

**Wednesday 6 November 2024 at 6.00 pm**

To be held as an online virtual meeting

## **Trading Standards Joint Advisory Board**

The press and public are welcome to attend this meeting by viewing the live webcast. The link to view the meeting is available [HERE](#)

### **Membership:**

<b>Members</b>	<b>Representing</b>	<b>Alternate Members</b>	<b>Representing</b>
Councillors:		Councillors:	
Pritesh	Harrow	Blackman	Harrow
Stevenson	Harrow	Greek	Harrow
Suresh	Harrow	Kalu	Harrow
Crabb	Brent	Farah	Brent
Kennelly	Brent	Miller	Brent
Krupa Sheth	Brent	Chohan	Brent

#### **For further information contact:**

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## **Notes for Members - Declarations of Interest:**

If a Member is aware they have a Disclosable Pecuniary Interest\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest\*\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

### **\*Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

### **\*\*Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

# Agenda

Introductions, if appropriate.

Item	Page
<b>1 Election of Chair</b>	
To be appointed from the London Borough of Brent membership for this meeting.	
<b>2 Apologies for Absence and Clarification of Alternate Members</b>	
<b>3 Declarations of Interests</b>	
Members are invited to declare at this stage of the meeting, any relevant personal or disclosable pecuniary interests in the items on this agenda.	
<b>4 Minutes of Previous Meeting</b>	1 - 8
To approve the minutes of the previous meeting held on Thursday 6 June 2024.	
<b>5 Matters Arising</b>	
<b>6 Deputations (if any)</b>	
<b>7 Trading Standards Mid-Year Review Report 2024-25</b>	9 - 16
This report provides an update on the Service's performance mid-way through the year highlighting some of the key achievements and some challenges faced.	
<b>8 Consumer Bills and New Law Report</b>	17 - 22
This report provides an update regarding current Parliamentary Bills and new pieces of legislation that the local authority has responsibility to enforce which will be undertaken by Trading Standards.	
<b>9 Date of Future Meeting</b>	
Members are asked to note the final date for the Joint Advisory Board in this Municipal Year as follows:	

- Wednesday 19 March 2025 at 6pm to be hosted (online) by the London Borough of Harrow.

## **10 Any Other Urgent Business**

Notice of items to be raised under this heading must be given in writing to the Deputy Director Democratic Services (London Borough of Brent) or their representative before the meeting in accordance with the constitutions of both councils.



# **Trading Standards Joint Advisory Board**

## **Minutes**

### **6 June 2024**

**Present:**

**Chair:** Pritesh Patel London Borough of Harrow

**Councillors:**

Norman Stevenson	London Borough of Harrow
Nicola Blackman	London Borough of Harrow
Harbi Farah	London Borough of Brent
Daniel Kennelly	London Borough of Brent
Krupa Sheth	London Borough of Brent

**1. Election of Chair**

**RESOLVED:** That Councillor Pritesh Patel (London Borough of Harrow) be elected as Chair for the meeting.

**2. Apologies for Absence and Clarification of Alternate Members**

Apologies for absence were from Councillor Suresh (London Borough of Harrow) with Councillor Blackman attending as a substitute. Also, Councillor Crabb(London Borough of Brent) with Councillor Harbi Farah attending as a substitute.

**3. Declarations of interest**

Item 9 - Report on Vapes

Cllr. Blackman declared a non-pecuniary interest in relation to the report on tobacco. She noted that her husband had previously been involved in the

matter in his capacity as an MP. While he is currently a candidate and not an MP, she felt it appropriate to declare the interest.

#### 4. **Minutes of previous meeting**

**RESOLVED:** That the minutes of the meeting held on Wednesday 20 March 2024 be approved and signed as a correct record.

#### 5. **Matters arising**

None.

#### 6. **Deputations (if any)**

No requests for deputations had been submitted for the meeting.

#### 7. **Annual Report 2023-2024**

Anu Prashar (Senior Regulatory Service Manager for Brent Council) presented the annual report for the year 2023-2024. The report was a contractual requirement between the boroughs and highlights the service's efforts in promoting a fair-trading environment for consumers and businesses.

Key points include:

**Service Requests and Investigations:** The service received 4,297 requests from various sources, including other trading standards teams, police, and businesses. Of these, 1,143 were further analysed, resulting in 331 investigations for Brent and 169 for Harrow.

**Primary Authority Partnerships:** The service provided 174 hours of advice in Brent and 20 hours in Harrow, marking a 36% increase from the previous year, primarily due to European market changes and product recalls.

**Business Support and Compliance Visits:** The service supported small businesses and conducted compliance visits (274 in Brent and 138 in Harrow). An example was shared where a business was saved approximately £30,000 by working with the service to correct product labelling.

