



Trading Standards Joint Advisory Board

Wednesday 1 November 2023 at 6.00 pm

To be held as an online virtual meeting

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:

Members Councillors:	Representing	First alternates Councillors:	Second alternates Councillors:
Patel	Harrow	Blackman	Harrow
Stevenson	Harrow	Greek	Harrow
Suresh	Harrow	Kalu	Harrow
Crabb	Brent	Fraser	Brent
Farah	Brent	Miller	Brent
Kennelly	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
1 Election of Chair (to be appointed from the London Borough of Harrow for this meeting)	
2 Apologies for Absence and clarification of Alternate Members	
3 Declarations of Interests	
Members are invited to declare at this stage of the meeting, any relevant personal or disclosable pecuniary interests in the items on this agenda.	
4 Minutes of the Previous Meeting	1 - 8
To approve the minutes of the previous meeting held on Wednesday 14 June 2023.	
5 Matters Arising	
6 Deputations (if any)	
7 Trading Standards Mid-Year Report	9 - 16
To receive an update on the Service's performance mid-way through the year highlighting some of the key achievements and key challenges faced.	
8 Trading Standards Service Request Analysis	17 - 32
To provide Members with an analysis of service requests received by Brent and Harrow Trading Standards Service designed to further assist in identifying where the Service's resources should be deployed to achieve the biggest impact.	
9 Fireworks Update	33 - 36
This report updates the Joint Advisory Board on work carried out by Brent and Harrow Trading Standards Service and the Brent Licensing team on market surveillance and enforcement activities in relation to the storage and sale of fireworks.	

10 Date of Future Meeting

Members are asked to note the final meeting for the remainder of the 2023-24 Municipal Year will take place on:

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

11 Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services (London Borough of Brent) or her representative before the meeting in accordance with the constitutions of both councils.



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

**London Boroughs of Brent & Harrow
Trading Standards Joint Advisory Board
1 November 2023
Report from the Senior Service Manager**

FOR INFORMATION

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

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 This year the Service has produced a mid-year report with the intention to provide members with some information about what the Service has been doing without having to wait until the publication of the annual report.
- 3.4 The report for the mid-way review only covers works carried out between 1 April 2023 to 30 September 2023 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 Equality, 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 Considerations

8.0 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

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. 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

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**London Boroughs of Brent & Harrow
Trading Standards Joint Advisory Board
1 November 2023
Report from the Senior Service Manager**

FOR INFORMATION

Analysis of Service Requests Received by Brent and Harrow Trading Standards

1.0 Purpose of the Report

- 1.1 To provide Members with an analysis of service requests received by Brent and Harrow Trading Standards Service which will assist further to help identify where the Service's resources should be deployed to achieve the biggest impact.

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 analysis is contained within Appendix attached to this paper and looks to identify the main source of service requests, which internally are referred to as 'complaints' along with the types of products and/or services being complained about to help identify any patterns.
- 3.2 The analysis also looks into identifying any hotspots within the Boroughs of Brent and Harrow where the Service can concentrate its enforcement actions to achieve the biggest impact.

4.0 Financial Considerations

- 4.1 There are no financial considerations arising from this report as the staffing resource to implement this will be met from the existing Trading Standards revenue budget.

5.0 Legal Considerations

- 5.1 There are no legal implications arising from this report.

6.0 Equality 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 Considerations

8.0 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

ANU PRASHAR
SENIOR REGULATORY SERVICE MANAGER

Analysis of Trading Standards Service Requests

1 April 2022 to 30 September 2023

Introduction

The aim of this analysis and report is to help evaluate where the Service's demands come from, to assist in identifying any trends, to better understand why/how our customers are contacting us and to assist with identifying where the Service's resources should be deployed to achieve the biggest impact relating to the types of complaints/service requests it receives. To achieve this, the analysis looks at the following;

1. Identify the main source of service requests along with the types of products/services we have received complaints about and identify any pattern.
2. Identify the hotspot within the Boroughs where the Service can concentrate its enforcement actions to achieve the biggest impact.

The data used for the analysis was obtained from the services complaints/service requests database between 1 April 2022 to 30 September 2023.

Complaints and service requests received from various sources have been recorded in the database.

Please Note: this report only provides an overview of the complaints and any further information needed into specific types of complaints/service requests will require further analysis.

Service Requests

A total of **6,911** service requests were received between 1 April 2022 to 30 September 2023. Like most other Trading Standards authorities nationally, we work with the Citizens Advice Consumer Service who act as the public's first point of contact when they want help and advice with a consumer issue or to escalate a criminal breach to their local trading standards. 6,054 of our service requests were received via Citizens Advice Consumer Service (CACS).

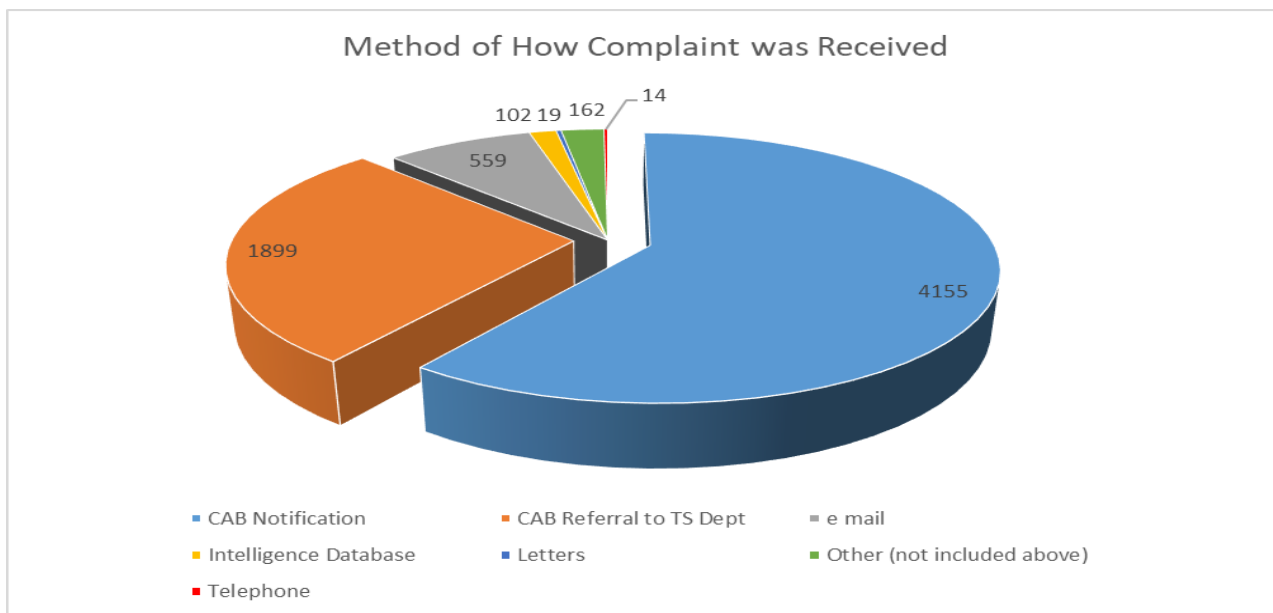
The public can contact CACS via their telephone helpline, via online chat or by completing an online form. Their website offers advice, template letters and sources of information regarding the most common areas of consumer complaint.

