a specially trained sniffer dog to help us detect hidden tobacco from a number of businesses where we had prior intelligence to suggest that illegal tobacco was being sold.

Establishments selling shisha breaching Trading Standards, Food Safety, Planning and Licensing laws remain across Brent and Harrow. Fortunately in Brent, the numbers of these businesses are now on the decline following many successful prosecutions but in Harrow, the number is increasing. We routinely carried out evening enforcement inspections to conduct out spot checks at such premises with steps being taken to bring as many of these businesses into compliance as possible.

### Tyre Project

Both Brent & Harrow teams ran a project in partnership with Tyresafe who are the UK's leading tyre safety organisation. The project consisted of advisory visits to tyre fitters, an awareness campaign and then a programme of test purchases and seizures of unsafe second hand part worn tyres.

The project attracted the media's attention with our work being picked up by the BBC's Fake Britain programme. Two Officers occupied a sizable piece of airtime on the programme which was billed as 'Matt [Allwright] reveals the scandal of fake part-worn tyres that are an accident waiting to happen'.



Sadly, it became apparent that despite our advisory work, many traders has continued to flout the law and were still selling dangerous tyres to unsuspecting motorists. The sale of part worn tyres requires a minimum tyre tread depth of 2.0mm, greater than the minimum tyre tread depth allowed on the road which is 1.6mm. The tyres should not have cuts, lumps or any other damages that will compromise its structural integrity, have passed an inflation test and be marked with the part worn stamp.

**Officers were filmed carrying out our tyre project, which appeared on BBC's Fake Britain**

project over the coming year.

Six tyre retailers were summonsed to Court. Over a number of weeks, they all pleaded guilty and were ordered to pay over £18,000 in fines. The project would have diminished risk to public safety and will have certainly increased compliance within this sector of the industry. We intend to do some further follow up work on this

### Hover boards

The run up to Christmas saw the team inundated with complaints about hover boards. Hundreds of thousands of unsafe boards were being imported into the UK, including many into our boroughs to satisfy the high demand for this years must have device.

These cheap, poorly manufactured hover boards were considered unsafe for a number of reasons such as issues with the plug, cabling, charger, battery or the cut-off switch within the board, which often failed. We worked with various agencies including the National Trading Standards Ports Project and their staff at Felixstowe, who had either intercepted or provided





intelligence on local addresses where the unsafe hover boards were destined.

We are lucky to have a number of Officers who are experienced in dealing with technical matters who spent many hours visiting businesses who were importing these goods to carry out advisory work, seizing non complaint stock and then undertaking the laborious task of trawling through page upon page of technical documentation. It is our belief that we became probably the most effective London authority at dealing with hover boards as we were receiving many phone calls asking for our help and advice from other Trading Standards colleagues.

We were involved with checking compliance of over 5,000 hover boards. Where possible, the boards were reworked to bring them into compliance but where this was not possible, businesses disclaimed the over to us or we used our powers of suspension, recall or seizure to prohibit them from being placed onto the market. I am certain our swift intervention work and detailed technical examinations of documents and physical samples prevented consumers in from injury whilst at the same time, allowed businesses whose products could be easily brought into compliance to make changes and sell their stock.

### Operation Liberal

Again the Service saw a rise in rogue doorstep trading across both Brent and Harrow (more details provided below) and accordingly, we were very keen to support Operation Liberal. This is a joint national Trading Standards, UKBA, HMRC and Police initiative that runs annually to combat rogue builders and doorstep criminals.



On the day locally, no major offences were identified as part of this operation. However, we did recruit the Councils Waste Enforcement team to the event who were able to apprehend several unlicensed waste carriers driving about the borough.

### Working with NTSB Scams Hub

A number of local residents received money back from us after unwittingly responding to scam mail. Working in partnership with the National Trading Standards Board (NTSB) Scams Hub we were able to identify more than 50 local Brent or Harrow victims who had received unsolicited literature through the post and responded to the scam/s in anticipation of prizes, which included a £500,000 house, a £100,000 car and a large cash sum. Investigations by Officers revealed the prizes to be fictitious acting only as a lure to try and get cash from participants.



Envelopes containing cheques, cash or personal bank details were seized by the Trading Standards Scams Team, so we could return the money to the victims and offer advice about responding to future competitions. In some circumstances, it was necessary to make referrals to the Adult Safeguarding Boards as this sort of unsolicited mailing is a form of financial abuse.

## Doorstep Crime

The Service also provides a rapid response team that springs into action when information comes in about a victim of doorstep crime that is in immediate danger. The team work with local Police Safer Neighbourhood teams to apprehend offenders in the act of committing their fraudulent crimes. Where ever possible the Service will seek to prosecute these unscrupulous rogues, but the primary objective is always to safe guard the vulnerable victim who is quite often elderly or disadvantaged. The team has intervened and saved local vulnerable residences 1000's of pounds during the year.