**Wembley Stadium Partnership:** The service contributed to reducing illicit goods and illegal street trading at events, alongside working with Harrow's teams on issues like the sale of knives and underage sales.

**Product Safety:** Investigations led to the removal of 16,000 unsafe children's swimming vests from the market. The service also provided advice to businesses, saving them potentially £100,000 in losses.

**Illicit Tobacco and Underage Sales:** The service seized significant quantities of illicit tobacco and carried out operations to address underage sales of tobacco and vapes, resulting in fines for non-compliant businesses.

**Cost of Living Project:** The service conducted compliance checks on car dealers and energy-saving products, removing dangerous items from the market.

**Lettings and Letting Agents:** The service issued 15 notices of intent and imposed monetary penalties totalling £12,250 for Brent and £14,600 for Harrow, addressing overcharging and compliance issues.

**Financial Investigations:** The team secured 11 confiscation orders totalling over £1.165 million and issued restraint orders to prevent the dissipation of assets during investigations.

The Board asked the following questions regarding the report.

The Board Expressed appreciation for the report and noted the extensive activity being undertaken. The Board queried whether there were enough resources to handle the prioritisation of service requests, citing numbers in the report: 1,100 for Brent, 700 for Harrow, with 331 investigated in Brent and 169 in Harrow. The Board asked what would happen if the number of serious cases exceeded capacity, and if the team ever felt overwhelmed by serious cases. The Senior Regulatory Service Manager for Brent Council explained that the service prioritises the most serious cases, such as doorstep crimes, particularly those involving vulnerable individuals. Resources were allocated to deal with such cases, and regular reviews of complaints and ongoing investigations were conducted to assess the situation. However, it had noted that more resources would be helpful due to the costliness of investigations, especially in cases like doorstep crimes where expert assessments were often required. Building control resources from both Brent and Harrow were used to provide initial assessments before deciding whether to pursue a case further.

The Board asked for clarification regarding the cost of expert assessments and whether it was always necessary to engage experts, even if the case does not proceed to investigation.

The Senior Regulatory Service Manager advised generally; expert assessments do involve costs to the Council. While not all cases lead to full investigations, experts are sometimes required to determine whether a case merits further action. Building control teams are consulted initially to help reduce costs where possible.

The Board enquired about the issue of used vehicles, noting it was a significant concern in Brent and asked how resources were being allocated to address the problem. The Board also queried whether the increase in used vehicle complaints was linked to motor vehicle crimes.

The Senior Regulatory Service Manager advised it was noted that used vehicles have consistently been the most complained-about issue, largely because of the high volume of transactions and the difficulty in distinguishing between civil and criminal cases. Many complaints were civil in nature, while those with a criminal element were pursued. However, issues arose with some sellers who disappear or change details, making it hard to track and investigate further. The link to motor vehicle crime was unclear, as stolen cars

would be handled by the police, though there had been past issues with misrepresented insurance write-offs.

The Board raised two questions. Firstly, on the discrepancy in Primary Authority partnership hours between Brent (174 hours) and Harrow (20 hours), and secondly, regarding investigations into the sale of chewing tobacco in paan shops and its impact on street cleanliness.

The Senior Regulatory Service Manager explained the disparity in hours were because Harrow has fewer Primary Authority partnerships compared to Brent, which had major clients like Ikea and River Island. Harrow had previously partnered with travel agents that went into liquidation due to COVID-19, resulting in a loss of hours. On the issue of chewing tobacco, it had confirmed that investigations were conducted where necessary, particularly if the products are improperly labelled. The issue of paan-related spitting was acknowledged, and it was noted that enforcement would occur if tobacco was involved. The environmental impact of spitting was also recognised as a concern.

## **8. Analysis of Trading Standards Service Requests**

The Senior Enforcement Officer presented a report on the analysis of service requests received by Brent and Harrow Trading Standards from 1st April 2023 to 31st March 2024. The report provided an overview of the types and volume of complaints and highlighted areas where resources should be focused to have the greatest impact.

A total of 4,397 service requests were received during the period. Most complaints (85.3%) came via the Citizens Advice Consumer Service, with the remainder coming from statutory bodies, businesses, officers, and councillors.

The types of goods and services complained about were grouped into 68 categories. The highest number of complaints concerned used vehicles (610 complaints) and building/renovation services (482 complaints). Substandard services and defective goods were the most reported breaches, often linked to these two categories.

Regarding complaints by location, the NW10 postcode (Brent) and HA1 postcode (Harrow) had the highest number of complaints against businesses. Prioritisation was discussed, noting that only the most serious complaints were investigated due to resource constraints.

The board was informed that used vehicles and building/renovation services would continue to be the most frequently reported issues. Additionally, the rise in complaints concerning locksmith services in Harrow was noted as an emerging trend.