The telephone helpline is available Monday to Friday 9am to 5pm and there is no cost to phone it. Wait times are usually a few minutes and average call times are 8 to 10 minutes.

Service requests are split into two categories:

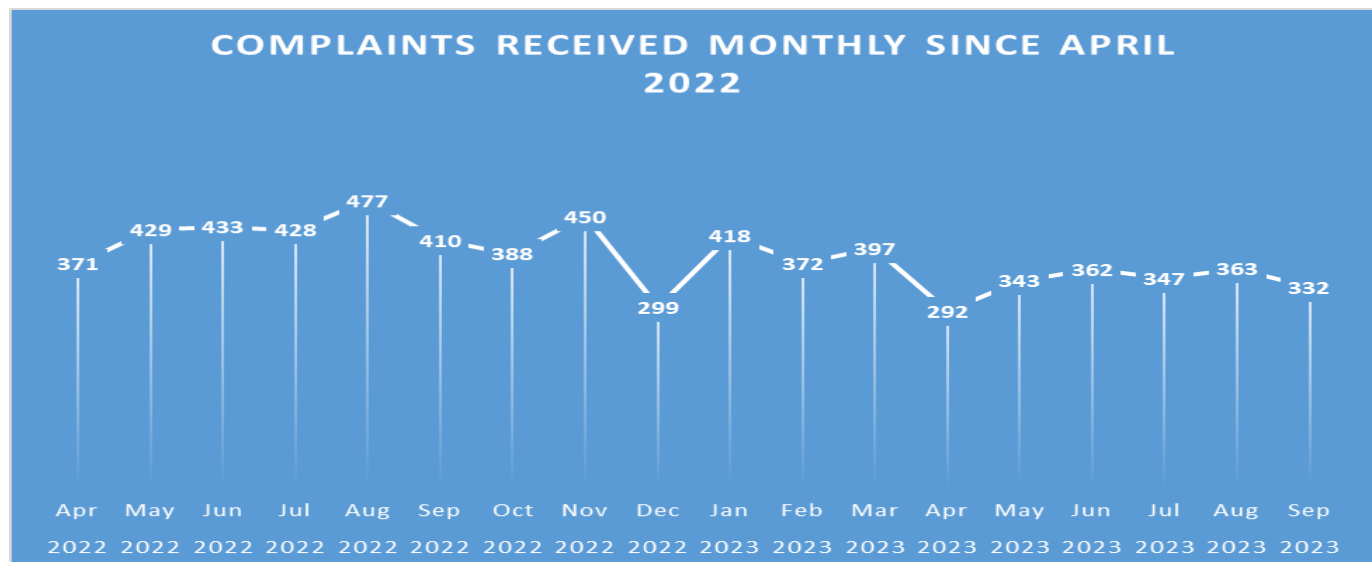
- **4,155 were classified as NOTIFICATIONS** (this is used to indicate the transfer of cases from CACS for information purposes only where there is no commitment for Trading Standards to contact the enquirer as the help and advice has been provided by CACS) Some Trading Standards Service have requested that they do not wish to receive notifications from CACS but in Brent and Harrow, we have these sent to us to help with our monitoring of businesses and wider intelligence gathering purposes.
- **1,899 were classified as REFERRAL** (this is used to indicate transfer of cases for further consideration by Trading Standards). We will individually consider and risk assess all referrals received from CACS. CACS gives the service no obligation to contact the complainant in the first instant unless we need further evidence, as while the matter may concern an alleged criminal breach, the matter could be determined to be a minor issue or something which has been determined as a low priority.

The remaining requests were received directly to the service’s own email address (559), via the national Intelligence Database (102), by letter (19), telephone (14) and the remaining 162 were received via other methods such as an officer generated complaint.



Service Requests Received on a Monthly Basis Since April 2022

The table below shows the number of service requests received on a monthly basis-



Intelligence does not show any particular pattern about when complaints are received, however, the overall number received per month has reduced in 2023 with April being as low as 292.

Source of Service Request

Type of Request/Complaint	Quantity
Consumer Complaint/Notification/Referral/Enquiry	6136
Enquiry from Other LA / Statutory Body	147
Officer Generated Complaint	140
Intelligence database	97
Alcohol Premise Licence Applications/Reviews	95
Request for Advice by Primary Authority Business	65
Fireworks Licensing Applications (All Yr & 4 times)	42
Request for Advice by Local Business	31
Trader Complaint about other Business	31
Referral from Police	24
Self Verification Notification (by Trader)	20
Referral from PORTS	19
Referral from Local Authority	18
Councillors making or passing on complaints	13
Other Enquiries etc.	13
Referral from SCAMS Team	11
POCA Investigation Enquiry	4
Home Authority Referrals	1
Enq from Illegal Money Lending Team (Loan Sharks)	1
Request for Verification (by B&H)	1
Total	6909

