

5th November 2013**Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR FOR PROMOTING INDEPENDENCE
AND PUBLIC PROTECTION****UPDATE ON KEY TRADING STANDARDS MATTERS****Purpose of the Report**

1. To update the Committee on key Trading Standards matters.

Information and Advice

2. **Matters arising from the previous meeting** – Following questions raised by Members at the last meeting, a review of the Trading Standards communication strategy to safeguard older adults from crimes and scams will be reviewed. The review will reconsider key messages that currently need communicating, the target audience for those messages, and identify the key channels of communication. Support from Communications colleagues will be sourced. Progress will be reported back to the Committee.
3. Action Fraud is the national initiative set up as the UK's national fraud and internet crime reporting centre. It is the national point of contact for collecting information about all fraud and financially motivated internet crime, gathering valuable intelligence and working with partner agencies to tackle fraud.
4. Frauds, including scam e-mails, should be reported to Action Fraud by either ringing 0300 123 2040 or by visiting the website and using the online reporting system - www.actionfraud.police.uk. The site also contains useful information on support for those who have become a victim of fraud, as well as sound advice on prevention.
5. Where scam e-mails claim to be offering tax refunds, or purport to be from Her Majesty's Revenue and Customs (HMRC), these can, in addition be reported by e-mail to phishing@HMRC.gsi.gov.uk.
6. **Trading Standards involvement in MASH** - In recognition of the key role Trading Standards play in safeguarding the vulnerable, the Service has become a partner of the Multi Agency Safeguarding Hub (MASH). In September, a three month pilot project commenced where two Trading Standards Officers have been based within the MASH for one day a week each.

7. The officers will:

- gain a greater understanding of how the MASH works;
- raise the awareness of MASH colleagues and associated agencies of the role of Trading Standards and its contribution to safeguarding the vulnerable;
- provide guidance to help MASH colleagues identify cases involving relevant Trading Standards matters; and
- develop the process for referring matters through to Trading Standards.

8. The initiative is already paying dividends, with issues such as mailing scams, doorstep crime, and unneeded electrical items being sold having been identified. As a consequence, joint visits with social care staff have been made to undertake 'target hardening' and prevent reoccurrences.

9. **National Scams Hub** - Mass marketing scams cause approximately £3.5 billion worth of detriment annually to UK consumers, with only 1 in 5 cases ever being reported. More importantly, scams cause significant psychological harm to vulnerable and disadvantaged victims, who are deliberately and repeatedly targeted. Mass marketing scams continue to increase as technology allows greater pinpointing and access to the ever-growing population of potential victims.

10. In recognition of the scale of the problem, and to improve efforts to tackle it, the National Trading Standards Board has recently funded the National Scams Hub, hosted by East Sussex County Council. Nottinghamshire recently signed an agreement with the Hub to receive referrals regarding victims, and to undertake prevention tactics to raise awareness and protect the vulnerable residents identified.

11. **Supporting Vulnerable People – recent interventions**

- A care worker reported a fall alarm service sold to an 88 year old for £44 per month - having fallen, she pressed the pendant for help only to find the emergency call system did not work. Having remained undiscovered for 10 hours until found by her care worker, she spent the next week in hospital as a result. Not only did the response system not work, but it also blocked her telephone line, amassing a £300 bill. The Service is currently assisting an investigation into the company.
- Another care worker raised the alarm regarding an 84 year old scam victim. The lady was receiving hundreds of calls a day, and had sent many cheques in response. During a visit to her home, officers found scam mailings, purchases and prizes piled high, causing not only a potential health and safety risk but also a fire hazard. Many of the items she could have no possible use for. The officer is designing measures with the family to protect her.

