



MINUTES OF THE TRADING STANDARDS JOINT ADVISORY BOARD
Wednesday 26 June 2019 at 6.00 pm

PRESENT: Councillors Long (London Borough of Brent), Miller (London Borough of Brent), Murphy-Strachan (London Borough of Harrow) and Councillor V Parmar (London Borough of Harrow).

Apologies were received from: Councillor Ferry (London Borough of Harrow) and Councillor Mithani (London Borough of Harrow).

1. **Election of Chair**

RESOLVED:

That Councillor Parmar be elected as Chair for the meeting.

2. **Declarations of personal and prejudicial interests**

None.

4. **Minutes of the meeting held on 13 March 2019**

RESOLVED:

That the minutes of the meeting held on 13 March 2019 be approved as an accurate record.

5. **Matters arising**

The following matters were raised under the notes of the meeting held on 13 March 2019:

Minute 5 – Matters Arising – Harrow's Use of Website

Simon Legg (Head of Regulatory Services) reported that the website issues had been resolved and thanked Richard LeBrun (Head of Community and Public Protection) for his assistance in this matter.

Minute 5 - Matters Arising – Outstanding Delegations

Clarification was sought as to the progress made in seeking a delegation from Harrow Council to allow Trading Standards to enforce the relevant legislation in relation to registration of letting agents in a redress scheme. Simon Legg (Head of Regulatory Services) advised that whilst Harrow did have the authority to enforce the legislation, it would assist Trading Standards if they also had the authority as they dealt with the letting agents in regards to enforcement of various other pieces of legislation. In addition, there was a statutory requirement to enforce the display of energy certificates at Council owned premises and Councils were required to enter in to a reciprocal agreement with an authority of its choice for this purpose. Permission from Harrow Council was therefore required in order enter such an agreement and to enforce the legislation. He added that there had also been long standing discussions in relation to Brent offering Harrow its financial investigation services to assist with planning enforcement and that a response from Harrow Council was outstanding.

In response, Councillor Varsha Parmar, Portfolio Holder for Environment, Harrow Council requested that the Head of Regulatory Services forward the details of the outstanding issues so that she could follow up with officers.

6. Deputations (if any)

None.

7. Trading Standards 2018/19 Annual Report

Members received the report Trading Standards Annual report for the year 2018/19.

Anu Prashar (Senior Prosecutor, Brent & Harrow Trading Standards) outlined the content of the report, advising that the format had been amended. In response to a question about the number of business investigations in Harrow compared to Brent, she advised that the team carried out intelligence led investigations and that the Harrow figure may be lower due to the number of staff being lower owing to a vacancy in the Harrow Team. There was now, however, a new additional officer in the Harrow team.

In terms of the procedure for database updates, Members were advised that this was done by officers following a visit to premises. Simon Legg (Head of Regulatory Services) reported that a risk measure was applied to each premises and officers aimed to visit those that were high risk annually. Some information could also be gleaned from business rates to help identify new business opening up.

A Member expressed the view that, in terms of weighing machines, it was the corner/local shops that required inspection rather than the large supermarket chains. Anu Prasher confirmed that this had been given consideration and may be taken forward without there being a national programme in place.

Responding to a question in relation to the identification of illegal House of Multiple Occupation (HMOs), the Proceeds of Crime Act (POCA) may be used by the team to confiscate funds and that cases tended to be received by referral. Simon Legg advised that the team were setting new national precedents in terms of dealing with such cases and that other London Boroughs were coming on board with this new

area of work. He made particular reference to working with other local authorities conducting POCA enquiries in regards to planning infringements.

A Member sought clarification in terms of the reduction in the number of year on year enforcement actions and was advised that this was due to the reduction budgets that had resulted in fewer officers. The six trading standards officers did, however, continue to deliver a good service.

The Chair thanked the Trading Standards staff for the work they had delivered during 2018/19 as described in the annual report.

RESOLVED

That the report be noted

8. Update concerning Advice and Enforcement around Lettings and Property Management Businesses

Members received a report which provided the Board with an update on the progress made by the Trading Standards Service in delivering the Lettings and Property Management Project and two new statutory duties for the service, namely enforcement of the Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc) Regulations 2019 and the Tenant Fees Act 2019.

Denise Power (Senior Enforcement Officer) outlined in detail the content of the report and confirmed that any financial penalties received, were retained by the Trading Standards Service. She confirmed that letting agents and property management businesses had been informed by letter of this new legislation and that the Service would target those that did not comply.

In terms of identifying letting agents, Simon Legg (Head of Regulatory Services) advised that rogue landlords and agents were more likely to 'hide' online rather than occupy high street offices. There was potentially sufficient work in this area of law to employ an additional officer in order to address this issue, with some London authorities teaming up with their Housing Teams to deliver this area of work. It was explained that tenants could use online redress scheme providers websites to check whether letting agents were bona fide being correctly registered with a redress or client money protection scheme and it was necessary to educate people to do these checks before parting with money.

RESOLVED:

That

- i. the report be noted;
- ii. the two new statutory duties for the service, enforcing the provisions of the Client Money Protection Schemes for Property Agents Regulations 2019 and the Tenant Fees Act 2019 be noted.

10. Date of next meeting

RESOLVED:-

That the next meeting be held at **6.00pm** on **13 November 2019** at Brent Civic Centre.

11. **Any other urgent business**

None.

The meeting closed at 19.32.

COUNCILLOR VARSHA PARMAR
Chair