In conclusion, the service will continue to target hotspot areas and the most complained-about businesses, aiming to raise compliance and reduce complaints. There will also be efforts to raise public awareness of consumer rights and to work with other council departments to address anti-social behaviour linked to certain businesses.



The following questions were asked by the Members of the Board in response to the update provided:

The Board enquired about the difference in complaints between Brent and Harrow, noting a higher proportion of complaints from Harrow residents compared to Brent. The Senior Enforcement Officer advised that this was only the second year of gathering this type of data. A clearer comparison could be provided in the future as trends are further analysed.

The Board highlighted a discrepancy in the report on page 29, where it mentioned February as having the highest demand for Harrow. However, data showed May had higher complaints. The Senior Enforcement Officer acknowledged the error and confirmed that May indeed had the highest demand, noting the need for further analysis to identify trends and seasonal fluctuations in complaints.

The Board raised a concern about used vehicle sales in hotspot areas, such as car parks near train stations, and asked how Trading Standards and the Council could take action in such locations. The Senior Enforcement Officer explained that they often collaborate with businesses for CCTV footage to aid investigations. He also suggested the need for public education on buying used vehicles, particularly around conducting checks such as HPI reports and ensuring sellers' credentials match vehicle details. Additionally, they would consider publicising areas that are prone to fraudulent vehicle sales.

The Board Member provided an example from his ward, where a specific location was notorious for vehicle crime. He suggested a "name and shame" approach for businesses that attract such criminal activity. The Senior Enforcement Officer acknowledged the suggestion, stating that any public warnings would need to go through the proper legal channels. They also noted the possibility of working with primary authorities to raise awareness of crime at specific businesses.

Board Members enquired about the scale of the problem in Brent and Harrow compared to other boroughs or on a national level. The Senior Enforcement Officer responded that, while some national data is available through the Association of Chief Trading Standards Officers, most local authorities do not analyse complaints in the same detail. Comparative data with neighbouring boroughs would be reviewed and presented in future reports. The Chair clarified that some boroughs, like Westminster, have more businesses than residents, which can skew complaint data. Comparable data from outer London residential boroughs would offer a more accurate reflection of trends.

The **Board endorsed** the recommendations and **noted** the report.

The Chair thanked the team for their hard work in complying the report and their ongoing work.

## 9. Report on Vapes

Anu Prashar (Senior Regulatory Service Manager for Brent Council) presented a report on the proposed government legislation relating to a ban on disposable vapes and new tobacco control measures.

The Senior Regulatory Service Manager explained that, due to the dissolution of Parliament ahead of the general election, the legislation did not progress, and its future depends on the incoming government.

The proposed measures included a ban on disposable vapes, concerns over environmental impacts (particularly litter and lithium battery waste), and increased regulation of vape flavours and packaging to prevent child-targeted marketing.

Additionally, a bill was proposed to create a smoke-free generation by making it illegal to sell tobacco to individuals born after January 1, 2009. Trading Standards would be responsible for enforcement, including issuing fixed penalty notices for underage sales.

The Senior Regulatory Service Manager also noted ongoing collaboration with Brent and Harrow Public Health groups to share intelligence on illicit tobacco and underage vape sales.

There were no questions from the Board.

The report was **noted** by the Board, with an agreement to monitor developments after the general election.

## **10. Funeral Directors Report**

The Senior Regulatory Services Manager provided an update on government-directed visits to funeral homes by Trading Standards and Environmental Health teams.

A joint letter had been received from the Department for Levelling Up, Housing and Communities and the Ministry of Justice, following an incident at a funeral home in Hull.

The aim was to ensure public confidence in the funeral sector, which had been currently unregulated. Funeral homes in Brent and Harrow would be visited by Trading Standards and Environmental Health officers to assess compliance and audit practices.

The visits would be supported by two trade associations: the National Association of Funeral Directors and the National Society of Allied and Independent Funeral Directors. These bodies have established procedures for handling deceased individuals.

The purpose of these visits was to gauge compliance and reassure the public, with the possibility of further regulation based on findings.

Visits are yet to commence, but staff have undergone initial training.

The following questions were asked and answered.

The Board asked if Trading Standards had ever engaged with funeral directors prior to this initiative, except in cases of complaints. The Senior Regulatory Services Manager advised that, in their 30 years with Trading Standards, they had never visited a funeral director. Engagement with funeral directors would only occur if a complaint arose, such as misleading claims about membership in a trade association, which would be a violation under consumer protection laws. The Senior Regulatory Services Manager commented that there had been no history of issues in Brent or Harrow concerning funeral directors, which was reassuring.

