



Brent & Harrow Trading Standards

Annual report
2018-2019

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Introduction

It has been another exciting and busy year for Trading Standards. We prosecuted a seller of expensive, counterfeit headphones, a travel agent was given a holiday for 25 months with Her Majesty's Prison Service, we prevented over £150,000 being handed over to criminals by intervening in a rogue trader complaint and stopped over 7,000 dangerous items throughout the year entering the supply chain in Brent and Harrow. These were travel adaptors, set top boxes and electrical chargers. In another case currently awaiting sentencing, a trader refunded a total of £70,000 back to consumers for incomplete kitchen work or in some instances, nothing was ever done despite consumers handing over deposits to pay for their dream kitchens.

The Trading Standards team cost each resident 78p for the year across both boroughs, well below the national average of £1.69 as reported by the Trading Standards Institute in 2017. The Service continues to respond to consumer complaints, gives advice and information to residents and business owners, to ensure consumers are more empowered to resolve their disputes and businesses are confident to invest and trade.



The Service also supports business growth via various methods, including Primary Authority Partnerships, compliance inspections, offering a free 'Responsible Trader Scheme' to businesses selling age restricted products and giving traders advice when needed.

To deliver the best possible service to our residents and business community, we are strongly committed to have competent and trained officers. Accordingly, this year, we are pleased to report two of our officers completed and passed their Diploma in Trading Standards and Consumer Affairs professional qualification. In addition, two staff attained their Chartered Trading Standards Practitioner accreditation. This means that all the staff employed by the Service hold a professional qualification.

Supporting Business

We continue to support our businesses and traders in many different ways, including information on our website, inspections, offering written advice and Primary Authority. (See Annex 1 for our table on the number of businesses enquires). We provided our Primary Authority partners a total of 200 hours of advice and support to help the achieve compliance and potentially reduce their businesses costs. This is up from the previous year's advice which totalled 180 hours.

Primary Authority



In 2018/2019 we continued to actively encourage partnerships under the Primary Authority Scheme (PA) promoted and administered by the Office for Product Safety and Standards (formerly known as Regulatory Development) OPSS is part of the Department for Business, Energy and Industrial Strategy (BEIS).

This page shows some of the businesses we partnered during the year with a Primary Authority Partnership. Each partner has a dedicated officer and we tailor each of our partnerships to the needs of the business, thereby giving advice and support to the areas they want.



The Service is always promoting Primary Authority and looking for new partners giving them robust and reliable advice for other councils to take into account when carrying out inspections or addressing non-compliance. This helps reduce businesses costs and assures those in trade, that what they are doing will not be subject to challenge elsewhere.

This year we entered into partnership with a business which is an importer of seasonal decorative products such Christmas, summer and Halloween related products.



We also partner with smaller businesses including Aerozone Trading Company, UK Electronic Cigarette Limited and Quality Part X Limited.

Inspections

The Trading Standards Service continues to assess all of our business inspections on a risk based approach. (See Annex 2 shows a comparison of Inspections to previous years). All businesses who are subject to an inspection, receive a written record of our findings which will list any actions required to increase their compliance and provide advice on what is required.

These visits include metrology visits undertaken by our three qualified Inspectors of Weights and Measures to ascertain the accuracy and legality of weighing and measuring equipment such as scales used in shop premises.



The Service participated in a national project regarding 'non-automatic weighing instruments' in supermarkets. During this project, we tested and examined 136 weighing machines. 12 machines were rejected as they were outside the tolerance permitted by legislation and 10 were given a formal notice to bring them back into compliance. All of the results were fed back to the Office for Product Safety and Standards who coordinated the project and collated the statistics on a national basis to determine the levels of compliance around the country.

Assisting Consumers

Responding to Service Requests

The Service investigated 586 complaints received from members of the public, 367 from Brent residents and 219 from Harrow residents. Due to the high number of service request received every year, it is not possible for us to investigate every complaint received so we prioritise the most serious ones and those that are likely to have the biggest impact, to ensure our resources are applied to those situations where they are needed the most.

Like most other Trading Standards authorities, the Citizens Advice Consumer Service act as the first point of contact for the majority of our consumer queries. They ensure relevant and timely advice which is fundamental to ensuring that members of the public are informed, more confident

and have the ability to resolve their own disputes or enforce their contractual rights in the marketplace.

The Citizens Advice Consumer Service send us daily referrals via a secure computer system when consumers require further help to resolve an issue where there is an allegation of criminal law having been breached.

Investigations

Another key area of work for the Service is investigations into breaches of legislation. There are a range of sanctions/outcomes and the Service follows the Enforcement Policy, which was updated and refreshed early 2019.

During the year, the Brent Team submitted a total of 49 investigation reports and the Harrow Team a total of 19. This represents an increase of investigations, up from 32 in Brent, largely attributable to the increase in our letting agency investigations and 16 in Harrow from the previous year. A table can be found in Annex 3 comparing previous years.

