

Brent and Harrow Trading Standards Mid-Year Report 2023/24

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. The intention is to provide some easily to digest, information on what the Service has been doing without having to wait until the publication of the annual report.

Service Requests

The Service received 2,039 service requests during this period from various sources such as consumers, businesses, other local authorities, the ports and enforcement bodies such as the Police. 539 were further analysed by the Brent Team and 352 by the Harrow team.

Recently one of our officers secured a refund of £12,000 from a used car dealer in Brent following evidence the car was not of satisfactory quality and had been "sold as seen". Our officer engaged with the business and facilitated a refund, much to the gratitude of the consumer who wrote to us afterwards saying 'Until your involvement it seemed impossible for me to get a resolution.....Thanks for being so understanding to the situation and constantly providing the right advice.'

The Service has delivered 65 hours of tailored advice to businesses in connection with the statutory Primary Authority Scheme. This is related to physical and online compliance on clothing, electricals, and homeware covering trademarks, product safety, and fair trading. We have also advised a PA business on underage sales matters, with specific guidance on appropriate systems in place to ensure age restricted products are not available to children.

During the ongoing cost of living crisis, Trading Standards are committed to enhancing the safety of products and promoting a fair trading environment within their boroughs as businesses are seeking to cut their production costs and standards.

One of the areas of concern is within the supply and sale of second-hand tyres (part-worn tyres). Therefore, over 20 businesses that supply and sell part-worn tyres have received 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. 4 businesses (2 in Brent and 2 in Harrow) have been visited and once again in the coming months, more businesses will be visited to ensure compliance.

Also, as part of the cost-of living crisis, over 70 weighing scales have been tested across both boroughs where 17 have so far been found to be non-compliant, they were either unstamped or out of tolerance at the higher end.

4 have been taken out of service in its entirety, 4 have been verified and the remaining are in the process of being verified which requires officers to revisit the businesses again to ensure they are compliant.

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. 26 businesses have been visited in Brent and 13 businesses have been visited in Harrow in relation to Weights & Measures visits. 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 27 businesses (14 in Brent and 13 in Harrow) that are considered as High Risk or are amongst the most complaint about Business within the Borough. The team's intended target for the year is to carry out a total of 56 of these visits (31 in Brent and 27 in Harrow).

Results in Court

A total of Four cases concluded in court during the reporting period.

The first case concerned a seizure of 350 unit packets of illicit tobacco not carrying the compliant health warning and not in the standardised packets. The company and the director pleaded guilty to all charges. The business in Kingsbury was fined £500 and was ordered to pay £50 victim surcharge and costs of £900. The director was also fined £500 and was ordered to pay £50 victim surcharge and costs of £900. A total of £2,900.

The second case was a seizure of illicit tobacco from a coffee and nut roaster with 908 unit packs of cigarettes, 5 unit packs of hand-rolling tobacco, and 85 packs/tubs of shisha molasses tobacco (47.7 kg). The company and the director pleaded guilty to all charges. The company was fined £900 and was ordered to pay £90 victim surcharge and costs of £1,000. The director was also fined £900 and was ordered to pay £90 victim surcharge and costs of £1,000. A total of £3,980.

The third case was about a sole trader in Wealdstone who sold not one but two vapes to a 15-year-old girl. He even asked the volunteers' age and she responded 15!

The Magistrates gave him a fine of £646 and he was ordered to pay £258 victim surcharge and our costs of £1136, a total of £2,040.

The fourth case was about a seizure of illicit tobacco from a butcher on Greenford Road, Harrow, which was found with 1,187-unit packs of cigarettes. The company and the director pleaded guilty to all charges. The company was fined £900 and was ordered to pay a £360 victim surcharge and costs of £750. The director, was also fined £900 and was ordered to pay a £360 victim surcharge and costs of £750. A total of £4,020.

Letting Agent Compliance Work

The Service continues to pro-actively conduct online audits of agents actively advertising property rentals service as well as respond to complaints it has so far issued;

- a total of 15 Notice of Intent (NOI) to issue monetary penalties against agents that have been found not to comply in the past

- 10 of the NOIs issued have resulted in monetary penalty notices officially known as Final Notice being issued to a total of £25,050.00 (£10,450 for Brent & Harrow £14,600)
- 1 has been withdrawn and the agent has been issued with a letter of warning
- 4 NOIs are still pending further decisions

Age Restricted Product Sales

27 businesses have so far been visited with regards to checking its compliance with regards to the sale of age restricted products to minors. 19 of these have been Brent and 8 in Harrow. Out of the 8 businesses in Harrow tested 4 of these have sold to the child volunteers. This is a 50% failure rate so far. These businesses are currently under investigation and the outcome will be reported in the annual report.

The failure rate in Brent currently is at 5.26% with only one sale out of 19 businesses visited to check compliance.