The Senior Regulatory Services Manager further explained that while funeral plans might fall under Trading Standards' remit, such matters would likely be referred to the Financial Ombudsman. They reiterated that they had never had to investigate a funeral director, and that many professionals in the field were unaware of the lack of regulation in the sector.

The report was **noted**.

#### **11. Date of Future Meetings**

**NOTED** the dates for future meetings of the Advisory Board agreed for the 2024-25 Municipal Year, as follows:

- Wednesday 6 November 2024 at 6pm to be hosted (online) by the London Borough of Brent
- Wednesday 19 March 2025 at 6pm to be hosted (online) by the London Borough of Harrow

(Note: The meeting, having commenced at 6.00 pm, closed at 7.20 pm).

(Signed)  
Chair



**London Boroughs of Brent & Harrow  
Trading Standards Joint Advisory Board  
06/11/2024  
Report from the Senior Service Manager**

**FOR INFORMATION**

**Brent and Harrow Trading Standards Mid-Year Report 2024/25**

## **1.0 Purpose of the Report**

- 1.1 The Purpose of this report is to provide an update on the Service's performance mid-way through the year highlighting some of the key achievements and some challenges faced.

## **2.0 Recommendations**

- 2.1 Joint Advisory Board Members consider the report and make recommendations or comments where appropriate.

## **3.0 Details**

- 3.1 The Trading Standards Service operates on a joint consortium basis between the London Borough of Brent and the London Borough of Harrow, with Brent being the host authority.
- 3.2 The Service carries out the local authority's statutory duties relating to the legislation enforced by a Weights and Measures Authority. As part of the contractual agreement between the two boroughs, an annual report is presented to the Trading Standards Joint Advisory Board.
- 3.3 The Service has produced a mid-year report to provide members with some information about what it has been doing for the first 6 months of this financial year without having to wait until the publication of the annual report.
- 3.4 A copy of the report for the mid-year review is attached as an Appendix for members' information and consideration. Any future work or pending outcome will be reported in full in the Annual report.

## **4.0 Financial Considerations**

- 4.1 The Brent and Harrow Trading Standards Service was provided with an agreed net budget during this period.

## **5.0 Legal Considerations**

5.1 There are no legal implications arising from this report.

## **6.0 Equity, Diversity and Inclusion Considerations**

6.1 The proposals in this report have been screened to assess their relevance to equality and were found to have no equality implications.

## **7.0 Consultation with Ward Members and Stakeholders**

7.1 There is no requirement to specifically consult Ward Members about this report as it affects all wards across both Boroughs.

## **8.0 Human Resources Implications**

There are no significant staffing implications arising from this report.

### **Contact Officer**

Any person wishing to obtain more information should contact Anu Prashar, Senior Regulatory Service Manager, Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 0FJ. Telephone: (020) 8937 55215, [anu.prashar@brent.gov.uk](mailto:anu.prashar@brent.gov.uk)

ANU PRASHAR  
SENIOR REGULATORY SERVICE MANAGER

### Introduction

The purpose of this report is to provide an update on the Service's performance mid-way through the year highlighting some of the key achievements and some challenges faced. This is to provide some easily to digest information of what the Service has been doing without having to wait until the publication of the annual report.

This report is intended to be concise and easily digestible.

### Service Requests

The Service received 2,163 service requests during this period from various sources such as consumers, businesses, other local authorities, the ports, and enforcement bodies such as the Police. Each service request is assessed and scored to determine whether it will be investigated further. 548 were investigated by the Brent Team and 367 by the Harrow team.

### Business Advice/Visits

The Service has always aimed to support local legitimate businesses by ensuring that they are compliant with the relevant legislation that governs the business and protects consumers. The Service has responded to 69 business enquiries or requests for advice. 32 of these have been for the Brent Team and 37 for the Harrow.

The Service has delivered 25.5 hours of tailored advice to businesses in connection with the statutory Primary Authority Scheme administered by the Office for Product Safety and Standards. This is related to physical and online compliance on clothing, electricals, and homeware covering trademarks, product safety, and fair trading.

During the ongoing cost of living crisis, Trading Standards continue to enhance the safety of products and promote a fair trading environment within their boroughs.

One of the areas of concern is within the supply and sale of second-hand tyres (part-worn tyres). Businesses that supply and sell part-worn tyres were written to last year providing written advice and guidance which provides practical steps they should adopt to ensure that they comply with the consumer protection law relevant to their business. 7 of these businesses have been visited in the coming months, more businesses will be visited to ensure compliance.

Also, as part of the cost-of living crisis, the service is committed to visiting businesses to test weighing scales across both boroughs 5 businesses have been visited so far this year with a commitment to do more in the year.