Brent Investigations



Complaints from members of the public prompted Brent Trading Standards to carry out a search of the seller's property in Willesden. They found fake headphones were being sold on the internet including the high end brands of Bose, Beats, and Sennhieser.

The case proceeded to the Crown Court where a jury found the defendant guilty. He was handed a 12 month community order and ordered to complete 120 hours unpaid work and pay our investigation costs of £4,500.

A second counterfeit case was heard at Willesden's Magistrates Court, regarding a trader in Kilburn selling counterfeit handbags from his shop. He was found guilty and given a fine of £1,250 and we were awarded our costs of £12,50 as well.

The Service takes the growing supply of Illicit tobacco very seriously. Last year we carried out a programme of joint visits with the HMRC who were interested in the evasion of duties paid on tobacco. During these operations, we uncovered 119,710 illicit cigarettes, 9.5 kilos of hand-rolling tobacco and 79.9 kilos of smokeless tobacco within both boroughs. In one case, a business from Brent who had previously been prosecuted, was yet again taken to court and this time the company and its director were given a fine of £2,450 and we were awarded costs of £1,446. The business also had restrictions placed on their alcohol licence following a review of their legal activity.



We used a specially trained dog to sniff out illicit tobacco as business continue to concealed illicit tobacco in an attempt to avoid it being seized.

Our lettings agents work has continued, with 30 letting agents being inspected from which only 2 agents were found to be fully compliant. This has resulted in 13 legal Notices of Intent being issued with 7 of these receiving a Penalty Notice, generating £22,750 in financial penalties.

Our usual visits to traders selling age restricted items to people under the age of 18 were carried out throughout the year. Out of the 114 inspections, we found four businesses that did sell to our volunteers, one was prosecuted and received a £500 fine and we were awarded costs of £1,237. Two of the businesses received simple cautions and one was given a letter of warning.



Following on from the wide scale noncompliance discovered during a previous project regarding unsafe part-worn tyres being supplied in the borough, the Service carried out a further round of test purchases. This led to 4 prosecutions taking place during the year, with total fines of £11,600 and costs of £3,351.

The initiative received good, positive publicity which helps to raise awareness of this important aspect of road safety.

Harrow Team Investigations

In April 2018, a Harrow business was prosecuted with regards to the sale of a knife to a 14 year old child. The director pleaded guilty on behalf of the company and was fined £1,000, ordered to pay our costs of £943 and a victim surcharge of £100. The Harrow team continued to carry out age restricted test purchases with child volunteers and support from the local Police cadets. A total of 52 premises were visited and five businesses sold offending items to the children. Two of these traders received a Simple Caution each and the remaining are currently still under investigation.

In June 2018, the director of a travel agency company was given a 25 months custodial sentence and he was also disqualified from being a director for 10 years. The business sold holidays and plane tickets from five different websites from where they were able to dupe their customers. Customers would ring contact numbers on those websites and make payments for the flights and /or holidays on the phone via the call centre using their debit or credit card. Later, they would

find that the business had not booked or their reserved flights or be given a story that they had been cancelled. Often customers only found out there was a problem when the business asked them for more money or when they contacted the airline for routine enquiries. There were 25 consumer witnesses and the amount of fraud was calculated from their loss to be just shy of £70,000.

In another investigation, a market trader pleaded guilty to 14 counts of possessing to sale counterfeit goods after his vehicle was stopped in his van by the Police. Finding fake goods, they proceeded to search his property where further counterfeits were found and we were called to assist. He was sentenced to 60 hours unpaid work, given a fine of £500 and the Service was awarded costs of £562 and a victim surcharge of £85.

Financial Investigations



The team secured 11 confiscation orders under the Proceeds of Crime Act 2002 totalling £2.9m and some of these cases are detailed below.

Brent set a record securing its highest ever confiscation order. The order for £1,483,422 was made against a landlord who had flouted planning laws for years. He was given three months to pay or face nine years in prison. The confiscation order stems from a prosecution Brent Council took against the landlord for converting a property from a single dwelling into eight self-contained dwellings.

During the confiscation investigation it was established that the landlord had also converted another four properties that he owned in Harrow from single to multiple self-contained dwellings. Harrow Council had served enforcement notices on the properties in Harrow, however the landlord ignored them and continued to rake in large sums of cash from renting the dwellings for a number of years. The confiscation order took account of rental income made from all five properties that breached enforcement notices. Brent Council also secured a restraint order which means he cannot dispose of his assets before the order is paid in full. If the order is not paid, then Brent Council can take steps to force the sale of his properties in order that the confiscation order is paid.



In another case, two confiscation orders totalling £322,282 were secured against a husband and wife. They had converted two properties into a total of eighteen self-contained flats without planning permission.

A new area of work has involved working with our colleagues in Private Housing. In one case, the two defendants were given a confiscation order for £116,000 following a housing breach relating to a seriously overcrowded and unsafe house in multiple occupation in Wembley.

A £304,458 confiscation order was secured after a conviction concerning a single dwelling converted into five self-contained flats. The company has paid the order in full.