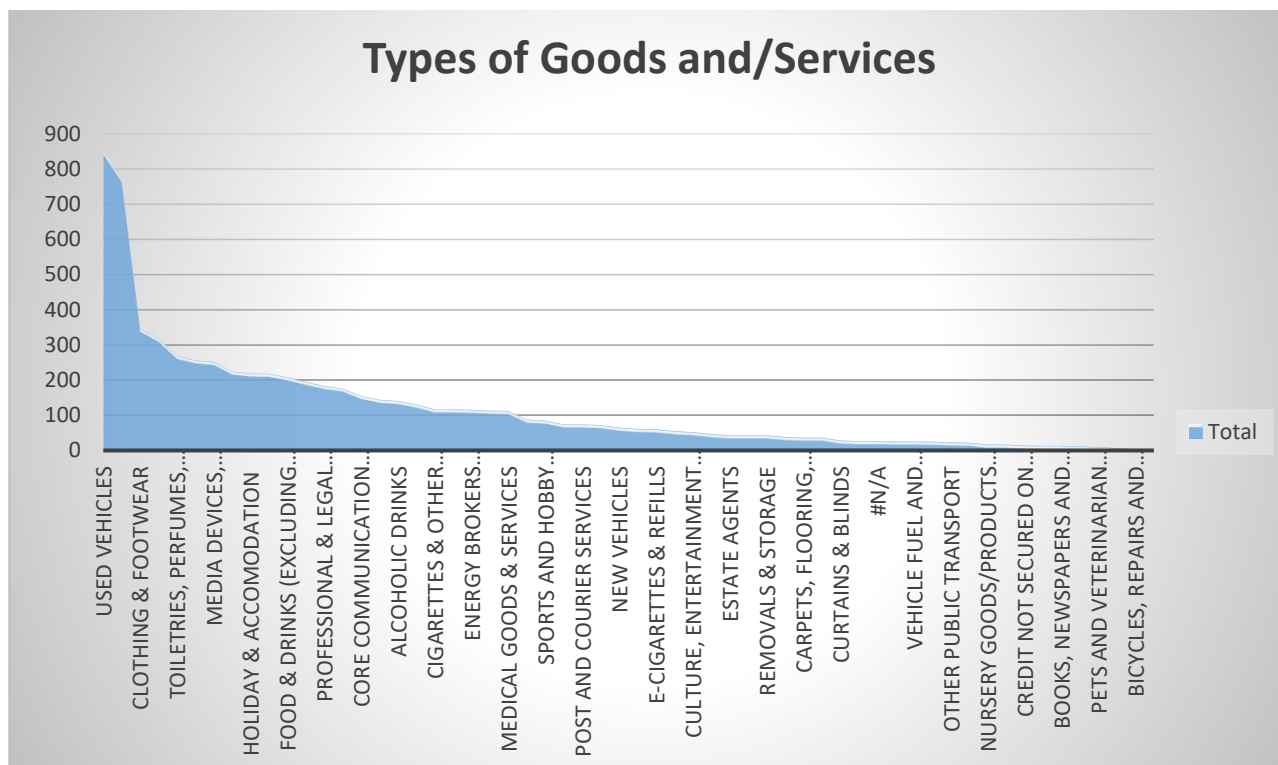
The top main source of complaints received are from consumers either directly to the Service or via the Citizens Advice Consumer Service (CACS) 6136 were received which includes 6054 notifications and referrals from CACS.

The second highest is 'Enquiry from other Local Authority / Statutory Body' with 147, closely followed by 'Officer Generated Complaint' with 140

(Officer-generated complaint is when an officer finds a breach whilst carrying out market surveillance, or inspection and creates a service request to either deal with the request personally or for another officer to deal with)

Types of Goods and/Services

The graph and table below shows the different types of goods and /services received and the numbers against each



Types of Good/ Services	Total
Used Vehicles	849
Building & Renovation Services	771
Clothing & Footwear	346
Furniture (Upholstered & Non Upholstered)	318
Toiletries, Perfumes, Beauty treatments & Hairdressing	269
Air & Travel Agents	256
Media Devices, Accessories and Repairs	251
Insurance	224
Holiday & Accommodation	219
Motor Vehicle Repairs & Services	218
Food & Drinks (Excluding Alcohol)	208
Small/Medium Home Appliances	195
Professional & Legal Services	183
Other Motoring Costs	176
Core Communication Services	155
Letting and Property Management	144
Alcoholic Drinks	140
Other Personal Goods and Services	130
Cigarettes & Other Tobacco	117
Other household goods and services	117
Energy Brokers Installers & Certifiers	116
Education, Employment and Training	113
Medical Goods & Services	112
Catering & Accommodation (Takeaways etc)	88
Sports and Hobby Equipment and Services	85
Gardening Products & Services	74
Post and Courier Services	74
Retail Banking	72
New Vehicles	65
Clock/Watches/Jewellery repairs	61
E-Cigarettes & Refills	60
Digital Media/ Content	55
Culture, Entertainment & Ticket Resale	52
Lasers & Psychoactive Substances	47
Estate Agents	43
Locksmith & HandyPersons	43
Removals & Storage	43
Photography & Videos	38
Carpets, Flooring, Bathroom Fittings	37
Industrial/commercial Goods and Service	37
Curtains & Blinds	28
Betting, Competitions, Prize Draws	27
#N/A	27
Property Construction	26
Vehicle Fuel and Charging Stations	26
Disability Aids	25
Other Public Transport	23
Toys and Games	22
Nursery Goods/Products & Services	17
Website, Hosting, Domain & Social Media	17
Credit Not Secured on Property	14
Ancillary Credit Business	13
Books, Newspapers and Magazines	13
Hand & Power tools, Wall Covering	11
Pets and Veterinarian Products/Services	9
Freight & Shipping	7
Bicycles, Repairs and Accessories	3
Boats Caravans & Trailers	2
	6911

The service had received complaints about **400** different types of individual products. However, these have been grouped together to consolidate the number to **58** as detailed in the table.

Used Vehicles have the highest number of reported complaints with **849** in total since April 2022.

546 of these were about businesses based within Brent and Harrow or neighbouring boroughs.

316 came via CACS as a Notification because the business was based within Brent & Harrow.

The second highest reported complaints is with regard to **Building and Renovation Services** with **771**.

340 of these complaints were about businesses based within Brent and Harrow or neighbouring boroughs.

Top 20 Type of Breach	Total
01A Defective Goods	1213
02A Substandard Services	1150
01D Breach of contract	786
02D Customer service	342
(blank)	325
01C Safety	319
02F Failure/delay in providing service	300
05A Failure/delay in delivery	236
07G Bogus selling	174
12A Unfair Businesscommercial practice	163
10C Breach of fiduciary duty/responsibility (e.g. breach of trust)	156
01E Unsuitable goods provided	104
08Z Other misleading claims/omissions	93
01G Return of unwanted goods	86
01F Wrong goods provided	76
13A Underage Sales	75
08C Labelling	74
08G Counterfeiting	72
08B Advertising	70
08A Verbal misrepresentation/misdescription	69

The main type of breach reported within both boroughs was **Defective Goods** and **Substandard Services** which is often related to Used Vehicles or Building and Renovation Services.

