

**17 May 2018****Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****UPDATE ON KEY TRADING STANDARDS AND COMMUNITY SAFETY  
MATTERS****Purpose of the Report**

1. To update the Committee on key Trading Standards and Communities Service matters;

**Information****Trading Standards**

2. **Doorstep Crime** - Between January and March 2018 Trading Standards received 34 reports of doorstep crime with 11 resulting in support provided to the victim and the remainder noted for intelligence purposes. In the East Midlands region there was a 15% increase in support provided by Trading Standards to doorstep crime victims during the period April 2017 to December 2017 compared to the same period in 2016. 53 victims were supported in the region during October 2017 to December 2017, and the interventions prevented the payment of £116,000 to the criminals involved.
3. **“Nominated Neighbour”**  
In April officers worked with Rushcliffe Borough Council and Nottinghamshire Police colleagues to implement a “Nominated Neighbour” scheme at a retirement complex in West Bridgford. Residents display a card in their window which directs unwanted callers to the retirement complex scheme manager (warden) to intervene. The scheme will be rolled out to other retirement complexes in the county and two training sessions have been delivered to Metropolitan Housing scheme managers to raise their awareness of scams and tactics used by doorstep callers and to enable them to deliver assertiveness training to residents.
4. **Handy Persons Adaptation Scheme (HPAS)** - provides the help and support people need to keep safe and secure in their home with low cost but high quality adaptations and small practical jobs. Trading Standards have been working with Customer Service Centre and Procurement colleagues to implement a new HPAS scheme for the county in April 2018. The 14 successful providers from the tendering process are also members of the Trading Standards “Checkatrade” approved trading scheme, which provides an ongoing vetting of their suitability to deliver the HPAS services into the homes of older residents.

5. On occasions HPAS traders will be requested to fit equipment provided by Trading Standards, in the homes of older residents who have been identified as being vulnerable to doorstep crime. The equipment includes items such as PVCU door-chains, 2 way intercoms with door viewers and loan CCTV cameras.
6. A video doorbell was recently fitted in the home of a resident who lives alone and suffers from dementia. Unwanted callers had affected her confidence so much that she was having to stay with her daughter. With the video doorbell she has been able to return home confident that now when someone calls a video link is conveyed to her daughter's mobile phone and her daughter is able to intervene.
7. **Mass Marketing Scams** – officers continue to work with other agencies to intervene to protect Nottinghamshire victims of mass marketing scams identified both from lists provided by the National Scams Team or via referrals from social care, health and voluntary sector colleagues. Some examples of our cases:
  - Officers are working with the Coal Industry Social Welfare Organisation (CISWO), Metropolitan Housing and social workers to help protect the finances of a vulnerable ex-miner.
  - Officers worked with Nott's Fire and Rescue to assist an identified scam victim who was a smoker living in a cluttered house. The joint intervention has significantly reduced her susceptibility to both fire and scams.
  - Officers have supported a number of residents to apply for free call-blockers which were provided for a limited period by the National Scams Team. Also an increasing number of telephone providers are now providing call blocking services. Following a doorstep crime incident officers advised one resident to register for Talk Talk's free call blocking service resulting in her increased confidence and resilience to scams.
8. A key vehicle for this multi-agency work is the national Friends Against Scams initiative ([www.friendsagainstscams.org.uk](http://www.friendsagainstscams.org.uk)). This now includes a short Practitioner E-learning packages to help all professionals working with older adults deal with issues relating to scams and doorstep crime. Managers are working with ACSH colleagues to include this training package in the E-learning available to all adult social care staff.
9. **Illicit Tobacco** – Officers continue to take effective enforcement action against individuals and businesses that sell and distribute illicit tobacco. During 2017/18 officers conducted a total of 124 inspections at premises in the county, resulting in 45 seizures of illicit tobacco and 44 arrests. More than 124,000 illicit cigarettes and 6,000kg of tobacco were seized during the year with an estimated total retail value in excess of £2.4m. A number of investigations are ongoing.
10. **European Commission Proposal on Reinforcing Trust in the Single Market** – The European Commission (EC) has tabled two legislative proposals to make it easier for companies, especially small to medium enterprises, to sell their products across Europe, and to strengthen controls by national authorities and customs officers to prevent unsafe products being sold to European consumers.
11. The first proposal is aimed at making the enforcement of EU safety requirements on goods more uniform throughout member states by strengthening compliance and enforcement of EU product rules. In order to attain this, market surveillance must be consistent no matter whether the product is made outside or inside the EU, or whether it is bought online or offline. The Commission is therefore proposing to set up "The Enforcement of Common EU Safety Rules".
12. With products often being sold in a different country to which they are produced and enforcement of issues therefore spreading over borders any inconsistencies in approach can

easily be exploited by rogue traders. The aim of the proposed legislation is that it will force the way towards smarter enforcement, complementing and strengthening, where necessary, existing and future Union harmonised legislation. The aim is to attain this through:

- Enforcement authorities working more closely together through single liaison offices.
- Convergence of different IT tools ensuring common knowledge gathering among enforcement authorities.
- The creation of a Union Product Compliance Network. This will provide administrative support for joint investigations. It will allow authorities to pool knowledge, organise exchanges of officials, develop a common intelligence picture and devise efficient methods for more targeted and risk based controls. It will also provide standard training for inspectors.

