



LONDON BOROUGH OF BRENT

MINUTES OF THE TRADING STANDARDS JOINT ADVISORY BOARD Thursday 26 March 2015 at 7.00 pm

PRESENT: Councillor and Councillors Aden (Brent), Chohan (Brent), Filson, Ferry (LB Harrow), Mithani (LB Harrow) and Parmar (LB Harrow)

Also present: Councillors

Apologies for absence were received from: Councillors Khan (Brent)

Officers in Attendance were:

London Borough of Brent

Simon Legg, Service Manager

David Thrale, Head of Regulatory Service

Michael Read, Operational Director (Environment and Protection)

Joe Kwateng, Democratic Services

London Borough of Harrow

Camille James

Venetia Reid Baptiste

1. **Election of Chair**

RESOLVED:

That Councillor Chohan be elected as Chair for this meeting.

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

None.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 27 November 2014 be approved as an accurate record of the meeting.

4. **Matters arising**

Press release

5. **Deputations**

None.

6. **Revision of the Joint Trading Standards Consortium Agreement**

This report updates Members regarding the revision of the longstanding service Consortium Agreement between London Borough of Harrow and London Borough of Brent for the provision of trading standards through a shared service arrangement.

Simon Clegg (Service Manager, Brent) introduced the report. He stated that the revisions to the previous agreement for the joint consortium which had been agreed by Brent and Harrow's Cabinets with delegated authority to their respective Strategic Directors, would encourage regular reporting and make the agreement fit for purpose. He added that by updating cost concepts, the revisions would reflect the changes in accounting for those costs within Brent, the host authority. David Thrale (Head of Service, Brent) added that the revisions would reflect the changed Cabinet arrangements for both boroughs and changes to officer roles at both boroughs including commissioning managers and the joint Head of Service. He continued that the changes would also improve communication and liaison between the two boroughs at officer level, making more workable the budget setting processes for the two boroughs. Members heard that the notice required by either party to dissolve the arrangement had been extended from 12 months to 24 months, in recognition of many of the complex criminal cases that the service currently undertook.

RESOLVED:

that the decision of Brent Cabinet and Harrow Cabinet to endorse the revisions to the consortium arrangements for both authorities be noted.

7. **Joint Trading Standards reserves**

The Committee considered a report which provided an update regarding the monies held in reserve, and the approach to the addition or removal of funds from the reserves. David Thrale (Head of Service) explained that the London Boroughs of Brent and Harrow have reserves associated with proceeds of crime, legal costs and the Consumer Support Network. He continued that the Proceeds of Crime Act 2002 (POCA) provided powers for investigating, restraining and confiscating assets that had been acquired as a result of criminal activities. When a confiscation order was paid, the money was divided in accordance with the Home Office's asset recovery incentivisation scheme: 50% of receipts apportioned to the Government with the remaining 50% divided between the prosecuting authority (18.75%), the investigating authority (18.75%) and the HM Court Service (12.5%). He added that where an authority conducted its own investigations and was the prosecuting authority, then its share under the incentivisation scheme would be 37.5%. Members heard that the Home Office were considering a review of the incentivisation scheme arrangements.

David Thrale advised members that the existing arrangements which were put in place in 2011 provided a guaranteed level of re-investment of proceeds of crime to fund the joint Brent & Harrow asset recovery team. He continued that the arrangements supplemented enforcement operations in both boroughs. The re-

investment was initially guaranteed at £25k per annum each borough, rising year-on-year until it reached £125k per annum for Brent and Harrow in 2014/15. It would be prudent for this re-investment to remain at £125k p.a. per borough for 2015/16. He continued that in order to provide a guaranteed level of subsidy each year, the service had created a reserve fund, into which were placed any proceeds of crime receipts greater than the guaranteed reinvestment in the service. The reserve was a safety net for instances where there was a shortfall of POCA receipts below the budgeted re-investment and as of 1 February 2015, the proceeds of crime reserve fund stood at £420k and the legal reserve was £162,000. He advised that the preferred level of reserves for POCA would be £500,000 (equivalent to 24 months of guaranteed subsidy for enforcement work) and the legal reserve would be £200,000.

RESOLVED:

that the current standing of reserves, the intend purpose of reserves be noted and agreed the intended future approach to managing and using reserves.

8. Trading Standards Joint Advisory Board meeting forward plan

This report provided Members with information concerning forthcoming Joint Advisory Board meetings and the planned programme of reports to the Board. David Thrale (Head of Regulatory Services) set out in context, the background to the establishment of the Joint Advisory Board (JAB), the powers and the responsibilities given to it under the consortium agreement as set out in the report. He drew members' attention to the schedule of meetings and planned reports for each borough for municipal years 2015/16 and 2016/17.

Members welcomed the schedule of planned reports in the consortium's forward plan.

RESOLVED:

that the planned reports in the forward plan for 2015/16 and 2016/17 be noted.

9. Trading Standards work plan 2015/2016

This report provided Members with information concerning the Trading Standards Work Plan for 2015/2016.

Members were advised that the Service produced a work plan each year which detailed the work the joint trading standards service planned to deliver for the coming municipal year. The plan reflected the outputs achievable with the budget provided.

David Thrale informed members that a year after the establishment of a new Regulatory Service which encompassed the joint trading standards service there had resulted changes to the leadership of the service and trading standards, together with borough-wide changes to arrangements for administrative support for

the host borough. This year's work plan had been adjusted to increase the managerial capacity of the two Team Leaders who in the previous year's plan retained some front line duties thereby seeking to reduce the current managerial bottleneck. Further changes to funding had been applied to the Brent team to reflect provision of public health funding for 2015-16 and 2016-17 to work on illicit tobacco, shisha and alcohol projects in Brent.

10. **Any other urgent business**

None.

The meeting closed at 8.10 pm

B. CHOHAN
Chair