



## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE TRADING STANDARDS JOINT ADVISORY BOARD Monday 28 November 2011 at 7.30 pm**

PRESENT: Councillors Jones (LB Brent), Hashmi (LB Brent), Baker (LB Brent) and Ferry (LB Harrow) and Mithani (LB Harrow alternate for Hall).

Councillor Maru (LB Harrow) was in attendance.

Apologies were received from Councillors Hall (LB Harrow) and O'Dell (LB Harrow)

Officers in attendance were: Nagendar Bilon (Head of Consumer and Business Protection), Hashith Shah (Service Manager, Trading Standards), Simon Legg (Service Manager, Trading Standards), Simon Martin (Service Manager, Trading Standards), Michael Read, (Assistant Director, LB Brent), Finlay Flett (Head of Community Safety Services, LB Harrow)

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

RESOLVED:

that Councillor Lesley Jones be elected as Chair for this 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 9 June 2011 be approved as an accurate record of the meeting.

#### **4. Half Yearly Report: Six Monthly Report on the Operation of the Service**

Nagendar Bilon, Head of Consumer and Business Protection introduced the report that updated members on the restructuring of the Service and its performance over the first six months of the financial year. He advised Members that the restructuring of the service resulted in the deletion of seven front line posts from the previous establishment of twenty-nine and the transfer of three administrative staff to a

central Business Support Team. He continued that following consultation with the staff, the new Trading Standards structure was finalised in May 2011 and the Service was incorporated into the new Consumer and Business Protection Unit based within the Environment and Neighbourhoods Department in Brent House, Wembley. He drew members' attention to the staffing table set out in the report which showed the changes and the new structure.

In setting the background to the restructuring, Nagendar Bilon informed Members that it resulted from the Government's financial pressures on both Brent & Harrow Councils to make significant savings in response to reduction in funding for public services. In view of this, both Brent and Harrow Councils reduced their budget for Trading Standards by £200,000 each which resulted in an overall contribution of £1,291,000 for this financial year, i.e. £676K and £625K for Brent and Harrow respectively.

Whilst the restructure and the move from Willesden Green to Wembley took place with little disruption to customers, it had invariably had an impact on the Unit's ability to provide certain services to users. He continued that as a result of the deletion of the Civil Advisor posts, the Unit was no longer able to provide help and assistance to consumers regarding their disputes about defective goods and services which, in the main, affected the more vulnerable members of the public. In addition, there had also been an overall reduction in the units of work and certain activities involving proactive inspections and other enforcement activities. He however assured members that the service would make every effort to continue to provide essential Trading Standards services through greater prioritisation and more collaborative working and that a report would be submitted to a future meeting giving members an opportunity to set their own priorities for the service.

RESOLVED:

that the six monthly report on the operation of the Trading Standards service be noted.

#### **5. Future Proposals for the Formation of a Dedicated Proceeds of Crime Financial Investigations Team**

Members considered a report that set out the business case for the formation of a dedicated Proceeds of Crime Act 2002 (POCA) Financial Investigations Team based in the Brent and Harrow Trading Standards Service. Nagendar Bilon, Head of Consumer and Business Protection Service informed members that POCA not only provided a robust set of powers for investigating, restraining and confiscating assets but also allowed the Service to generate much needed funds to subsidise the work of local authority regulators. He clarified that under the Home Office Incentivisation Scheme the investigating and prosecuting authority was allowed to keep 37.5% of the assets confiscated.

He continued that the proposal was to set up a dedicated team to conduct POCA investigations and market their services to internal and external Council services. It was further proposed that any funds received through these means would be used to fund the work of the POCA team thus maintaining the current staffing levels and preventing any adverse impact on the front line work carried out by Trading

Standards Officers. This resource would not only ensure that POCA investigations can be pursued but would help ensure that there were sufficient prosecutions of serious offences to provide the foundation for future financial investigations. The proposal took into account the Home Office Incentivisation Scheme which required that some of funds generated must be set aside in a reserve account to provide some level of stability for continuation of the work. To ensure stability for the continuation of the POCA work it was also proposed that funds received through the Incentivisation Scheme should be saved in a reserve account and surpluses for any given year should be carried forward to allow for periods of sporadic income.

In welcoming the report, members suggested the following additional points to enhance the proposals:

- Officers should seek to identify commissioning officers in other London Boroughs with a view to marketing the services to them.
- Training courses be organised for officers in other departments within both Councils to get them to recognise areas where POCA could apply.
- Trading Standards Service should also focus on Legal Services of both Brent and Harrow with a view to getting the Legal Services to appreciate the capacity of the Trading Standards Service with respect to this area of work.

RESOLVED:

- (i) that a dedicated team to conduct financial investigations under the POCA be set up;
- (ii) that a financial investigations service be provided to other regulators both internally within Brent and externally to other Councils;
- (iii) that in the long term the existing Trading Standards staffing complement be maintained, by replacing the two AFIs, which would enable the detection and prosecution of offenders, therefore, leading to financial investigations under the POCA;
- (iv) that the income from the POCA incentivisation scheme be used to subsidise the Trading Standards budget thus reducing the contribution currently being made by the London Boroughs of Brent and Harrow by a further £100,000 each over three years;
- (v) that Officers should seek to identify commissioning officers in other London Boroughs with a view to marketing the services to them;
- (vi) that training courses be organised for officers in other departments within both Councils to get them to recognise areas where POCA could apply;
- (vii) that Trading Standards Service should also focus on Legal Services of both Brent and Harrow with a view to getting the Legal Services to appreciate the capacity of the Trading Standards Service with respect to this area of work.

6. **Any other urgent business**

None raised at this meeting.

7. **Date of the next meeting**

RESOLVED:

to note that the next meeting would take place on 22 March 2012 at Harrow Civic Centre.

The meeting ended at 8:15pm

L JONES  
Chair

The meeting closed at 8.15 pm

L. JONES  
Chair