The Service has had a few challenges in carrying out some visits this year due to some of its regular volunteers' sitting exams and lack of availability, however, during the summer months it has recruited a few more volunteers which will help counter this.

We supported Operation Sceptre (met Police prevention of knife misuse) earlier in May with visits to retail premises. We continue to carry out audits of existing Responsible Trade Scheme members and strive to sign new businesses to the scheme to help prevent the sales of knives, corrosive substances, butane, and where relevant, vapes and other products to children. To date, the Service has carried out 17 of these visits, 10 in Brent and 7 in Harrow. Wherever possible, officers continue to offer advice to businesses in relation to the sale of age restricted products.

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/inputted 50 intelligence reports on the Intelligence Database (IDB) to help assist in identifying any local, regional or national emerging trends. Our national intelligence database enables the service to input intelligence relating to criminality and also interrogate the system for intelligence provided by colleagues nationwide providing a more joined up approach to enforcement and an important share of information between other regulators.

Doorstep Crime & Scams

Whilst the team is set to deliver a rapid response service to our local residents to prevent, disrupt and deter doorstep criminals, to date it has not received any Rapid Response request although it has received complaints about building and renovation services which it has looked

into further. Officers have supported residents by arranging for Building Control Inspectors and surveyors to visit and assess work carried out to assist with civil routes of redress.

A local Brent business was issued a formal warning for falsely claiming TrustMark membership. Whilst in this case, it was a lapsed membership, rogue businesses know that accreditation can influence a resident's decision on whether to appoint a business or not, so we act on this information immediately and can, where necessary, remove a website from the internet.

The service has been scheduled to provide talks on scams to a group of elderly residents, it has also received referrals from National Trading Standards Scams team which it will be making contact within the upcoming weeks and month.

The outcome of this would be reported in the 2023/24 Annual Report.

Product Safety

The Service was represented at a consultation meeting on the proposed new Furniture and Furnishings (Fire) (Safety) Regulations. We provided input into how the legislation should be delivered to offer manufacturers better ways of compliance. This was hosted by the Office for Product Safety and Standards (OPSS) and is envisaged to be implemented next year.

Following our input to the Government's call for evidence in on the regulatory framework around product safety, in August, the Government announced a consultation to develop and design a new framework on product Safety Regulation in the UK. We are currently responding to the paper on behalf of Brent & Harrow and have inputted in to the regional response via the London Trading Standards. This is incredibly important to the product safety work we carry out and will certainly influence our enforcement duties under related legislation in the future.

We have received a referral from OPSS and our colleagues at the Ports. In one case a hot food plate which was the subject of a product recall as it presented a serious risk of electric shock was investigated. We identified one business in Brent who had 14 in stock. These were removed from sale on the instruction of our officers and returned to the supplier. Shops visited in the borough who were found to have sold these previously were issued with a Recall Notice to display so as to alert customers who had already purchased the products to cease use and return these.

In another matter a food grinder was found to have non-compliances with regards to its labelling and instructions for use. Working with the business we were able to give advice on these matters which brought the product into compliance preventing the removal of 600 units saving the business approximately £30,000.

Work Volumes

The table below show the projected performance of the respective Brent and Harrow teams during 2023/24 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 compliment of enforcement staff 3.5 Enforcement Officers for Brent and 2.5 for Harrow. As a result, in some areas it will achieve the full projected volume of work, however, in others it will surpass and generate a work higher than expected.

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 it achieve the maximum output of work by the end of the year which will be reported in the Annual Report for 2023/24.

Action	Brent Planned	Brent to Date	Harrow Planned	Harrow to Date
Service Requests Completed	378	172	284	79
High Risk / Most Complained-about Trader Inspections	31	14	25	13
Port Referrals	5	3	1	1
Other Business Inspections/Visits	66	42	69	66
Weights & Measures, Average Quantity or Verification visits	10	26	10	13
Primary Authority Hours	117	56	20	9
Underage Test Purchase Visits	62	19	57	8
Infringement reports (average 50 work units per report)	30	8	15	4
eReports (average 7 work units per report)	15	5	9	4
Prosecutions completed – Crown Court	1	0	1	0
Prosecutions completed – Magistrates’ Court	8	2	6	2
Licensing Condition Reviews	1	0	1	4
Simple Cautions Signed	6	5	4	2
Letters of Warning	9	4	10	4
Fixed Penalty Notices Issued	8	5	7	4
Local and Regional Projects Completed	2	2	2	3
Service Improvement Work (Hours)	97	27	53	42.25
Approved Trader Scheme New Recruits or Audits	10	10	10	10
Doorstep Crime Rapid Response Actions	3	0	4	0
Number of Scam Victims Contacted c/o NTS Scams Hub	40	0	43	0
Partnership or Area-Based Working Events/Weeks of Action	8	9	6	4
Samples, Mileage & Websites Checks	58	68	54	13
Number of intelligence Logs Input on Regional Database	64	40	58	10
Press Releases Issued	6	5	4	3