

1st March 2016**Agenda Item: 12****REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE 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. **Hover boards** – As the Committee will recall, the Christmas 2015 toy of choice was the hover board, designed to imitate the one featured in the “Back to the Future” films. The boards don’t hover, but are powered skateboards, where the user shifts weight to determine direction and speed. They are more accurately referred to as balance boards.
3. To meet demand, huge numbers have been imported over recent months, mostly from China. Unfortunately, many have been found to be poorly constructed, with many untested items finding their way through onto UK streets. Many have been found to have unsafe battery and charger combinations, and there have been a number of unfortunate reports across the country of explosions and house fires caused by them.
4. Members will recall that the Service co-ordinated it’s media release around Christmas toy safety to complement the extensive national coverage regarding unsafe hover boards. Officers provided TV and radio interviews to the local media, helping alert residents to the potential dangers.
5. As a result, some consumers approached the Service for advice on what to do with boards purchased but no longer wanted amid the safety fears. Further, a number of sellers were then identified within Nottinghamshire. These included a mixture of high street shops set up specifically for the purpose of selling the boards, pre-existing businesses adding them to their high street and web-site range, and also opportunistic individuals importing them and selling via social media and other internet selling sites.
6. 12 sellers (or alleged sellers) have so far been visited by our officers. All of the sellers have been unable to provide documentation to satisfy officers that their stock has been manufactured and tested to all current safety standards, and were therefore suspected as being unsafe. 5 suspension notices have been issued to stop suspected boards from being sold until they are either deemed to be safe, or a Court orders them to be destroyed.

3 entry warrants on premises have been executed, while 30 boards have been seized and 9 boards have so far been sent for safety testing.

7. At a national level, the National Trading Standards Safety at Ports project is also currently collating feedback from all authorities concerned to build a national picture of issue and identify learning points
8. **Safeguarding the Vulnerable** – the Service continues to intervene to protect our more vulnerable residents:
 - Officers have attended START (Short Term Assessment and Re-ablement Team) team meetings to raise awareness of the work of the service to protect the vulnerable. The training sessions primarily focussed on raising understanding of mass marketing scams and doorstep crime. Each session was followed up with an email containing useful information, including links to various factsheets, neighbourhood alert and other useful websites. The training was well received by START staff.
 - Officers continue to work with partners to deploy a range of interventions designed to tackle the loneliness driving the behaviours of 95 year old scam victim, including the police and social care colleagues to help a lonely isolated 95 year old resident who is believed to have lost over £15,000 to mass marketing scams. Medical treatment has improved his hearing and vision impairments which added to his isolation. Trading Standards have provided support to prevent him falling victim to future scams. He has also been referred for further support from the county council's Adult Deaf and Visually Impaired Service. Bassetlaw Action Centre have offered further support with his finances and sorting his post. As a result of the interventions he is less isolated and able to re-join his local choir using community transport.
 - An officer recently attended a 'winter warmer' event in Mansfield Woodhouse to raise awareness of relevant Trading Standards matters, in particular scams and doorstep crime, amongst the older adults in the audience. The event was attended by numerous agencies and was well received.
 - An officer recently secured a £400 refund for a vulnerable couple and their vulnerable daughter. They had entered into a contract which they did not understand, and which was not fulfilled by the company in question, even though funds were taken several months ago. The officer is now working with social workers to get quotes in order for the work to be completed.
9. **Railweigher Verification** – The Service recently undertook the re-verification of the inline railweigher system at West Burton power station, following upgrades to the railway line. The Service is one of the few in the Country that has approved status for verifying in line railweight systems. These systems weigh the coal wagons of a train as it moves slowly over electronic weighbridges that are built into the track.
10. The weighbridges weigh the wagons with the full load of coal, and then again when they are empty having deposited their load automatically into hoppers. The system then calculates the net load that has been deposited for use at the power station. The accuracy

of the weighbridges is strictly governed, which is vitally important in controlling costs, as the power station will use in excess of 6 million tonnes of coal a year.

