



Trading Standards Joint Advisory Board

Minutes

Held as an online meeting at 6pm on
Wednesday 14 June 2023

Present (in remote attendance):

Chair: Councillor Daniel Kennelly London Borough of Brent

Councillors:

Stephen Crabb	London Borough of Brent
Harbi Farah	London Borough of Brent
Anjana Patel	London Borough of Harrow
Krishna Suresh	London Borough of Harrow
Norman Stevenson	London Borough of Harrow

In Attendance

Simon Legg (Head of Regulatory Service)	London Borough of Brent
Anu Prashar (Senior Regulatory Service Manager)	London Borough of Brent
Emma Phasey (Head of Licensing & Enforcement)	London Borough of Harrow
Samuel Abdullahi (Team Leader – Regulatory Service)	London Borough of Brent
Chris Whyte (Director Environment & Leisure)	London Borough of Brent

1. **Election of Chair**

RESOLVED: That Councillor Daniel Kennelly (London Borough of Brent) be elected as Chair for the meeting.

2. **Apologies for absence and clarification of alternate members**

None received.

3. **Declarations of interest**

No declarations of interest were made at the meeting.

4. **Minutes of previous meeting**

RESOLVED: That the minutes of the meeting held on Thursday 9 March 2023 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. **Trading Standards Annual Report 2022-23**

The Board received a report, presented by Anu Prashar (Senior Regulatory Service Manager, Brent Council) detailing the Trading Standards Annual Report for 2022 – 23 which had been prepared in accordance with the requirements of the Consortium Agreement and detailed the work of the Trading Standards Service.

In considering the report the Joint Advisory Board noted:

- That the Trading Standards Service operated on a joint consortium basis between the London Borough of Brent and the London Borough of Harrow, with Brent being the host authority.
- The Service was responsible for delivering each local authority's statutory duties relating to the legislation enforced by a Weights and Measures Authority including responsibility for the enforcement of all related legal powers and duties.
- In seeking to deliver these responsibilities the Service had been designed to promote and maintain a fair and equitable trading environment for consumers and businesses alike, creating a level and equal marketplace in which consumers, business and local economic growth would be supported. Duties extended to all business types including those who traded online, local high streets, commercial business parks, trading estates, those who traded from home and also door to door.
- The continued partnership between the Service and Citizen's Advice Consumer Service in acting as the first point of contact for enquiries from anyone within Brent or Harrow requiring consumer advice. Given it was not possible for the Service to investigate every consumer complaint, a prioritisation process had been established to ensure the most serious complaints or those relating to a business generating multiple issues were focussed upon in order to enable resources were applied proportionately and in those cases where they were needed most of would have the maximum impact. During 2022 – 23 the Service received 4,872 service requests which as well as the Citizen's Advice Consumer Service included the Ports Team, Police, businesses, consumers and other Trading Standards agencies. Having been prioritised this resulted in 704 service requests having been analysed for investigation by Brent and 543 within Harrow.
- Examples of specific activity undertaken by the Service provided within the Annual Report included:
 - The Service being actively involved in a London wide project to promote consumer and product safety involving illegal cosmetics and skin lightening creams and to provide educational content on the dangers of prohibited substances being used in these products.

- Marketplace surveillance activity focussed around the increased availability of unsafe and non-compliant products linked to the cost-of-living crisis which had led to over 1,500 listings (including a range of unsafe electrical goods being marketed as energy efficient) being removed from auction and internet sites.
- Over 120 weighing machines in local high streets being inspected to ensure scales were accurate and consumers were getting what they paid for. Whilst the majority of the scales tested were compliant, four scales in Brent were immediately taken out of service with one in Harrow and work continuing to ensure businesses ensured their scales were correctly calibrated.
- Visits being undertaken in vape hotspot areas across Brent and Harrow leading to 170 businesses being advised about product compliance with this area of work remaining an ongoing priority in terms of ensuring product and age restriction compliance. Alongside this, work also continued to address the import and sale of illegal tobacco with activity in this area increasing as a result of the cost-of-living crisis. Work undertaken by the Service had included a total of 28 operations, using sniffer dogs on some occasions, to help detect retailers hiding illegal tobacco or seeking to prevent its seizure with the total value of illegal tobacco seized over £57,000.
- The continued utilisation of risk assessment methods to target criminal activity directly affecting business and consumers, based on an intelligence led approach involving the national Trading Standards database and London Trading Standards regional intelligence team, all of which assisted in identifying emerging trends, locally, regionally and nationally and fed into the strategic and tactical assessments to help co-ordinate future enforcement. This approach had supported the additional activity already identified during 2023 - 24 in relation to the sale of illegal tobacco and vape products.
- The ongoing support being provided in relation to business growth through the delivery of effective regulation for businesses. This had involved the provision of advice for local businesses across a wide range of legislation enforced by the Service including the import of goods, weights and measures, age restrictive sales and intellectual property. The Service also continued to promote the Department of Business, Energy & Industrial Strategy Primary Authority scheme to businesses offering assured, tailored advice to help businesses ensure they complied with the law. This had included over 70 hours of advice delivered to Primary Authority businesses, offering support and guidance on their physical and online compliance in areas such as product safety, product testing, marketing claims and the circular economy.
- The additional partnership activity and enforcement targeted at businesses generating the highest number of complaints along with the rapid response service introduced to tackle doorstep crime and rogue traders and ongoing programme of test purchases and prosecutions to tackle underage sales. Details were also provided on the work being undertaken to improve lettings compliance through a programme of online audits of letting agents.
- The success achieved in relation to the financial investigations undertaken through the Service with details on specific cases provided in the Annual Report and confiscation orders totalling £587,184.
- The ongoing work to develop resources within the Service, which had resulted in two officers having successfully completed and passed the Level 4