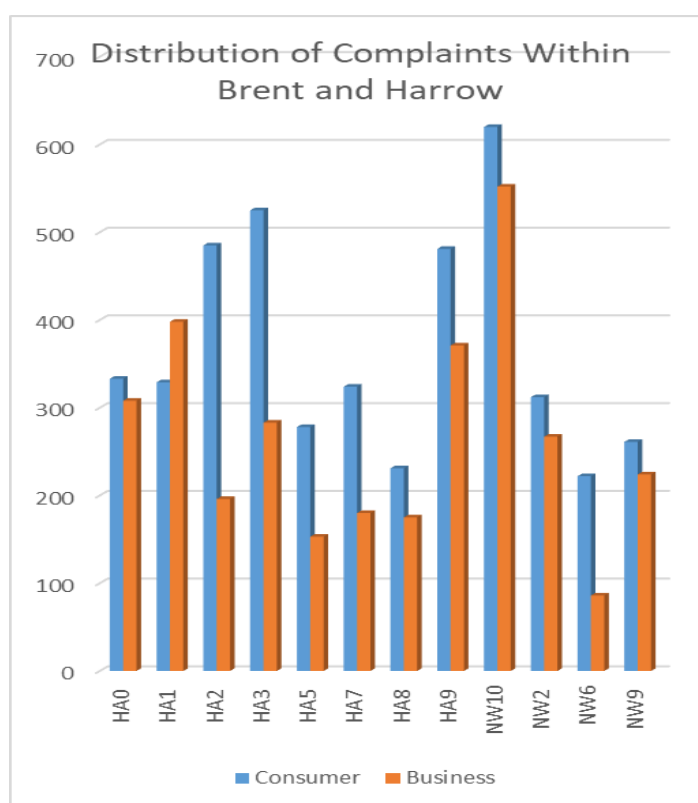
From the analysis of the report the following assessment has been reached

1. It is ***almost certain*** that the Service will continue to receive complaints from general members of the public mainly via Citizens Advice Consumer Service
2. It is ***highly likely*** that used vehicles, building and renovation services will continue to be the main goods and/or services that will be complaints about. This also fits in with these typically being high value transactions increasing the need for the public to complain if something goes wrong.
3. It is ***highly likely*** that Defective Goods and Substandard Services will remain the top two types of breaches which is consistent with the two highest types of complaints

Distribution of Complaints Received within Brent and Harrow

Complaints and service requests received are spread out across different areas within the boroughs Below is a table and graph showing the distribution of complaints within Brent and Harrow.

Post code	Consumer	Business
HA0	333	308
HA1	329	398
HA2	485	196
HA3	525	283
HA5	278	153
HA7	324	180
HA8	231	175
HA9	481	371
NW10	620	552
NW2	312	267
NW6	222	86
NW9	261	224
	4401	3193



The highest number of complaints are from consumers within the **NW10** postcode with **620** this also has the highest number of complaints made against its businesses. The area falls within the London Borough of Brent but also borders Ealing, Hammersmith and Fulham, Kensington, and Chelsea.

HA3 has the second highest number of consumer complaints received with **525**. This area falls within the London Borough of Harrow, however, **HA1** with **398** has the second highest number of complaints made against its businesses. This area is on the border of Brent and Harrow.

Intelligence suggests that areas that have a large concentration of shops and footfall generate the most complaints.

The table below shows which area the postcode covers and its local authority

Postcode	Area(s) Covered	Local authority area(s)
HA0	Wembley Central (west), North Wembley, Alperton, Sudbury (south)	Brent, Ealing, Harrow
HA1	Harrow, Harrow on the Hill, North Harrow, Northwick Park, Sudbury (north), Sudbury Hill	Brent, Harrow
HA2	North Harrow, South Harrow, West Harrow, Headstone, Rayners Lane (south)	Harrow
HA3	Harrow Weald, Kenton, Wealdstone, Queensbury, Belmont (west and south)	Brent, Harrow
HA5	Pinner, Eastcote (north and east), Hatch End, Rayners Lane (north), Carpenders Park (part)	Harrow, Hillingdon, Three Rivers
HA7	Stanmore, Queensbury, Belmont (north and east)	Brent, Harrow
HA8	Edgware, Burnt Oak, Canons Park, Queensbury	Barnet, Brent, Harrow
HA9	Wembley Central (east), Wembley Park, Preston, Tokyngton	Brent
NW2	<i>Cricklewood district:</i> Cricklewood, Dollis Hill, Childs Hill, Golders Green (part), Brent Cross (part), Willesden (north), Neasden (north)	Barnet, Brent, Camden
NW6	<i>Kilburn district:</i> Kilburn, Brondesbury, West Hampstead, Queen's Park, Kensal Green (part), South Hampstead (south), Swiss Cottage (west)	Brent, Camden, Westminster
NW9	<i>The Hyde district:</i> The Hyde, Colindale, Kingsbury, West Hendon, Wembley Park (part), Queensbury (part)	Barnet, Brent, Harrow
NW10	<i>Willesden district:</i> Willesden, Harlesden, Kensal Green, Brent Park, College Park, Stonebridge, North Acton (part), West Twyford, Neasden (south), Old Oak Common, Park Royal (north)	Brent, Ealing, Hammersmith and Fulham, Kensington and Chelsea

Looking at the distribution of complaints by each postcode area the following assessment has been reached

1. It is ***almost certain*** that areas that have a large concentration of shops and footfall will generate the most complaints
2. It is ***highly likely*** that residents of both Brent and Harrow will continue to shop or enter into contracts with businesses that are not based within the two boroughs as it is highly likely that businesses within both Brent and Harrow will have consumers that are not residents of the boroughs

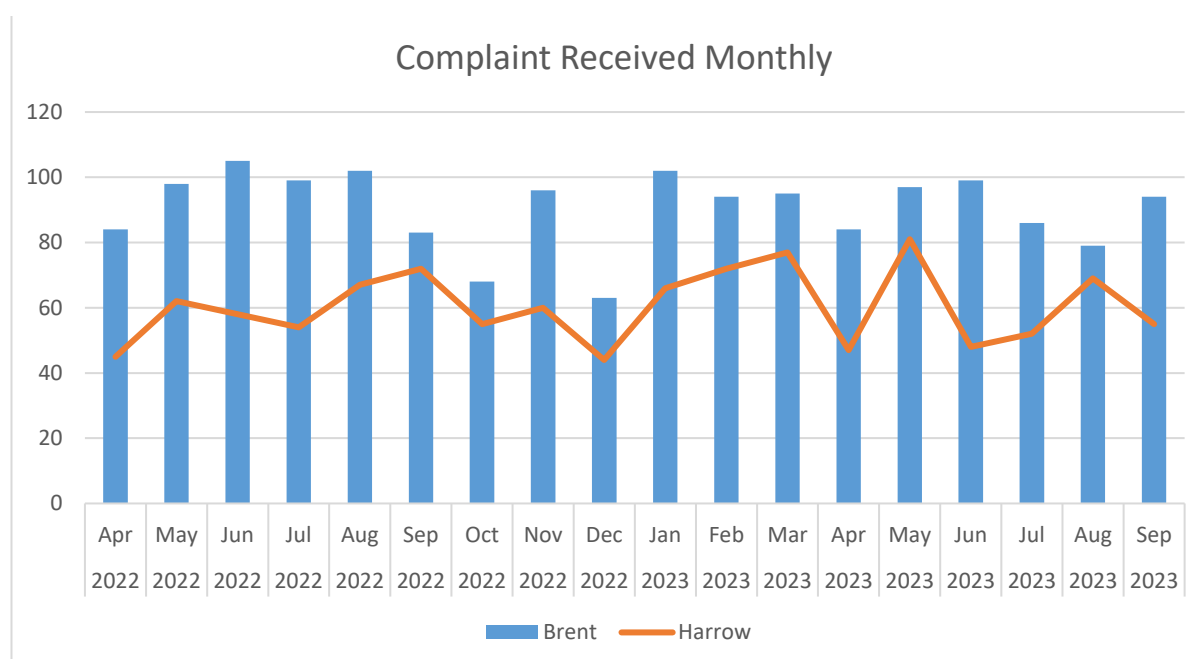
Brent and Harrow Allocated Service Requests for Further Investigation