11. **Food Standards Inspections in Leicestershire** – Over the past two years, we have been asked by Leicestershire Trading Standards to carry out some of that Authority's Food Standards visits. Trading Standards as a profession works collaboratively both nationally and on a regional basis. This can provide great benefits where there is a shortage of qualified staff for whatever reason.
12. The work that we have done for Leicestershire in the past has clearly demonstrated the expertise that we have in the area of food work and once again this year they requested our Service to carry out some of their food work that they had programmed for the year. There was an initial agreement to perform a number of inspections but having found that due to unforeseen circumstances they would be unable to meet their work program they have requested us to carry out some additional inspections. This work has also helped to bring in some income to the authority.
13. **Illicit tobacco** – Following a number of highly successful operations to tackle the sale of illicit tobacco, sellers are become increasing wary and are changing their tactics. Trading Standards continue to respond to this, and have recently employed a different approach. This has had immediate success, including one shop that was taking cigarette orders by telephone and then fulfilling them from a car parked outside. Officers were also able to significantly speed up the prosecution time, with offenders appearing in court within 12 hours of their arrest for the offence.
14. Action to tacking the illicit supply chain at a higher level led to a significant success in January. Investigations identified a storage unit where officers recovered over 150,000 illicit cigarettes, and over 18kg of pouched tobacco. Further investigations are underway which are anticipated to lead to a prosecution of the individual concerned. We will keep the Committee updated on progress.
15. Biedronka of Outram Street, Sutton-in-Ashfield was the first shop in Nottinghamshire to have its alcohol licence revoked in August 2015 because of illicit tobacco being sold from the premises. Ashfield District Council revoked the licence after the shopkeeper Edris Abdoula-Zadeh was sentenced at Nottingham Crown Court to nine months imprisonment for nine charges relating to the supply of illicit tobacco.
16. The crown court case related to a visit to the premises in June 2015 when illicit tobacco was found hidden in the premises and in two vehicles belonging to Mr Abdoula-Zadeh, who was managing the shop that day. A black book recovered from one of the vehicles contained a list of illicit cigarette sales totalling £8,128. Officers also visited a storage premises in Kirkby-in-Ashfield, rented by Mr Abdoula-Zadeh, and recovered 1,475 packets of illicit cigarettes. Many of the cigarettes seized were tested and found to be of a type unable to self-extinguish – therefore posing a fire risk. A Proceeds of Crime hearing is listed for 29th March 2016.
17. Ashfield District Council initially decided to revoke the shop's alcohol licence in August, due to the pattern of criminal behaviour stemming from the premises. The licence review followed several visits dating from April 2014 when illicit tobacco was found hidden at the premises. During this time period, out of date packs of cooked meats with the price labels

over the use by date were also found by Ashfield District Council's Environmental Health. When the stickers were peeled back, the food was 11 and 14 days past its use by date. Mr Abdoula-Zadeh originally appealed against the decision, but recently decided to withdraw his appeal and surrender his licence after his crown court conviction.

18. **Legal Action Update** – Members will recall that eight defendants pleaded guilty in June to a number of charges under the Fraud Act 2006, the Companies Act 2006 and the Legal Service Act 2007. The eight were found to be mis-selling trust documents to older and vulnerable adults, and the three main defendants were given substantial prison sentences. Five others received suspended prison sentences and unpaid work orders. A Proceeds of Crime hearing was listed for the 28th September 2015, but has now been put back, and a date is still to be confirmed.
19. Two defendants appeared in the Mansfield Magistrates Court on the 9th December 2015, from the retail premises Sunstar Mini Market, Mansfield. They were charged with the possession of illicit and dangerous cigarettes. Luqman Ahmid and Anna Janiszewska both pleaded guilty, they were fined £60 each and ordered to pay £200 prosecution costs each.
20. Elias Nuqul of Jacks Home Discount Store, Mapperley appeared in the Nottingham Magistrates Court on the 19th November 2015, charged with the possession of illicit and dangerous cigarettes. He pleaded guilty to the offences and was sentenced on the 11th December 2015. He was fined £180 and he was also given a curfew order for 4 months and ordered to pay £500 towards prosecution costs.
21. Aske Omer of the retail premises Robert Bower, Stapleford first appeared in the Nottingham Magistrates court on the 26th November 2015. He was charged with the possession of illicit and unsafe cigarettes. On the 11th December 2015 he pleaded guilty to the charges and was ordered to pay an £80 fine and £600 prosecution costs.
22. Three defendants, from the Famous Shop, Eastwood appeared in the Nottingham Magistrates Court on the 15th December 2015. They were charged with the possession of illicit and dangerous cigarettes. Baba Mirza, Azad Abdula and Amir Ihmada all pleaded guilty to the charges. Mr Ihmada was fined £360 with £333 prosecution costs. Mr Abdula was fined £515 with £333 prosecution costs and Mr Mirza was fined £240 with £333 prosecution costs.
23. On the 17th December 2015 Ms Laura Banuzeviciute from Sunstar Mini market Mansfield pleaded guilty to charges of possession of counterfeit and dangerous cigarettes. She was fined £200 with £100 prosecution costs.
24. Paul and Peter Dye appeared in the Nottingham Crown court on the 25th August 2015. They pleaded guilty to the sale of illicit tobacco in shops at Stapleford and Netherfield on two separate occasions. Peter Dye was sentenced to 12 months in prison and Paul Dye to 2 years in prison. On 22nd December 2015, a Confiscation Order was granted in relation to Mr Paul Dye. It was declared that Paul Dye had benefited from his criminality amounting to £42,943, and he was ordered to pay £11,000 within 28 days, or face a default prison sentence of 8 months. Peter Dye will be dealt with at a later time, the date of which is still to be confirmed.

