
Decision Maker: PUBLIC PROTECTION AND SAFETY PORTFOLIO HOLDER

FOR PRE DECISION SCRUTINY BY THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE ON

Date: Wednesday 27 September 2017

Decision Type: Non-Urgent Non-Executive Non-Key

Title: TRADING STANDARDS SERVICE PLAN

Contact Officer: Rob Vale, Head of Trading Standards & Community Safety
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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Borough-wide

1. Reason for report

1.1 This report sets out the work of Trading Standards and the service plan for the 2017-19.

2. RECOMMENDATION

2.1 The Portfolio Holder for Public Protection and Safety is asked to approve the service plan.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Trading Standards team works with key partner agencies such as Adult Safeguarding, Community Safety, Public Health and the Police to protect older residents, and acts on intelligence about Safeguarding issues, making appropriate referrals with auditable records to evidence that steps have been taken to protect those people at risk from abuse or neglect. A significant proportion of our resources are used to raise awareness of financial abuse against the elderly, targeted at potential victims through community engagement and to partners who work with older people.

There is a range of consumer products which are controlled by age restrictions which are enforced by trading standards. These include tobacco, alcohol, fireworks, solvents and knives. The underage sales programme seeks to restrict access to these products by maintaining high levels of business compliance, with robust action against traders who are caught selling to under age children.

Corporate Policy

1. Policy Status: Existing Policy
2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Supporting Independence Healthy Bromley:

Financial

1. Cost of proposal: Not Applicable
2. Ongoing costs: Not Applicable:
3. Budget head/performance centre: Trading Standards
4. Total current budget for this head: £302k
5. Source of funding: Existing controllable budget for 2017/18

Personnel

1. Number of staff (current and additional): 8.03fte plus 0.5fte management
2. If from existing staff resources, number of staff hours: NA

Legal

1. Legal Requirement: Statutory Requirement:
2. Call-in: Applicable:

Procurement

1. Summary of Procurement Implications: Not applicable

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents, business and visitors to the borough

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: NA

3. COMMENTARY

- 3.1 Bromley Trading Standards is located within the Public Protection Division of Environmental Services. Our key priorities are set out below and are based on a number of intelligence based indicators which include the analysis of intelligence reports and complaints data, national priorities and local knowledge and demographics.
- 3.2 The service plan at Appendix 1 seeks to direct the enforcement work of the service over the next two years. It sets out prevention, intelligence and enforcement work across the priority areas identified as being of greatest local importance.
- 3.3 Bromley trading standards has a clear vision which is to protect our residents and businesses from unfair and unsafe commercial practice. The vast majority of Bromley businesses want to comply with the law and provide Bromley residents and visitors with value for money services and goods. A small number of traders, often those not located in the borough, are intent on taking advantage of our residents and our businesses. Often this can result in taking business opportunities away from legitimate local traders which can have an effect on the local economy. Our role, through the delivery of this service plan, is to focus on those key areas of consumer detriment.
- 3.4 Over the next two years our priorities are:
- protecting and safeguarding vulnerable consumers from the fraudulent and financially abusive activities of rogue traders
 - combatting the trade in unsafe, illicit and counterfeit products and unfair trading
 - safeguarding the health and wellbeing of young people by ensuring underage children are not sold age restricted goods and services
 - working with regulatory partners to combat rogue landlords and letting agents
- 3.5 Appendix 1 contains a summary of the performance indicators and commentary which are reported to the senior management team.
- 3.6 Achievements in the last year include a fraud investigation where an elderly man was tricked into signing his house over to a bogus builder in lieu of property repairs. The trader was sentenced to 5 years imprisonment following a trial in January 2017. Another man admitted seven charges of fraud by misrepresentation against vulnerable consumers and was sentenced in July 2016 to 20 months imprisonment.
- 3.7 A Bromley trader found guilty following a trial of nine charges relating to misleading statements about a qualification course for students. Three of these offences were under the Fraud Act 2006. He was sentenced in June 2016 to 12 months suspended for 2 years on each count concurrent. He was also ordered to carry out 150 hours unpaid work and compensate the victims.
- 3.8 Our officers carry out test purchase operations using under age volunteers to check whether premises are selling alcohol, tobacco or fireworks to young people under the age of 18. These visits are intelligence based and require sign off by at the Magistrates Court. A total of 197 test purchases were made which included alcohol, tobacco and fireworks. As a result of the 26 illegal sales we took 9 businesses to a licensing review and issued 7 formal cautions. One review resulted in a suspension of a licence.
- 3.9 We work hard to ensure the products sold in Bromley are safe. This means regular engagements with regional and national safety hubs, respond to complaints and conducting pro-active campaigns of test purchasing and testing. In some cases unsafe products are seized in order to remove them from the supply chain.

3.10 We have an Accredited Financial Investigator who is an integral part of all the criminal investigations we conduct. Last year the AFI was raised to support a planning investigation which, following conviction, resulted in an order under the Proceeds of Crime Act.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 Any form of financial abuse can have a considerable impact on the victim and the average age of a victim of rogue trading and scams in Bromley is 78. The number of older people in Bromley has been increasing and is projected to continue to rise. One of the key consequences of this is a rise in the number of people living with dementia and people living in isolation. The prevalence of dementia is predicted to rise. Raising awareness within the community about financial abuse associated with rogue trading and scams is a key part of our prevention work, as it not only safeguards potential victims from becoming victims, it also increases reporting which allows us to tackle and disrupt the activities of those responsible for these crimes.

4.2 Young people can be particularly vulnerable to harmful products and trading standards plays a role in reducing the availability of a range of age restricted products through test purchasing and supporting responsible retailers. Access to illicit tobacco, alcohol, fireworks and e cigarettes can contribute to poor health and anti-social behaviour. Knife crime with injury has been on the increase for three years across the UK with significant increases seen in Bromley. We are working closely with retailers in Bromley to stop children accessing knives which forms part of a London wide response to support the Mayors Knife Control Strategy.

5. POLICY IMPLICATIONS

5.1 The Trading Standards service plan seeks to contribute to a wide range of the significant priorities for the Council, and in particular links directly with the Building a Better Bromley priority 2016-18: "For a Safe Bromley we will continue to protect the elderly and vulnerable from scams and doorstep crime."

6 FINANCIAL IMPLICATIONS

6.1 The table below provides the budget and fte's for the Trading Standards team for 2017/18: -

	2017/18
	£
Staffing	385,680
Running expenses	38,100
One-off grant income	-11,630
Recharge to Public Health	-110,560
Total controllable budget	<u>301,590</u>
FTEs	8.53

7. LEGAL IMPLICATIONS

7.1 The role of trading standards services is to protect consumers from unfair trading and support business growth by enforcing national legislation at a local level and maintaining a level playing field for legitimate business. There are presently more than 250 pieces of legislation assigning separate statutory duties to trading standards authorities.

Non-Applicable Sections:	Personnel Implications Procurement Implications
Background Documents: (Access via Contact Officer)	NA