- Following a MASH referral, a joint visit was made with a social worker to the home of a vulnerable resident who was another repeat victim of mass marketing scams. The officer is again designing steps to stop unwanted calls and mailings, and to investigate unexplained bank withdrawals.
12. **Public Weighbridges Operators** – the Council has a statutory duty under the Weights and Measures Act 1985 to regulate the County's 14 public weighbridges. It is an offence for a person to operate a public weighbridge, without a certificate of competence from the County's Chief Inspector of Weights and Measures.
 13. Trading Standards carries out competency assessments of new operators to ensure they are able to operate the equipment accurately, issue the correct documentation, and have knowledge of the necessary legal requirements. Four certificates to date in 2013 have been issued, while eight were issued in 2012.
 14. The accurate operation of public weighbridges is essential for the many businesses that use weight tickets to pay or charge for often expensive products or services. Further, weighbridges are used to check that vehicles are not overloaded for use on roads, thereby playing an important role in reducing damage to the roads, and ensuring road safety generally.
 15. **Food Standards Agency (FSA) Feed Audit Action Plan** – The FSA ensure that the County Council meet statutory duties under (Human) Food and (Animal) Feeding Stuffs law. Audits of local authorities are the principle vehicle used.
 16. A follow up external audit on Nottinghamshire's Animal Feed work was carried out by the FSA earlier this year, checking progress on the action plan devised following a previous audit in September 2011. Members may recall that the Animal Feeds industry is an extremely important component of the Nottinghamshire economy, with the top four feed producers producing in excess of half a million tonnes of animal feed per year. The FSA has now formally signed off all actions as having been delivered to its satisfaction.
 17. **Environmental Weight Restrictions and Lorry Watch** – Since the last report, 10 further enforcement days have taken place, with 114 vehicle sightings recorded as potential breaches. Of those, 38 have proved lawful reasons for entering restrictions, while 1 person received a warning for not being able to provide such reason. 75 vehicles are still under investigation, to confirm weight or to explore reasons for entering a restriction.
 18. Information is still being received from the Community that heavy goods vehicles continue to breach the Carter Lane, Mansfield weight restriction. All reports have been followed up initially with advisory letters. Officers have visited the restriction to substantiate information received and will use targeted enforcement to tackle the problem. There is community interest to set up a Community Lorry Watch Scheme and the Service continues work with the local Members to achieve this.

19. The development of the weight restriction enforcement camera system continues, and is now moving to the field testing stage. The system will improve the efficiency of the evidence gathering process, improving enforcement, acting as a deterrent, and ultimately reducing breaches. The system will be initially tested in a live weight restriction to ensure functionality and fitness for purpose prior to formally accepting the system.
20. **Regional ‘Scambusters’ Team** – The Authority has now received the report of the National Trading Standards Board (NTSB) visit in August. The visit was to establish how the team were progressing to meet the new national Scambusters Operating Model.
21. The report was positive, identifying the following best practice developed here -
- Clear constitutional and governance arrangements, with strong support from the host authority and elected members.
 - Strong regional arrangements allowing the permanent appointment of a small core team, with the flexibility to bring in temporary officers where investigations require additional resources.
 - Robust decision making and legal proceedings processes in place, representing good cooperation and joint engagement with the legal process.
22. The report also identified the following areas of moderate risk (no significant risk identified) –
- Although supported by regional Trading Standards Services, the regional protocol needs updating to meet the new requirements of the NTSB, including a requirement to pay 50% of any Proceeds of Crime payments received back to the NTSB. This document is currently being updated.
 - The regional tasking arrangements are currently being reviewed, but the report identified the absence of a Regional Intelligence Analyst. Derbyshire Trading Standards are undertaking a recruitment process to host this regional resource.
23. **Legal Action Update** – On 08 October, Kevin Paul Hemsall, Director of Kirby-in-Ashfield based car trader KP Hemsall Ltd, pleaded guilty to 17 charges relating to unfair and aggressive trading practices and the supply of unroadworthy vehicles. Staff had used abusive language, had intimidated customers, and had refused to rectify faults on vehicles. Fines totalling £10,550, compensation totalling £6,665 to the complainants involved, and £2300 prosecution costs were ordered to be paid. In summing up, the District Judge commended the Trading Standards Team for the way it had pursued the matter to its conclusion.
24. Mr Patel, a shop owner in Mansfield Woodhouse appeared in court on 30 August, and pleaded guilty to selling 19 bottles of counterfeit vodka, one bottle

of which was found to be injurious to health. Mr Patel was fined a total of £1,000 and ordered to pay prosecution costs of £671.76. He was given 7 days to pay the full amount.

25. Carl Mould who has been sentenced to five years for the mis-selling of mobility aids, appeared in court on 02 September for a Proceeds of Crime hearing. Mould was given a confiscation figure of £70,415, but was handed a £1 order due to the fact that he has no assets. The order ensures that if Mould does acquire assets in the future that he can be recalled to court and ordered to pay the £70,415.

Financial Implications

26. There are no financial implications contained in this report.

RECOMMENDATION/S

- 1) It is recommended that the Community Safety Committee notes the updates from the previous meeting and the various developments in the areas of work contained in the report.

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Constitutional Comments

27. As this report is for noting only, no constitutional comments are required.

Financial Comments (CLK 28/10/13)

28. As outlined in paragraph 26, there are no financial implications in this report.

Background Papers

None

Electoral Division(s) and Member(s) Affected

All