Thus far, any of the scales that have been not within the permitted tolerance are in fact to the benefit of the customer in that they are weighing less than the actual weight. During such visits, officers have also inspected and provided advice on specific products not priced and the need to ensure that all products are priced.

In addition to the visits/advice mentioned earlier, the team has visited 31 businesses (17 in Brent and 14 in Harrow) that are considered as High Risk or are amongst the most complaint about businesses within the boroughs. This usually includes visits to second hand car dealers where recently, one of our officers secured a refund of £1,500 from a dealer in Harrow following a complaint we had received concerning the vehicle description. Our officer engaged with the business and facilitated a refund, much to the gratitude of the consumer.

The team's intended target for the year is to carry out a total of 56 High-Risk visits (31 in Brent and 25 in Harrow).

### **Product Safety**

We have received referrals from the Office for Product Safety and Standards and our colleagues at the Ports. Visits have been carried out to businesses selling cosmetic products to conduct market surveillance on the presence of butylphenyl methylpropane (BMHCA) which is reprotoxic and skin lightening cream to ensure the products do not contain products such as Hydroquinone. Officers have also been working with a Harrow based company concerning one of their products a Climbing Arch which has been identified as presenting a risk of injuries and strangulations to children. The company has carried out a product recall and currently working with the team to ensure that the replacement being put on the market is safe.

### **Letting Agents Compliance Work**

The Service continues to pro-actively conduct online audits of agents actively advertising rental services as well as respond to complaints. We have created new partnerships with our housing colleagues and share intelligence to provide a meaningful response to local businesses and residents. We have examined the websites of 15 (10 Brent and 5 Harrow) businesses and inspected 6 agents (2 Brent and 4 Harrow). 2 of the agents visited, 1 in each borough have been issued with a Notice of Intent (NOI) to issue monetary penalties against these agents as they have been found not to comply.

We are currently investigating 4 allegations against Brent based agents, of breaches under the Tenant Fees Act 2019 and continue to respond to all complaints and intelligence regarding letting work.

All Information from the Mayors Reporting Line gets assessed, triaged, and, where appropriate allocated to officers for further investigation.

### **OP CeCe (Illicit Tobacco Enforcement)**

Op CeCe commenced in 2021 to tackle the sale and supply of illicit tobacco products such as cigarettes, hand-rolling tobacco, and shisha. The Service remains committed to carrying out this work.

A total of 22 businesses have been visited during this reporting period 15 in Brent and 7 in Harrow. We are pleased to report no illicit tobacco products were found at the businesses in Harrow despite using a tobacco sniffer dog to find hidden tobacco and conduct thorough



searches. However, in Brent officers seized illicit tobacco from 10 of the businesses visited but found nothing in the other 5.

The following were seized by officers:

- Cigarettes 2,546-unit packs (50,902 sticks,)
- Hand Rolling Tobacco 1.21kg, 25-unit packs
- Tobacco shisha 36.47kg, (145-unit packs)
- Non-tobacco shisha 2.6kg
- Smokeless 5.4432kg (1,105-unit packs)

Further dates have been scheduled for additional OP CeCe operations during the final half of the year.

### **Age Restricted Product Sales**

23 businesses have so far been visited to check compliance with regard to the sale of age restricted products to minors. 12 of these have been Brent and 11 in Harrow. Out of the 11 businesses in Harrow, 2 of these have sold to the child volunteers. This is a 18.18% failure rate so far; both of these have been for sale of vapes to a minor. The failure rate in Brent currently is at 16.67% with two businesses out of 12 businesses visited to check compliance. These were concerning the sale of an alcoholic beverage and vapes to our child volunteers.

### **Knives work**

13 advisory (5 Brent and 8 Harrow) visits were made to businesses within both boroughs that were identified as selling knives. The purpose of these visits is to advise and ensure that the businesses are storing and displaying knives safely and securely so they cannot be stolen or used as a weapon against staff or someone else.

As part of knives awareness week, an officer in Brent attended a forum on discussions on knife control.

### **Results in Court**

A total of two cases were concluded in court during the reporting period both cases were concerning the sale of an age restricted product to a minor.

In May at Willesden Magistrates court regarding a sale of a Nicotine inhaling product (vape) by a Brent based business to a person under the age of 18 even one of the sellers asked the age of the volunteers, (15 and 16), and still sold the vape.

The judge fined the company £600 and ordered a victim surcharge of £240 and costs of £800 to be paid.

In June at Willesden Magistrates court regarding the sale of alcoholic beverage to a person under the age of 18, a business based in Harrow pleaded guilty to the charge and was fined £300 and ordered to pay £300 costs and a victim surcharge of £120.

The Service is committed to the protection of children from harm and will continue to work on this area during the course of the year.