This section of the report only relates to complaints that were allocated to each Borough for Further Consideration

- Over the reported period there has been a total of **1,628** complaints/service requests attributed to Brent and **1,084** to Harrow for further investigation.
- Brent had **130 Officer Generated** complaints as its second source of complaints and this was due to the eBay takedowns from 2022/23, Harrow's second highest is a notification of **alcohol premises licence application or review** with **59**.

Type of Request/Complaint Source	Brent	Harrow	Total
CCP Consumer Complaint	49	40	89
CDN CAB Notification	8	9	17
CDR CAB Referral	1032	793	1825
CEQ Consumer Enquiry	1	6	7
CLR Councillors making or passing on complaints	7	6	13
ELA Enquiry from Other LA / Statutory Body	95	52	147
HAR Home Authority Referrals	1	0	1
IDB Intelligence database	73	24	97
OGC Officer Generated Complaint	130	9	139
OL1 Alcohol Premise Licence Applications/Reviews	36	59	95
OL3 Fireworks Licensing Applications (All Yr & 4 times)	1	41	42
OTH Other Enquiries etc.	10	3	13
RIM Enq from Illegal Money Lending Team (Loan Shark)	1	0	1
RLA Referral from Local Authority	13	5	18
RPO Referral from Police	18	6	24
RPT Referral from PORTS	16	3	19
RST Referral from SCAMS Team	11	0	11
TEA Request for Advice by Local Business	25	6	31
TEP Request for Advice by Primary Authority Business	63	2	65
TEQ Trader Complaint about other Business	19	12	31
VER Request for Verification (by B&H)	1	5	6
VES Self Verification Notification (by Trader)	15	0	15
(blank)	3	3	6
Total	1628	1084	2712

Service Requests Received Monthly



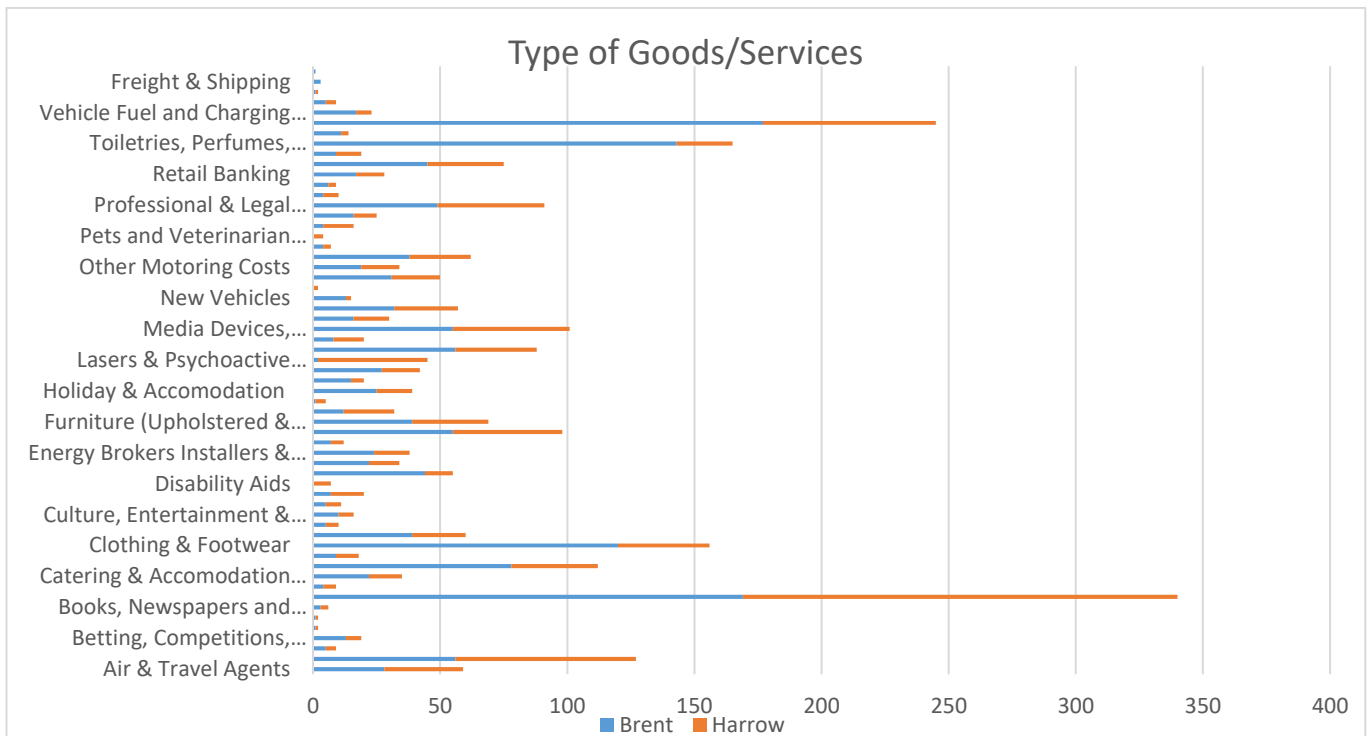
Year	Month	Brent	Harrow
2022	Apr	84	45
2022	May	98	62
2022	Jun	105	58
2022	Jul	99	54
2022	Aug	102	67
2022	Sep	83	72
2022	Oct	68	55
2022	Nov	96	60
2022	Dec	63	44
2023	Jan	102	66
2023	Feb	94	72
2023	Mar	95	77
2023	Apr	84	47
2023	May	97	81
2023	Jun	99	48
2023	Jul	86	52
2023	Aug	79	69
2023	Sep	94	55
		1628	1084

Service Requests received per month from 1 April 2022 to 30 September 2023, January 2023 saw the highest number of complaints attributed to Brent with **102** complaints in **January 2023**.

May 2023 has the highest amount with **81** for Harrow.