Intelligence Apprenticeship Standard and Brent and Harrow Trading Standards having received the award for Intelligence Apprentice of the year and Investigator of the year at the London Trading Standards Awards. The Board congratulated all those who had gained awards or completed their relevant training standard.

The following issues were then raised by Members of the Board in response to the update provided:

- Further clarification was requested on how service requests were prioritised. In response, Anu Prashar explained that once referred through the Citizen's Advice Consumer Service the Service used a matrix system approach based on the priorities approved each year as part of the Service Work Plan (taking account of member input through each Boroughs corporate priorities) and further intelligence and risk assessment designed to focus on local, regional and national activity and trends and support a more strategic tactical assessment of how resources were allocated.
- Further clarification was sought about the type of service requests analysed for investigation by Brent and Harrow. In response, Anu Prashar advised these involved a wide range of issues including trade businesses such as builders, unsafe or non-compliant goods, breach of contracts and sale of age restricted products. Members were advised that as part of the prioritisation process each request was categorised by subject matter and also the relevant legislative or regulatory requirements and nature of potential breach(es) involved. This was used to assist as part of the intelligence and risk based approach already outlined and in monitoring trends in order to focus future activity. Whilst specific intelligence reports generated as a result would be restricted further details on the trends being identified through the process could be made available to Board members, as required.
- In terms of the work being undertaken to investigate weights and measures scales on local high streets, confirmation was provided that the programme of inspections also included local market stalls and was designed to ensure that the equipment being used was properly calibrated and not subject to any technical defects. Visits included sites across Brent and Harrow with the programme of activity ongoing as part of the Service response in seeking to address the impact of the cost-of-living crisis.
- In response to a request for further detail on the Primary Authority Scheme offering business support and advice, the Board was advised that this was being led through Brent with the scheme designed to enable businesses to form a statutory partnership with one local authority, providing robust and reliable advice for other councils to take into account when carrying out inspections or addressing non-compliance. This had resulted in advice being provided to primary authority businesses on issues such as energy labelling, the importing of goods to ensure compliance in the UK market, product safety, recalls and labelling.
- In commending and supporting the activity focussed around doorstep crime, scams and rouge traders, confirmation was provided for the Board that the call blockers provided to assist residents were TrueCall as opposed to other blocking systems.
- Details were also sought as to how the Service would define a vulnerable consumer with the Board advised that no specific definition or criteria was used.

The approach followed would depend on the nature of the individual case or complaint and was not purely dependent on the age of the consumer with it recognised that data held by other agencies would also be able to support the identification of more vulnerable individuals or households.

- Further details were sought about the accessibility of the Citizen's Advice Consumer Service as a means of residents and businesses being able to raise issues or complaints, including staffing and hours of operation. In response the Board was advised that the advice service comprised of six contact centres across the country operating under standard working hours with a rapid response process available for serious incidents. Whilst unable to provide specific details on staffing levels within each centre, assurance was provided on the regional liaison arrangements and performance standards in place relating to call handling within each of the Centres, supported by a process of regular monitoring and partner satisfaction surveys. In terms of the use of social media to raise service requests the Board was advised that this was not currently offered with consumers and businesses instead being referred to the Citizen's Advice Consumer Service.

As no further issues were raised the Board thanked officers for the report and their ongoing efforts in delivery of the activity being provided through the Service. In welcoming and commending the update provided the Joint Board **RESOLVED** to note and endorse the Trading Standards annual Report for 2023 - 23.

8. **Illegal Money Lending Team Update**

Samuel Abdullahi, (Harrow Trading Standards Team Leader, Brent Council) presented a report on the work being carried out by Brent and Harrow Trading Standards in partnership with the National Illegal Money Lending Team (ILMT) and advising on future plans.