### **Intelligence**

The team has generated/inputs 59 intelligence reports on the National Intelligence Database (IDB) to help assist in identifying any local, regional, or national emerging trends and joining our information with other law enforcement professionals across the country,

### **Doorstep Crime & Scams**

The team is set to deliver a rapid response service to our residents to prevent, disrupt, and deter doorstep criminals. To date, we have received a total of 3 callouts (2 in Brent and 1 in Harrow) which has led to a total savings of £9,000 in Brent.

In April, a Harrow resident saved a total of £28,000 after being cold called by a rogue builder posing as a surveyor who falsely identified some work that they claimed needed to be carried out. The resident was quoted £30,000 for the job and paid a deposit of £2,000 before our involvement. Officers assisted and advised the resident. Such cases are very difficult to investigate due to lack of evidence and paperwork and typically, payment being made in cash.

The Service has received complaints about building and substandard renovation works which it has looked into further. Officers have supported residents by arranging for the council's Building Control and surveyors to visit and assess work carried out, to assist with civil routes of redress.

The Service has been scheduled to provide talks on scams to a group of elderly residents and Mencap later in the financial year.

The outcome of this will be reported in the 2024/25 Annual Report.

### **Work Volumes**

The table below shows the projected performance of the respective Brent and Harrow teams during 2024/15 against what has been achieved so far. It should be noted the nature of Trading Standard's duties is variable and therefore these figures are subject to change.

The projected work volumes are based on both teams having a full complement of enforcement staff 3.5 Enforcement Officers for Brent and 2.5 for Harrow.

The work areas have been kept on constant review with the teams having regular meetings to assess where they are and then put in place action plans to ensure that they achieve the maximum output of work by the end of the year which will be reported in the Annual Report for 2024/25.

## Brent and Harrow Trading Standards Mid-Year Report 2024/25

Action	Brent Planned	Brent to Date	Harrow Planned	Harrow to Date
Complaints (Service Requests) Completed	366	170	250	66
Trader Enquiries/requests for advice	78	32	54	37
High Risk / Most Complained-about Trader Inspections	31	17	25	14
Port Referrals	5	2	1	1
Other Business Inspections/Visits	66	25	71	43
Weights & Measures, Average Quantity or Verification visits	4	5	3	0
Primary Authority Hours	117	10.5	36	15
Underage Test Purchase Visits	62	12	57	11
Infringement reports (average 50 work units per report)	31	13	21	4
eReports (average 7 work units per report)	9	9	7	2
Prosecutions completed – Crown Court	1	0	1	0
Prosecutions completed – Magistrates' Court	8	1	6	1
Licensing Condition Reviews	1	0	1	2
Simple Cautions Signed	6	4	4	2
Letters of Warning	9	12	10	7
Fixed Penalty Notices Issued	8	0	7	0
Local and Regional Projects Completed	2	(2)	2	(3)
Service Improvement Work (Hours)	97	45	53	25
Approved Trader Scheme New Recruits or Audits	10	10	10	10
Doorstep Crime Rapid Response Actions	3	2	4	1
Number of Scam Victims Contacted c/o NTS Scams Hub	40	0	43	0
Partnership or Area-Based Working Events/Weeks of Action	8	37	6	7
Samples, Mileage & Websites Checks	58	68	54	16
Number of intelligence Logs Input on Regional Database	64	47	60	12
Press Releases Issued	6	2	4	2

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**London Boroughs of Brent & Harrow  
Trading Standards Joint Advisory Board  
6 November 2024  
Report from the Senior Service Manager**

**FOR INFORMATION**

**Update on Consumer Bills and New Law**

**1.0 Purpose of the Report**

- 1.1 This report provides Members with information regarding current Parliamentary Bills and new pieces of legislation that the local authority has responsibility to enforce which will be undertaken by Trading Standards.

**2.0 Recommendations**

- 2.1 That Joint Advisory Board Members note the additional duties.

**3.0 Details**

- 3.1 On the 5 July 2024, the country saw a change in government, and with these changes in priorities for the country. The King's Speech on 17 July 2024 set out upcoming legislation and policy which it is hoped will improve protections for consumers and legitimate businesses. These include areas such as renters' rights, product safety, and sales of tobacco and vapes.

Below is an overview of proposals which will impact on consumers, businesses and the work of Trading Standards:

**Product Safety and Metrology Bill**

- 3.2 The Bill was introduced to Parliament in September 2024, with the objective of maintaining the UK's global leadership in product regulation. It is intended to ensure product development, including safety, environmental standards and information for consumers remains up to date and, where appropriate, aligned with EU legislation. The Bill sets out proposals to cover measurement and weighing of goods, the regulation of sales through online marketplaces and to address issues including the fire risks posed by e-bikes and lithium-ion batteries.
- 3.3 The Bill, which will cover almost all manufactured goods and affect an estimated 220,000 UK businesses, will also include mechanisms to identify new and emerging issues in the supply chain and will enable more effective sharing of data between regulators and market surveillance authorities, a function carried out by Trading Standards.