One of the worst call outs of the year was to a victim who had been pressured into agreeing to pay £14,000 for a new roof on his house after he had been cold called. The work was carried out but the home improvement company were then demanding £40,000 from the victim on the basis that they had used a more expensive tile which was not what had been agreed. With the assistance of an independent surveyor and our intervention, we were able to negotiate price that was agreeable to all parties.

Sometimes, the sum of money can be far less. One call was to a doorstep caller who had agreed £49 to have their gutters cleaned. Having agreed to this, the resident was then presented with a bill for £800 after the trader claimed to have replaced 3 roof tiles which the homeowner had not agreed to. Again, we were able to negotiate considerably lower price for this work which reflected its value although we were unable to prove whether the work was ever necessary.

Regrettably, sometimes our involvement comes too late. One Brent resident agreed to work on her roof costing a few hundred pounds following a cold call. This escalated to £3,000 and then jumped all the way to £20,600! The victim paid £15,000 but the builder threatened her with legal action if she didn't pay the balance before the work was fully complete, something that we would never advise doing. Unbelievably, the victim paid in cash with no paperwork or contract being issued. Although some work was done, it was never completed and in the absence of proper contact details for the builder, she was never able to get him to return.

We have worked closely with our Adult Safeguarding teams in a number of these cases involving financial abuse complying with the Council's responsibilities under the Care Act 2014 promoting the wellbeing of adults with care and support needs.

## Financial Investigations

The Financial Investigation Team still consists of two Accredited Financial Investigators, led by our Senior Prosecutor undertaking investigations using powers under the Proceeds of Crime Act 2002 (POCA). Their work comes not only from Trading Standards cases, but also other internal and external local authority departments. Under the Home Office Incentivisation scheme Brent Council receives a percentage of any paid confiscation order.

A number of cases have been referred and are detailed below I am delighted to report a significant rise in the number of external customers who are paying us a fee to use our expertise in financial investigation.

Department	2013-2014	2014-2015	2015-2016
Brent Trading Standards	5	9	24
Harrow Trading Standards	2	2	3
Brent Council's Planning service	6	12	4
Brent Council's Audit and Investigation Service	0	2	1
Other Local Authorities	0	7	19

The team secured 15 confiscation orders under POCA totalling £1,721 773 in 2015/16, much higher than the previous year's total of £445,387.

The Act also gives officers powers to ask the court to grant a restraint order on businesses and individuals. In March 2016, one such order was granted against a property meaning that it cannot be sold should the defendant try to dissipate their asset. This case is currently on going.

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.

In one such case, after the conclusion and conviction of a Brent trader selling counterfeit mobile phone cases on eBay, Hendon Magistrates court ordered the forfeiture of £10,000 of the cash seized from this trader by officers using their POCA powers.

Working with a neighbouring London Borough's Planning Service, a landlord was ordered to pay a confiscation order for £382,467. This was our biggest order made last year. This matter related to a landlord who had converted his property into six self-contained flats without planning permission. He had not complied with an enforcement notice issued by the Council, so legal proceedings were instituted.

In another case, a notorious landlord in different London Borough, was ordered to pay a £70,000 confiscation order by Blackfriars Crown Court. The investigation concerned a basement which had been used as a self-contained flat without planning permission for 14 years. The owner has a vast property portfolio and owns 161 properties believed to be worth in excess of £600million. He has appeared on various BBC rogue landlord programmes in relation to providing sub-standard accommodation.

In yet another external planning case, a husband and wife and the wife's sister had purchased a property and converted it into bedsits/flats without planning permission. After agreement with

the defence, the entire confiscation order was made against the husband as he did not want to involve his wife and sister-in-law any further in the matter. Isleworth Crown Court ordered the husband to pay a £180,000 confiscation order.

In a previous case dating back to 2010, a defendant had failed to pay the order. The case concerned benefit fraud relating to nine family members. The defendants applied for a certificate of inadequacy to Harrow Crown Court, stating he did not have a money to pay the order. When our AFI intervened and re-examined the case, the application was withdrawn. The matter returned to Westminster Magistrates Court for enforcement. The District Judge advised the defendant that his default sentence would be activated. The order was paid in full with interest, totalling £87,552.

In July 2015 a confiscation order was made at Harrow Crown Court against a seller of counterfeit headphones for £43,642. The order has since been paid in full.

In October 2015 a confiscation order for £170,000 for failure to comply with an enforcement notice which related to a property in Brent. The property had been converted into three self-contained flats without planning permission. On the same day a second confiscation order was made at Harrow Crown Court for £17,600 against the same defendant after he failed to comply with another enforcement notice which related to another property on the North Circular Road that had been converted into eight self-contained flats without planning permission. Both orders have since been paid in full.