And our work does not just relate to planning infringements, Harrow Trading Standards secured a confiscation order against a counterfeiter for £89,000 for selling thousands of fake football sew on patches and other merchandise. This followed his criminal conviction from the previous year.

Publicity

This year we have seen ourselves not only in the local papers but in the national ones as well, with headlines from our cases in the Metro, Guardian, Daily Mail.

Below are some of the headlines our cases made.

Rogue roofers

Brent Council clamp
loan sharks

Rogue landlord in Harrow faces jail if he
doesn't pay £1.5m fine



£1m doorstep
scammers arrested

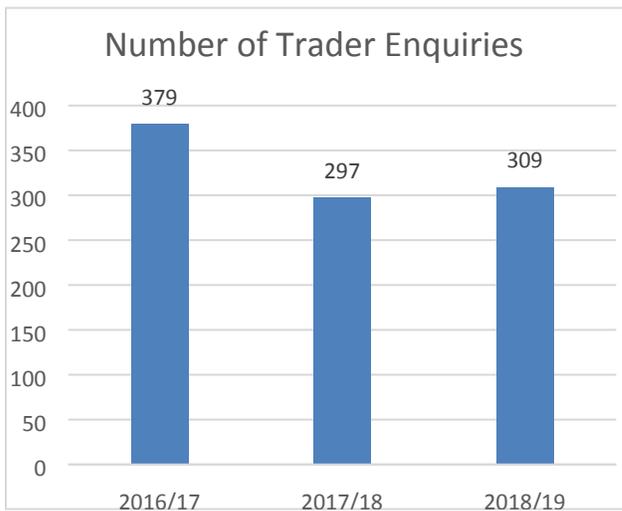
Could to get a grip
'safe' used tyres



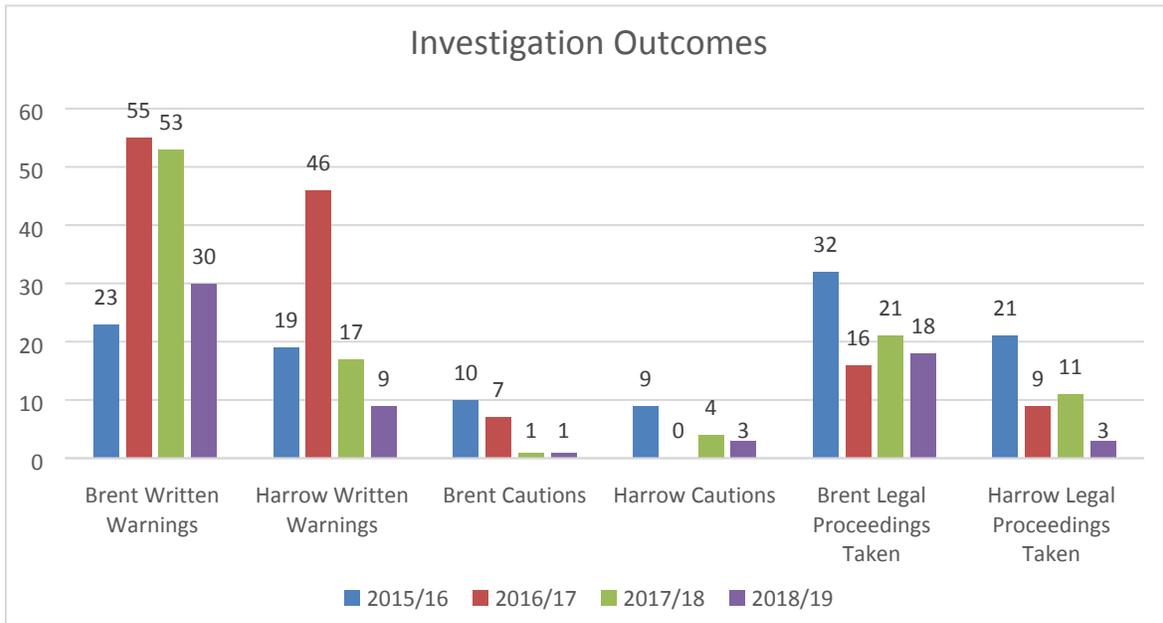
Annex 1.



Annex 2.



Annex 3.



Annex 4.

Product	Test purchases (no.)		Sales (no.)		Failure rate (%)	
	Brent 2018/19	Harrow 2018/19	Brent 2018/19	Harrow 2018/19	Brent 2018/19	Harrow 2018/19
Alcohol	61	29	2	1	3.3	3.4
Tobacco	27	3	1	1	3.7	33.3
Knife	25	15	0	2	0	13.3
Fireworks	0	5	0	1	0	20
Spray Paint	0	0	0	0	0	0
E-Cigarettes	1	0	1	0	100	0
Video	0	0	0	0	0	0
Lottery	0	0	0	0	0	0
Total 2018/19	114	52	4	5	3.5	9.6
Total 2017/18	115	93	15	7	13	7.5