Types of Goods/Services Reported

The Graph shows the comparisons between both boroughs according to types of goods/services



The tables below shows the top 20 types of complaints received per borough

Types of Goods/Services	Brent
Used Vehicles	177
Building & Renovation Services	169
Toiletries, Perfumes, Beauty treatments & Hairdressing	143
Clothing & Footwear	120
Cigarettes & Other Tobacco	78
Alcoholic Drinks	56
Letting and Property Management	56
Food & Drinks (Excluding Alcohol)	55
Media Devices, Accessories and Repairs	55
Professional & Legal Services	49
Small/Medium Home Appliances	45
E-Cigarettes & Refills	44
Core Communication Services	39
Furniture (Upholstered & Non Upholstered)	39
Other Personal Goods and Services	38
Motor Vehicle Repairs & Services	32
Other household goods and services	31
Air & Travel Agents	28
Insurance	27
Holiday & Accommodation	25

Used Vehicles and **Building Renovation Services** are the top two types of Goods/Services in Brent with **Toiletries, Perfumes, Beauty Treatments, and Hairdressing** are surprisingly third in Brent, this has been attributed to the eBay work carried out by Brent Officers

Types of Goods/Services	Harrow
Building & Renovation Services	171
Alcoholic Drinks	71
Used Vehicles	68
Media Devices, Accessories and Repairs	46
Food & Drinks (Excluding Alcohol)	43
Lasers & Psychoactive Substances	43
Professional & Legal Services	42
Clothing & Footwear	36
Cigarettes & Other Tobacco	34
Letting and Property Management	32
Air & Travel Agents	31
Furniture (Upholstered & Non Upholstered)	30
Small/Medium Home Appliances	30
Motor Vehicle Repairs & Services	25
Other Personal Goods and Services	24
Toiletries, Perfumes, Beauty treatments & Hairdressing	22
Core Communication Services	21
Gardening Products & Services	20
Other household goods and services	19
Insurance	15

Building & Renovation Services with **171** complaints is the highest goods/services report received in Harrow

Alcoholic drinks with **71** is second, followed closely by **Used Vehicles** with **68** complaints

59 of the Alcoholic drinks complaints are in relation to Alcohol Licence Applications

The tables below show the top 20 types of breach reported in each of the boroughs

Type of Breach	Brent
01C Safety (Goods)	215
02A Substandard Services	174
01A Defective Goods	167
(blank)	105
01D Breach of contract	80
07G Bogus selling	73
12A Unfair Businesscommercial practice	69
08C Labelling	61
13A Underage Sales	50
02F Failure/delay in providing service	44
08G Counterfeiting	44
08Z Other misleading claims/omissions	42
05A Failure/delay in delivery	30
01E Unsuitable goods provided	29
08A Verbal misrepresentation/misdescription	28
08B Advertising	26
02D Customer service	25
10C Breach of fiduciary duty/responsibility (e.g. breach of trust)	24
12Z Other problems with business practices	24
02C Safety (Services)	22

In Brent, the **Safety of Goods** with **215** is the highest recorded type of breach with **Substandard Services** (174) and **Defective Goods** (167) in second and third

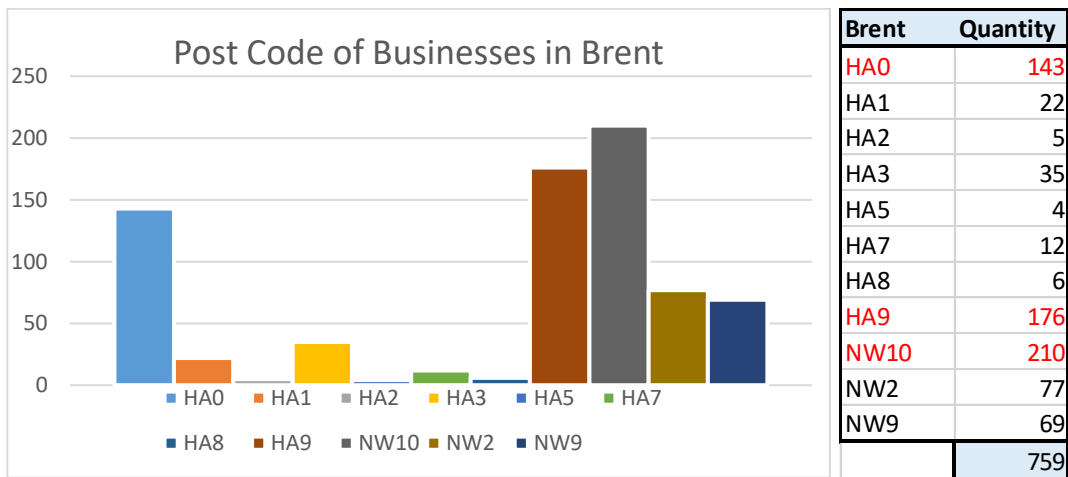
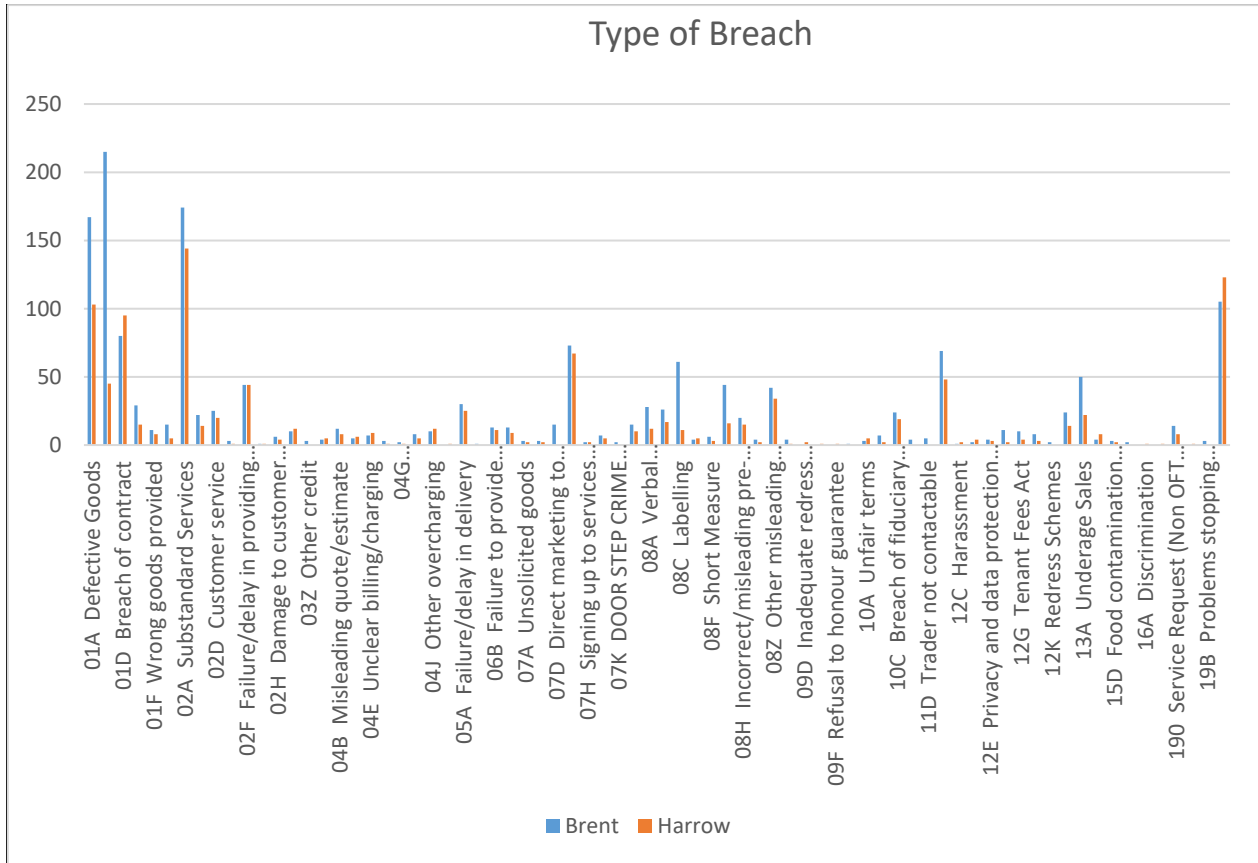
Further analysis will need to be considered to look at the 105 service requests that failed to have what type of breach recorded