25. Elita Zvingue of Saulite, Mansfield, appeared in the Mansfield Magistrates court on the 7th January 2016 charged with the possession of dangerous and counterfeit cigarettes. She pleaded guilty to the charges and was given 8 weeks custody suspended for 12 months, with £700 of prosecution costs to pay.
26. Bistan Ali of Sunstar Mini market, Mansfield appeared in the Mansfield Magistrates court on the 13th January 2016 he was charged with the possession of dangerous and counterfeit cigarettes. He has pleaded not guilty to the charges and is listed for trial on the 31st March 2016. A Mr Rahim and a Mr Ahmed from the same premises also appeared Mansfield Magistrates court on the 21st January 2016 for similar offences at the same premises. Mr Rahims case has been adjourned until the 18th February 2016 and Mr Ahmed pleaded guilty to the charges. He was given a conditional discharge.
27. On the 14th January 2016, Dana Kumal and Sardar Rassul appeared in the Mansfield Magistrates court charged with the possession of dangerous and counterfeit cigarettes. They are from the retail premises Outram General Stores at Sutton in Ashfield. Kumal was fined £165 with £50 prosecution costs and Rassul was given 120 hours unpaid work and £100 costs.
28. Omed Latif of Bierdronka Max, Sutton in Ashfield pleaded not guilty to offences of possession of illicit and unsafe cigarettes on the 12th November 2015. He subsequently changed his plea to guilty on the morning of the trial, 26th January 2016, and was given 100 hours of unpaid work and ordered to pay costs of £1600.
29. Mr Zada and Mr Zadeh from Biedronka at Sutton in Ashfield appeared in the Mansfield Magistrates court initially on the 21st August. They were charged with sale and possession of illicit cigarettes and tobacco. Mr Zada pleaded guilty on the 8th September 2015 and was given 60 hours unpaid work.
30. On the 2nd February 2016 Mr Hosmand Zada from Biedronka in Sutton in Ashfield appeared again in the Mansfield Magistrates court, he was charged with the possession for supply of dangerous cigarettes, they would not self-extinguish if left unattended. He pleaded guilty to the charges and is due to be sentenced on the 23rd February 2016.
31. Mr Zadeh was sent to the Crown Court and appeared on the 5th December 2015, he pleaded guilty to the charges and was due to be sentenced on the 25th January 2016, a POCA hearing is listed for the 29th March 2016.
32. On the 2nd February 2016 a Mr Amir Ahmadi from the Famous Shop at Eastwood, appeared in the Nottingham Magistrates court he was charged with the possession for supply of dangerous and counterfeit cigarettes and hand rolling tobacco. He pleaded guilty and his sentence has been adjourned until the 23rd February 2016.
33. On the 4th February 2016 Mr Omid Khoshaab of Sutton Mini Market, Sutton in Ashfield appeared in the Mansfield Magistrates court, he was charged with the possession for supply of dangerous and counterfeit cigarettes. He pleaded guilty to the charges and was given a fine of £120 with prosecution costs of £100. On the 4th February 2016 Mr Bilind Ahmed of Sutton Mini Market, Sutton in Ashfield appeared in the Mansfield Magistrates court, he was charged with the possession for supply of dangerous and counterfeit

cigarettes. He pleaded guilty to the charges and was fined £240 with £100 costs. Mr Ahmed had been found in possession of counterfeit cigarettes on two separate occasions.

34. Murwan Muhamed of the Famous Shop, Eastwood pleaded not guilty to charges at the Nottingham Magistrates Court on the 5th November 2015. He is due for trial on the 9th February 2016 at the Nottingham Magistrates Court, charged with the possession of illicit and dangerous cigarettes.
35. On the 5th December 2015 Afsana Ahmed of Sutton Mini Market, Sutton in Ashfield was in Nottingham Crown Court following charges of supplying illicit and dangerous cigarettes. He pleaded guilty to the charges and was sentenced to 10 1/2 months in prison. A Proceeds of Crime hearing is listed for the 29th March 2016.
36. Luqman Ahmed and Nicheer Taha of Kubus Mini Market, Worksop, appeared in the Mansfield Magistrates court on the 1st October 2015 charged with the possession of counterfeit cigarettes. They were found with over 1000 packets of illicit cigarettes. Three brands of which have found to be unsafe in that they will not self-extinguish if left unattended. Their case was sent to the Crown Court and a plea and case management hearing was heard on the 5th December 2015. Mr Taha has pleaded not guilty to the charges, and Mr Ahmed has pleaded to some offences but is due to go to trial in August of 2016 for the remaining charges.

Other Options Considered

37. None

Reason/s for Recommendation/s

38. This is an information report

Statutory and Policy Implications

39. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

40. This report contains no additional financial implications, with activity reported or that proposed being contained within existing service budget.

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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For any enquiries about this report please contact:

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Constitutional Comments

As this report is for noting only, Constitutional Comments are not required

Financial Comments (MM 16/02/16)

There are no financial implications arising from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- 'None'

Electoral Division(s) and Member(s) Affected

- 'All'