*Picture above relates to the case of the North Circular Road property*

In November 2015 a confiscation order was made at Harrow Crown Court for £126,492. The defendant had been convicted by Brent Council for benefit fraud.

The Financial Investigation team were nominated and shortlisted for the prestigious Local Government Awards. The nomination was in the innovation category, for applying POCA to planning cases successfully. Whilst unfortunately the team were unsuccessful on this occasion, the nomination increased our profile and raised awareness of the great work being done.

## **Brent Team Investigations**

The year started with guilty pleas on 2 April 2015, from a window fitting company and its director who had falsely made claims that they were approved by FENSA and the UK Trade Confederation. The matter came to the Service's attention following a number of complains about shoddy window installations and the non-issuing of insurance backed guarantee documents. The fines and costs imposed against the company and director totaled £1,241.

A second-hand car salesman was handed a 12 month suspended jail term and ordered to do 150 hours of community sentence, after duping customers into waiving warranties on motor vehicles. His company was also fined £4,100. The defendant was convicted of fraud and of obstructing Officers investigating the business following the trial at Harrow Crown Court in January 2015.

Officers found that Mr Jawad had been deliberately misleading buyers, in not bringing to their attention the small print of the sale agreement which waived the consumers' statutory consumer rights, and absolved the company of any liability for the vehicle after the point of sale. He had also provided warranty documents to customers which were worthless, as he deliberately did not properly register the guarantee. The crooked salesman also was offering finance without a consumer credit licence.

During the summer of 2015, a street trader from Birmingham was prosecuted after he had been caught selling counterfeit football merchandise outside the Capital One Cup Final at Wembley Stadium. The Court heard how the trader had ignore warnings from Officers not to trade before they seized 106 badges from him which carried the unauthorised trade marks of the competing teams. He was given a £1,800 fine.

A company and its director were prosecuted in January 2016 for offences in relation to selling and possessing unsafe phone chargers, some of which were later revealed as being counterfeit. The company and its director were fined £595 each and were ordered to pay £825 costs.

February 2016 saw the conclusion of an investigation involving two companies distributing and selling counterfeit clothing. Both companies involved pleaded guilty to various charges under the Trade Marks Act 1994. Magistrates imposed fines and costs which totalled £9,045.

A Kilburn convenience store owner pleaded guilty in February following an underage test purchase of alcohol to two child volunteers aged just 12 and 13 years old. The volunteers were able to buy the beer without any questions whatsoever. The shop owner was given a conditional discharge for one year and made to pay £500 towards costs.

## **Harrow Team Investigations**

In December 2015, a repeat offender was prosecuted for the third time in three years! During an inspection, Officers discovered tobacco that did not carry the correct health warnings, hidden under the counter. The raid came only weeks after the owner had pleaded guilty to selling counterfeit vodka. The shop owner was fined £2,000 and ordered to pay costs totalling more than £1,500.

An Ealing based company and its director, pleaded for supplying unsafe toys to two stallholders operating in central Harrow. The items were found not to display the correct labelling, had small parts which may have presented a choking hazard to young children, did not show any suitable safety warnings and the items were counterfeit. The Magistrates heard that both defendants had



previous convictions relating to very similar offences which was reflected in their sentence amounted to £7,315 between them.

An off-licence owner was fined in excess of £6,000 after being caught selling a bottle of whisky to a 13 year old boy without asking any questions whatsoever and having illegal packets of cigarettes that did not carry the correct health warnings, hidden under the counter in his shop. The defendant was not able to show any evidence that he had trained his sales assistant who had only been working there for three months.



In October 2015, a South Harrow businessman pleaded guilty to eight offences and ordered to pay fines totalling £1,226.00 after more than 500 unclassified DVDs were seized by Officers. Without the film classification or rating, it is not clear whether the films contain violent or sexual content. BBFC classifications are required to protect the public and ensure people can make an informed choice before they decide to purchase or rent a film. The defendant claimed that he brought the DVDs from a man who visited his shop. Despite owning the entertainment business, he claimed not

to be aware that the films required classification.

And finally, we often get asked what happens to all the seized goods which the Court orders to be forfeited from the defendant/s. In the majority of cases, we work with a number of specialist contractors and charities who are able to take items and have them securely recycled. In the case of clothing, much of it gets debranded and distributed via charities to the needy overseas or is sold in charity shops within the UK.

Sadly, this is not always possible to recycle everything and on occasions, we have to destroy the goods ourselves. The picture below shows a 25 tonne digger bringing an end to some unsafe toys we had to destroy.