Type of Breach	Harrow
02A Substandard Services	144
(blank)	123
01A Defective Goods	103
01D Breach of contract	95
07G Bogus selling	67
12A Unfair Businesscommercial practice	48
01C Safety (Goods)	45
02F Failure/delay in providing service	44
08Z Other misleading claims/omissions	34
05A Failure/delay in delivery	25
13A Underage Sales	22
02D Customer service	20
10C Breach of fiduciary duty/responsibility (e.g. breach of trust)	19
08B Advertising	17
08G Counterfeiting	16
01E Unsuitable goods provided	15
08H Incorrect/misleading pre-shopping advice	15
02C Safety (Services)	14
12Z Other problems with business practices	14
03G Failure to provide pre-contractual information	12

In Harrow, reports of **Substandard Services** with **144** and **Defective Goods** with **103** are amongst the top types of breaches reported. These are in line with complaints received about Building Renovations Services

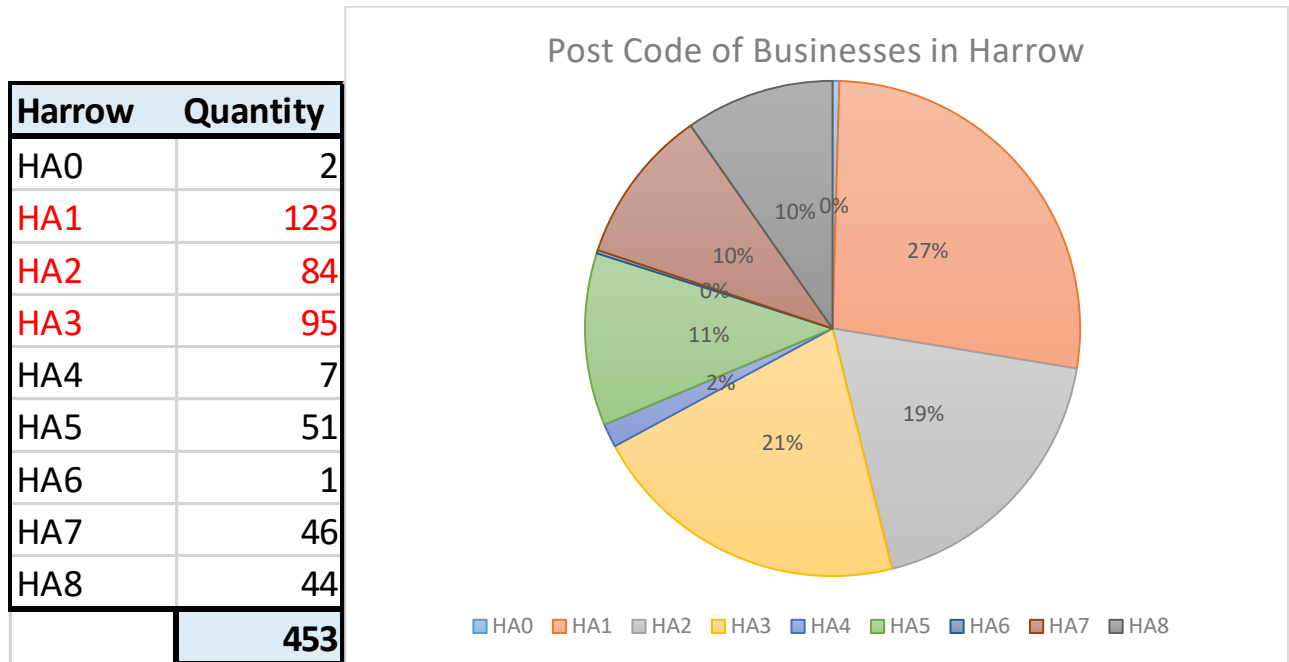
Further analysis will need to be considered to look at the 123 service requests that failed to have what type of breach recorded.

The below following graph shows all the various breaches recorded on the system, 58 different types



- 759 Service Requests of the 1628 Brent complaints/service requests were against a business in Brent.
- **NW10** being the highest post code area has **210** complaints recorded against this post code, **HA9** is second with **176** and **HA0** with **143** being third.

- Intelligence suggests that these areas have a large concentration of shops and footfall and therefore will generate the most complaints.
- 414** Service Requests did not have a full address and therefore could not determine where the business is based. The remaining 455 request were against businesses outside of Brent.



- 453** service requests of the **1089** Harrow figure were against businesses in Harrow
- HA1** being the highest with **123** recorded against this postcode, **HA3** is second with **95** and **HA2** with **84** being third
- Intelligence suggests that these areas have a large concentration of shops and footfall and therefore will generate the most service requests,
- 254** did not have a full address and therefore it accurate postcode or location could not be determined.
- 282** complaints were against businesses outside of Harrow.