- 3.4 The Bill sets out powers will be provided to the Secretary of State to introduce secondary legislation to cover these issues. It is the detailed, secondary legislation which will impact on retail operations and supply chains. It is expected the Bill will be enacted during Spring 2025, followed by secondary legislation by Summer 2025. One priority will be ensuring alignment, where appropriate, with EU product safety legislation such as the new General Product Safety Regulations which come into force in December 2024 to ensure the sale of safe products to buyers in the European Union (EU) and Northern Ireland (NI). The other priority will be regulating online marketplaces.
- 3.5 It is also hoped that this will result in clearer responsibilities for online sellers, providing stability and certainty for UK businesses around things like CE marking and international safety standards. The Bill outlines comprehensive steps to support growth and protect consumers by clarifying responsibilities within the supply chain, especially for online marketplaces. This is crucial for better consumer protection against fire risks for example.
- 3.6 To ensure effective regulation of high-risk products, the Bill proposes updates to compliance and enforcement measures. It aims to tackle non-compliance and enhance data sharing between regulators and market surveillance authorities. These updates are essential for managing the challenges posed by modern, digital borders.
- 3.7 The Bill also updates the legal metrology framework, crucial for ensuring accuracy in weights and measures for purchased goods.
- 3.8 The Bill will give local authorities extra power to investigate and act against businesses that sell unsafe or mislabeled products.

### **Renters' Rights Bill**

- 3.9 The Renters' Rights Bill was introduced in the House of Commons on 11 September 2024. It will abolish Section 21 'no fault evictions', and strengthen tenants' protections, including new rights to challenge rent increases and to request a pet. It will be illegal to refuse a tenancy purely because a prospective tenant has children or receives benefits. It will also apply a Decent Homes Standard to the private rented sector and bolster local authorities' enforcement powers to clamp down on unscrupulous landlords and rogue elements in the sector.
- 3.10 Landlords will have to join a new Ombudsman service which will provide complaint resolution services for tenants and have the power to compel landlords to issue apologies, provide information, carry out remedial action, and pay compensation. Agents who advertise properties where the landlord is not registered could face enforcement action from local councils, ranging from civil penalties of up to £7,000 to criminal prosecution or fines of as much as £40,000 for repeated breaches. These penalties will also apply to the landlords themselves, and tenants will have the right to seek Rent Repayment Orders if their landlord persistently fails to register with the Ombudsman.
- 3.11 The Trading Standards profession has long been calling for better protections for

tenants and a more joined-up approach between housing legislation and enforcement which this Bill, should it achieve if it receives Royal assent.

### **Tobacco and Vapes Bill**

- 3.12 The Government announced in the 2024 King's Speech that it would bring forward a tobacco and vapes Bill to restrict the sale and marketing of e-cigarettes to children. The Bill would also prevent people born on or after 1 January 2009 from ever being sold tobacco cigarettes, creating a 'smokefree generation'.
- 3.13 The sale of vape with flavours that are child appealing such as bubble gum and candy floss will be reformed to reduce their appeal and we could see restrictions on the display and packaging of products, similar to that of tobacco.
- 3.14 At the time of writing this report, the Bill had not been published but a previous Bill was the subject of a Joint Advisory Board paper dated 6 June 2024.

### **Digital Markets Competition and Consumer Act 2024**

- 3.15 The Digital Markets, Competition and Consumers Act 2024 (DMCC Act) was introduced to the UK parliament on 25 April 2023. The government said that one of its primary purposes is to protect consumers by strengthening the enforcement of consumer protection law. The changes introduced by the DMCC Act are significant and will result in both increased consumer rights protection, and a strengthened enforcement process which seeks to crack down on unfair practices.
- 3.16 This legislation will also impact significantly on our Trading Standards staff as it is expected that it will become a primary piece of consumer protection legislation and the source of their most regularly used powers.
- 3.17 Although the DMCC Act revokes the Consumer Protection from Unfair Trading Regulations 2008 (CPRs) which is currently one of the Trading Standards key pieces of legislation, it largely reinstates them with some changes. The Act amends and supplements the list of commercial practices that are always considered unfair to reflect the fact that consumers and traders increasingly interact online. In addition, it amends some the definitions in the CPRs, such as "average consumer" "commercial practice" and "transactional decision". Although the changes are minor in themselves, cumulatively they enhance consumer protection.
- 3.18 Schedule 1 of the CPRs contains a list of 'blacklisted practices' – these are practices that are considered unfair in all circumstances, without the need to show they affect a consumer's purchasing decision. Many of these have been largely replicated in the Act, but in some cases the wording has been slightly tweaked, resulting in a wider application.
- 3.19 For example, the banned practice of "falsely stating that a product will only be available for a very limited time, or that it will only be available on particular terms for a very limited time, in order to elicit an immediate decision and deprive consumers of sufficient opportunity or time to make an informed choice" has been amended to remove the words "very", making this unfair practice wider in scope. This change aligns with the broader regulatory movement to crackdown on "Online

Choice Architecture” or “Dark Patterns”.