13. There will also be requirements for closer co-operation between businesses and enforcement authorities which will put requirements on businesses. Part of those requirements will include the following:

- Manufacturers who sell within the EU will be required to have a representative who can easily be contacted.
- Businesses will have to form Compliance Partnership Agreements with their local authorities

14. There will be changes to enforcement at border controls. These will include:

- More clarity for controls on products entering the EU, and for co-ordination of and co-operation between customs and market surveillance authorities.
- Simplification of paperwork for importers with lighter controls on trusted businesses.
- Where there is doubt about a product's legality, enforcement authorities will be able to suspend release for free circulation of a product in the EU, until appropriate evidence is received to show it is fit to be sold in the EU

15. The second proposal relates to the difficulty of differing member states domestic legislation causing issues with mutual recognition. Mutual recognition is where a product that is lawfully marketed in one member state should also be able to be marketed in any other member state as long as it is safe and respects the public interest. Currently businesses cannot often rely on this mutual recognition to access markets across the EU. The mutual recognition proposal introduces a problem solving procedure to provide effective remedies and establish trust in mutual recognition. This will entail the Commission intervening in a matter by issuing an opinion and where appropriate, making recommendations to assist the parties in solving the case. This process is being designed so that it is a quick response instead of the protracted lines of resolution which can take years.

16. It is unknown at this stage the exact impact this will have on the Trading Standards Service or businesses but we are raising the matter now to make members aware that this could have an impact in the future, when the legislation is proposed to come into force towards the end of 2019. There is the added complication of Brexit but the current Government has indicated that they will continue to adopt EU legislation for the purposes of product safety.

17. **Commercialisation update:** This service was recently asked to attend a conference run by the Baby Products Association, with whom we have a Primary Authority Partnership. They were heavily promoting the Partnership with Trading Standards and we are hoping to get further contracts with some of the businesses that were present.

18. We are beginning the new financial year with a good start towards our increased income target. A recent Primary Authority signing has requested an increase in hours of up to four

times the amount they received in 2017-18. We have some companies currently registering to the Primary Authority Partnership scheme, they should be on board by the time this committee meets.

19. **Regional Investigations Team** – following the court hearing in February regarding a large scale fraud investigation into the targeting of small businesses with upfront fee frauds for energy over payments, the case is now listed for Trial in the Nottingham Crown Court commencing the 7<sup>th</sup> January 2019. There are 11 defendants in total and the trial estimate is 10 weeks.
20. **Legal Update - Kubus, Mansfield** – In November 2017, four men, Fakher Fathulah, Marwan Shaban, Nabaz Ahmadi and Amin Amin appeared at Crown Court charged with conspiracy to supply dangerous and counterfeit cigarettes. Three pleaded guilty before trial, whilst the case against the 4<sup>th</sup> defendant was withdrawn.
21. Fatullah was sentenced to 11 months in prison, Shaban received 6 months in prison, and Ahmadi was sentenced to 150 hours unpaid work. A proceeds of crime investigation is ongoing.
22. Following further enforcement work at this shop, a Fakhar Mohammed pleaded guilty in the magistrates court on the 23<sup>rd</sup> January to charges of possession of dangerous and counterfeit cigarettes for which he was given a 15 day rehabilitation order. On the 25 January 2018 Yarech Kader also pleaded guilty to similar offences, his case being more serious as he was the leaseholder of the shop. He was given a 12 week prison sentence suspended for 12 months. A further 4 defendants pleaded not guilty to the charges and were due for trial in March 2018. Three defendants were found guilty of the charges at trial and charges against the fourth were withdrawn. Mohammed Rassul was given 80 hours unpaid work. Mr Ibrahim was given a fine of £225 and Mr Abdulkhalizada was given a fine of £195.
23. **Door step crime** – In May 2017, a defendant appeared in the Mansfield Magistrates court charged with offences of fraud to the value of £26,400. There is one victim in this case, who the Authority alleges has been defrauded by representations that she needed certain work carrying out on her property. The defendant pleaded not guilty, and his case was listed for trial on the 2<sup>nd</sup> January 2018, due to some technical issues with the courts the matter has been put back until the 25<sup>th</sup> June 2018.
24. **Justin Marriott** – Marriott appeared in the Crown Court on the 18th January, charged with the possession of counterfeit electrical items and clothing. He pleaded guilty to the charges and was sentenced to 7 months in prison suspended for 2 years with 150 hours unpaid work. A proceeds of crime investigation is continuing and a hearing is listed for the 4th May 2018.
25. **Alans Newsagents** – A trial was listed in the Crown Court on the 5<sup>th</sup> March for 3 defendants who have been charged with offences for supplying counterfeit and dangerous cigarettes from the shop in Beeston. Due to lack of court time the trial has been put back until August 2018.

## Other Options Considered

26. **EC Proposal on Reinforcing Trust In The Single Market:** - There are no other options to consider.
27. **Commercialisation update:** There are no other options to consider .

**28. Recommendations/Reasons** – That members consider whether there are any actions they require in relation to the issues contained within the report.

## **Statutory and Policy Implications**

29. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Crime and Disorder Implications**

30. The Service makes significant contributions to reducing crime and disorder as outlined in the information provided in the body.

### **Financial Implications**

31. 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 Place and Communities Committee notes the updates from the previous meeting and the various developments in the areas of work contained in the report.

**Derek Higton**  
**Service Director, Place and Communities**

**For any enquiries about this report please contact:** Mark Walker, Group Manager Trading Standards & Community Safety x 72173

### **Constitutional Comments [SLB 18/04/2018]**

32. Communities and Place Committee is the appropriate body to consider the content to the report. If Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments [SES 19/04/2018]**

33. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

- None

### **Electoral Division(s) and Member(s) Affected**

- All