Assessments (Based on each allocated service request)

Based on the analysis of the complaints/ service requests per each borough the following assessment has been reached

- It is **almost certain** that the service will continue to receive service requests from general members of the public
- It is **highly likely** that used vehicles, building and renovation services will continue to be among the main goods/services that will be complained about
- It is **highly likely** that complaints relating to alcohol, cigarettes & other tobacco will continue to feature amongst the top 20 types of goods/services

4. It is **almost certain** that areas with a large concentration of shops and footfall will generate the most complaints in this case in Brent- NW10, HA9 and HA0, in Harrow this is HA1, HA3 and HA4
5. It is **almost certain** that the Service will continue to receive complaints about businesses outside of Brent and Harrow

Recommendations

1. Enforcement actions to be focused within the hotspot areas and most complaints about businesses to educate and encourage businesses to be responsible, fair
 - **Pros:** targets areas identified as having issues based on complaints, will hopefully reduce the amount of complaints and raise compliance within the sector allowing the Service to be more focused emerging trends
 - **Cons:** other areas within the boroughs may suffer from a lack of enforcement/education
2. Liaise/engage more with other partners that have an interest in such matters such Police, Licensing
 - **Pros:** A bigger pool of officers and professionals to help tackle these issues
 - **Cons:** More people to co-ordinate with and no control over what work they do as their priorities may differ from that of Trading Standards
3. Raise awareness amongst members of the public with regards to their rights when buying goods, specifically when dealing with building and renovation businesses
 - **Pros:** educating members of the public with regards to the law may empower them to make more informed decision and this could reduce complaints around this sector
 - **Cons:** reliant on members of the public to attend and will have additional cost and officer's time
4. Compare the Hotspot Areas of Activity based on complaints received against other reports such as anti-social/ theft within the borough to identify if there might be a bigger/wider issue
 - **Pros:** better insight as to perhaps one of the likelihoods of antisocial behaviour and tackling other crimes this may also reduce antisocial behaviour, the chance of partnership working across the Council
 - **Cons:** Other mapping is not readily available to Trading Standards and will take time to compile and liaise with another department within the councils and Police

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**London Boroughs of Brent and Harrow
Trading Standards Joint Advisory Board
1 November 2023
Report from the Senior Service Manager**

FOR INFORMATION

Sale of Fireworks

1.0 Summary

- 1.1 This report updates the Joint Advisory Board on work carried out by Brent and Harrow Trading Standards Service and the Brent Licensing team on market surveillance and enforcement activities in relation to the storage and sale of fireworks.

2.0 Recommendations

- 2.1 For Members to consider the report and make recommendations where appropriate.

3.0 Details

Fireworks Enforcement background.

- 3.1 In Brent it is the licensing team and in Harrow, it is the Trading Standards team that has been delegated the authority to carry out market surveillance and enforcement activities in relation to the storage and sale of fireworks.
- 3.2 Fireworks sold at retail level are classified as HT (hazard type) 4, the lowest hazard classification. HT4 fireworks must be stored in a fire resistant cabinet or container, in a dry area away from the risk of ignition.
- 3.3 Each year around 20 in Brent and 35 in Harrow premises are licensed to store fireworks and are able to sell them for limited periods around Bonfire Night and the New Year. A small number of premises have an additional license to sell fireworks all year round. Three premises in Brent and four in Harrow are licensed for year round sale of fireworks. We are also responsible for enforcing the legal provisions requiring that fireworks sold in the boroughs are manufactured to the relevant standard and that they are not sold to minors (under 18s).
- 3.4 Eight premises in Brent have a five year licence and one has a two year licence. In Harrow seven have a five year licence and two have a two year licence.
- 3.5 Premises that obtain a license permits them to sell fireworks only during prescribed periods between,
- 15 October to 10 November
 - 26 to 31 December

- 3 days before Diwali and Chinese New Year.

Fireworks enforcement statutory responsibility

- 3.6 Brent & Harrow Trading Standards Service and Brent Licensing team have a statutory duty to carry out market surveillance and enforcement activities in relation to the storage and sale of fireworks.
- 3.7 The Services discharges this duty through specially trained and competent officers. There are currently 4.5 competent officers which is sufficient to meet the requirements of the role.
- 3.8 As well as authorisation through the usual delegation of powers, these officers are specifically appointed to act on behalf of the Health and Safety Executive in respect of The Explosives Act 1875 S30 & S74 and The Explosives Regulations 2014.

Purpose of enforcement activity in relation to fireworks

- 3.9 Licensing permits name individuals who can store explosives in the form of fireworks. Pre Licence checks ensure the named individual is a fit and proper person to store fireworks and that areas for storage are clearly defined and fit for purpose.
- 3.10 Officers carry out inspections of all our licenced premises on all new applicants and high risk premises. Retail outlets are inspected during the period immediately before November 5th traditionally the busiest period of sales, in addition, officers will respond to intelligence received regarding sales during any of the other permitted sales periods.
- 3.11 Retail inspections provide assurance that fireworks are safely displayed, only sold during permitted periods and to ensure compliance with age related sales safeguards. Inspections also ensure the type of fireworks and how they are stored in addition to point of sale display comply with license conditions.
- 3.12 Currently Brent officers have rejected two applicants wishing to store and sell fireworks due to insufficient knowledge of the storage requirements.
- 3.13 Officers also monitor social media channels for any evidence of unlicensed storage or sale of fireworks.
- 3.14 The register of licenced premises is a public document and can be supplied on demand.
- 3.15 Under the Pyrotechnic Articles (Safety) Regulations 2015, there are restrictions on the sale of fireworks as follows:
- (i) Christmas crackers cannot be sold to anyone under the age of 12 years
 - (ii) category F1 fireworks (including party poppers, serpents and novelty matches) cannot be sold to anyone under the age of 16
 - (iii) F2 and F3 category fireworks (including sparklers) must not be sold to anyone under 18.

- (iv) The most powerful F4 category fireworks (display fireworks) must not be sold to members of the public; they can only be supplied to a person with specialist knowledge.

However, exemptions apply where person is operating as a volunteer undertaking a test purchase on behalf of a local authority.

- 3.16 Brent and Harrow Trading Standards Service receive reports regarding the sale of fireworks to underage people. These intelligence reports feed into our programme of underage test purchases during the permitted sales period. Last year Brent had two sales out of five attempts and Harrow had 1 sale out of four attempts. Two premises received a simple caution and the other a letter of warning.
- 3.17 Officers have the power to remove fireworks from premises if they are being stored incorrectly or are not fit to supply.

4. Financial Considerations

- 4.1 Fees are set by the Health and Safety Executive, reviewed every 5 years and are set out in the current Health and Safety and Nuclear (Fees) Regulations 2021. There is a minimum fee of £56 and maximum fee of £500.

5. Legal Considerations

- 5.1 These have been set out within the main body of the report.

5. Human Resources Considerations I

- 5.1 The staffing resource is met from within the Service's budget.

Contact Officer

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