- 3.20 The Secretary of State has the power to add to the current list of automatically unfair practices using secondary legislation. This aims to allow consumer laws to adapt more quickly than has been possible under previous legislation to changes in the market, consumer practices, and technology. As the banned practices are treated as strict liability offences, without the need to prove consumer harm, any new additions will need to be carefully assessed by the Secretary of State to ensure there isn't room for misapplication.
- 3.21 However, important changes to the list of banned practices were made during the legislative process. The government consulted on, and agreed to create, the following new banned practices:
- submitting a fake review, or commissioning or incentivising any person to write and/or submit a fake review of products or traders;
  - offering or advertising to submit, commission or facilitate a fake review; and
  - misrepresenting reviews, or publishing or providing access to reviews of products and/or traders without:
    - taking reasonable and proportionate steps to remove and prevent consumers from encountering fake reviews.
    - making reasonable and proportionate steps to prevent any other information presented on the platform that is determined or influenced by reviews from being false or in any way capable of misleading consumers.
- 3.22 These additions bring the UK position closer to that of the EU where the Enforcement and Modernisation Directive (also known as the “Omnibus Directive”) brought in similar prohibitions on fake reviews and endorsements. Although most of the existing banned practices constitute criminal offences, the new banned practices on fake reviews will not, so the main risks for businesses will be civil liability, including potentially large fines.
- 3.23 The Act also deals with so-called “drip pricing” practices. Drip pricing is where only part of an item's price is shown during the early part of the consumer journey, for example tickets for air travel and the total amount to be paid is revealed at or near the end of the buying process, by which time the consumer may feel committed to the purchase. This is a practice the CMA has already declared potentially harmful as part of its investigations into online choice architecture. However, the Act does not cover optional fees.
- 3.24 These changes aren't in the banned practices, but are dealt with by the provisions about “material information” that must be considered when assessing whether there has been a misleading action or omission.
- 3.25 For some time, regulators have been concerned about so-called subscription traps, and estimate that they cost consumers over £1.6 billion<sup>1</sup> a year. Therefore,

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<sup>1</sup> Internal Department for Business & Trade analysis, based on subscriptions regulations impact assessment, [Enhancing Consumer Rights: Policy Summary Briefing](#), May 2023



the Act includes new rules for subscription contracts with consumers which are similar to the more general rules in the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (CCRs).

- 3.26 Whilst precise timings have not yet been confirmed by the Government, the main consumer law provisions of the DMCC Act are expected to come into force in April 2025 with the new subscription contracts regime following about a year later in Spring 2026.
- 3.27 Trading Standards officers will get an extension of powers enabling them to apply through the courts for Online Interface Orders (OIOs) against traders that mislead consumers. An online interface can be defined as 'any software, including a website, part of a website or an application, that is operated by or on behalf of a trader, and which serves to give consumers access to the trader's goods and services'.
- 3.28 OIOs are important to Trading Standards because they will make it easier to carry out investigative and enforcement action online. Up until now, only the CMA had the ability to apply for an OIO. They are now part of Trading Standards' toolkit which should help disrupt persistent problem traders, including giant online marketplace platforms as well as the small third-party sellers that operate on them.

#### **4.0 Financial Considerations**

- 4.1 There will be staff training costs associated with this new legislation, but we are expecting some of this to be provided without cost, by government. Otherwise, there no significant financial considerations arising from this report.

#### **5.0 Legal Considerations**

- 5.1 The legal implications in regards to the Digital Markets Competition and Consumer Act 2024 are set out in the body of this report, notably there will be a new set of powers available to our Trading Standards Officers.
- 5.2 Section 151 will make every local weights and measures authority (Trading Standards), a designated enforcer whilst Section 231 will place a duty on every local weights and measures authority to enforce prohibitions unfair commercial practices.

#### **6.0 Equity, Diversity and Inclusion Considerations**

- 6.1 The proposals in this report have been screened to assess their relevance to equality and were found to have no equality implications.

#### **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 There is no requirement to specifically consult Ward Members about this report and any changes in the law will be applicable throughout the country.

#### **8.0 Human Resources Implications**

8.1 Not applicable.

**Contact Officer**

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