In considering the report the Joint Board noted:

- The function of the Illegal Money Lending Team (ILMT) in relation to enforcement against illegal money lenders and in seeking to police the unregulated market and protect and support victims of illegal money lenders working with all local authorities in England.
- In view of additional pressures arising from the cost-of-living crisis the work being undertaken through the ILMT was increasingly being targeted around combatting the associated growth in illegal lending by focusing on prevention, awareness and enforcement activities. Examples of the work being undertaken across Brent and Harrow were detailed in section 3 of the report with the Board advised that the Service was committed to continue working with IMLT to ensure that victims that had engaged with loan sharks were able to get support and loan sharks were reported, investigated and prosecuted.
- In addition, the Board was advised of work planned to provide training and workshops to staff across Brent and Harrow to enable them to identify victims and direct them to appropriate support.

The following issues were then raised by Members of the Board in response to the update provided:

- Whilst commending officers for the work undertaken to date, Members were keen to ensure that the support available to individuals or households experiencing difficulties as a result of the growth in illegal lending was fully signposted. This included support available through organisations such as Citizens Advice, Credit and Renters Unions as well as the ILMT. In response the Board was advised of the work being undertaken with the ILMT and Financial Inclusion Officer to ensure awareness was raised and support was appropriately signposted, which had included loan shark awareness workshops and events held across Brent and Harrow.
- Referring to the growth in problems being experienced by victims of illegal money lenders the Board was keen to support the work being undertaken with ILMT to train a wider range of staff across both Councils in being able to identify victims and direct them towards accessing appropriate support.
- Concerns relating to the use of Individual Voluntary Agreements (IVA) as a means of restructuring debts were also highlighted by the Board, given the increase in advertising of these type of arrangements especially targeted at victims or households who were already financially vulnerable. In response the Board was advised that the ability to take action in respect of companies offering these types of arrangements would depend on whether or not the products being offered were regulated and companies registered with the Financial Conduct Authority (FCA). The main focus of the work being undertaken through the ILMT remained on unlicensed money lenders with concerns relating to potentially unethical practices of licensed providers needing to be raised with the FCA as the relevant licensing and regulatory body. Members were advised this support could also be signposted on the relevant websites.
- In welcoming the action being taken to identify and support victims of illegal money lenders and the work being undertaken to improve awareness and the signposting of support, the Board was also keen to explore the preventative activity being undertaken to enhance the range of financial and budgeting education available to promote a better understanding of financial and debt management in an attempt to prevent individuals and households getting into financial difficulties and also to support individuals coming forward to report issues. In response, the difficulties involved in encouraging individuals to come forward as victims were recognised, with work ongoing to provide the necessary support outlined along with the materials and support available through the IMLT to assist in raising awareness and promoting a better understanding of budgetary and debt management.

In welcoming the update and supporting the positive work being undertaken to address illegal money lending the Joint Board thanked officers for the report and **RESOLVED** to endorse and note the update on the activity in relation to tackling illegal money lending.

9. Proceeds of Crime Update

The Board received a report, presented by Anu Prashar (Senior Regulatory Service Manager, Brent Council) providing an update on work carried out by the Financial Investigation Team and on the future implications and concerns of Proceeds of Crime work.

In considering the report the Joint Board noted:

- The background to establishment of a dedicated Financial Investigation Team by Brent and Harrow Trading Standards designed to take advantage of the opportunities offered by the Proceeds of Crime Act in terms of ensuring criminals were not able to financially benefit from their activity and that confiscated proceeds of crime could be used towards the cost of carrying out other enforcement and investigations.
- The examples provided (as detailed within Appendix 1 of the report) of the success achieved by the Team since its establishment in terms of the number of referrals and resulting confiscation orders secured as a result of investigations under the Proceeds of Crime Act. Since 2017 the team had secured a total of 60 confiscation orders with a total value of £8,030,845 and a total of £2,679,924 received as a result under the Home Office incentivisation scheme. The full breakdown of funding which had been secured distributed across each authority had been detailed in section 3.7 of the report with it noted that following a reduction in contribution towards the Service by Harrow in 2020 the work of the two fully trained Accredited Financial Investigators (AFIs) was now funded and mainly targeted towards Brent.

The following issues were then raised by Members of the Board in response to the update provided:

- In terms of future opportunities, members noted the benefits that could be achieved through use of AFIs to maximise the resources available for reinvestment in enforcement and investigation activity and as such indicated a willingness to consider re-examining the business case for increasing the contribution and investment by Harrow. It was, however, recognised that any increase in capacity within the team would need to be matched by the necessary growth in workload potentially involving activity across a wider range of services.

As no further issues were raised the Joint Board thanked officers for their efforts and **RESOLVED** to endorse and note the update provided in relation to the work of the Financial Investigation Team and proceeds of crime activity.

10. **Dates of future meetings**

NOTED the dates of future meetings agreed for the 2023-24 Municipal Year, as follows:

- Wednesday 1 November 2023 at 6pm to be hosted (online) by the London Borough of Harrow
- Wednesday 20 March 2024 at 6pm to be hosted (online) by the London Borough of Brent

11. **Any other urgent business**

There were no matters or urgent business.

The meeting closed at 7:36pm

COUNCILLOR D KENNELLY
Chair