

**2 July 2020****Agenda Item:8****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****UPDATE ON KEY TRADING STANDARDS AND COMMUNITIES MATTERS****Purpose of the Report**

1. To update the Committee on key Trading Standards and Communities matters, including the role the Service has played in the County Council's response to the COVID-19 emergency.

**Information****TRADING STANDARDS****Response to COVID-19:**

2. **The Health Protection (Coronavirus, Restrictions) England Regulations 2020-** Trading Standards share responsibility with Environmental Health for the enforcement of the aspects of this legislation that relate to the closure of and restrictions on businesses during the emergency period. To ensure effective co-ordinated enforcement, local working arrangements have been put in place so that each enforcement authority involved knows what areas they are responsible for. Intelligence about areas of non-compliance and best practice is being shared to ensure consistency of enforcement across the county.
3. During the period 16<sup>th</sup> March 2020 to 3<sup>rd</sup> June 2020 the Service received a total of 378 complaints/enquiries that were related to COVID-19. The main areas of focus are:
  1. Traders operating against the requirements of the Regulations: 125
  2. Traders not applying social distancing rules : 68
  3. Consumers who have not had a contract fulfilled: 128
  4. Traders wanting business advice: 24.
  5. Excessive pricing ("price gouging"): 24
  6. Other pricing or scam issues: 9
4. Throughout the county, officers have been offering business advice and guidance via phone to deal with any non-compliances that have been detected and so far have not had to issue any prohibition notices.
5. As the lockdown measures have been slowly eased, the distribution of complaints/enquiries coming into the Service has changed. Initially the Service received many more issues with businesses that were still open when they should have been shut but now this has shifted to more enquiries from businesses about how/when they can open safely.

6. The types of businesses that have been advised have ranged from independent dog groomers, car washes, vaping shops, manufacturing sites and garden centres.
7. The Service continues to feed daily data about what businesses have been advised and action taken into No.10, the Cabinet Office and MHCLG alongside all other local authorities.
8. **PPE Safety** - Trading Standards Officers have been working alongside NCC Health & Safety colleagues to risk assess the PPE that the Council is purchasing for staff to use, outside of the LRF distribution channel. Due to the usual supply chains being disrupted, suppliers have been sought that are unknown so extra checks are taking place on any product being supplied, to ensure they meet the essential safety requirements.
9. Officers have completed due diligence checks on the paperwork provided with 9 supplied products which were all various types of mask. We have found fake/invalid documentation, masks which are not legally permitted on the UK market, mismatching documentation to product images and missing documentation/ markings on the product. In all of these cases the products did not meet the essential safety requirements demanded by the legislation so would not afford the protection necessary against COVID-19.
10. Officers have provided civil advice to a partner care provider who was concerned that they had been scammed over the non-delivery of 2000 aprons ordered.
11. The Service dealt with a referral from the Office of Product Safety and Standards concerning a Nottinghamshire distributor advertising masks described as FFP2, but which did not comply with EN 149 labelling requirements. The products have been suspended from sale (voluntarily by the business) and officers are working with the business on corrective action. Referrals have been made to the relevant Trading Standards authorities in relation to the supplier to the Nottinghamshire business.
12. Support was provided to a Nottinghamshire trader who voluntarily removed their own branded hand sanitiser off the market, due to non-compliance with the relevant safety standards, which would have assured its anti-bacterial effectiveness.
13. **Support to Businesses** - The Commercial Services team continue to provide support to Primary Authority businesses to meet the continually evolving challenges that COVID-19 brings to the trading environment. In particular officers advised two national retail chains on whether they were required to halt their operations during the lockdown process, in each case concluding that this was not required.
14. Officers have provided advice to two Nottinghamshire start-up businesses, on the complex legal requirements relating to their particular product areas, to enable them to supply safe and compliant products to the market place and develop an alternative income for themselves.
15. **Nottinghamshire Coronavirus Community Support Hub** - The Service has been integral to the setting up of the Hub, which aims to bring together the many local volunteer groups offering help with those staying at home because of Coronavirus and have been involved since the outset.
16. Trading Standards have developed a system of checks, training and associated risk assessment for individual volunteers to the Hub. This aims to keep the county's residents as safe as possible when using the Hub and to give training, guidance and support to the volunteers. Individual volunteers provide a reference that is checked by Trading Standards

staff and also have their identification checked by Yoti.com, working in partnership with the County Council to provide digital identification cards.

17. Trading Standards has also put a lot of work into supporting the Groups that have registered with the Hub. Telephone calls were made to 89 newly formed groups, set up in response to COVID-19, to provide some guidance and support. A guidance pack for groups has also been produced, along with an example risk assessment and safeguarding training. These resources have been sent to the 89 groups and also uploaded onto the Nottinghamshire Coronavirus Community Support Hub webpage for public viewing, so that other groups can make use of them if required.
18. The Service worked with the Programme and Projects Team to set up a system with the Nottinghamshire Fire Service and the Red Cross for the delivery of controlled medication across the Local Resilience Forum. The development of this system means that there is an effective and safe system in place for the delivery of controlled medication to some of our most vulnerable residents.
19. **Environmental Weight Restrictions (EWR)** - All physical operations initially had to stop due to COVID-19 but follow up work from previous operations continued. Community Lorry Watch reports have also continued to be processed.
20. By risk assessing EWR work, a new method of working has been introduced and 4 operations were completed the week commencing 25<sup>th</sup> May 2020. Due to its success, all operations will now be conducted via this method.
21. **Nominated Neighbour** - prior to the COVID-19 lock-down an officer conducted a joint visit with a Newark and Sherwood District Council colleague to a resident in Southwell and as a result the resident signed up to the Nominated Neighbour Scheme.
22. Officers will continue to work with Newark and Sherwood District Council, who have agreed to look at areas of housing where they believe the Nominated Neighbour Scheme would have the most benefit.
23. **Preventing Fraud against the Vulnerable** - A vulnerable resident in Bassetlaw contracted with a trader to have roofing repairs and paid all monies( £800) upfront before Christmas 2019. The resident contacted Trading Standards because no work had been done. Following intervention by Officers the trader agreed to provide a full refund to the resident.
24. In response to a Nottinghamshire police referral via the Multi-Agency Safeguarding Hub (MASH), officers provided support to an elderly victim of doorstep crime in Gedling. Officers contacted the victim's family to offer support and sent out a package of material, including a CCTV camera to try and help prevent further incidents.
25. Trading Standards scams prevention work has been continuing throughout the COVID-19 emergency. Instead of home visits, officers have been contacting residents by telephone and providing support and advice, which includes information on be-friending and telephone support lines to help combat loneliness during the pandemic lockdown.
26. **Neighbourhood Alerts** - In the last two months six Neighbourhood Alerts have been put out by Trading Standards. These have included general fraud prevention messages and alerts in response to reports received of cold callers operating in Nottinghamshire.

26. **Investigations & Legal Update** - Officers have continued to effectively conduct investigations during the COVID-19 lockdown period with working methods being successfully adapted to liaise with traders, consumers, witnesses and partner agencies via remote communication methods.
27. The courts are still operating, albeit in a limited capacity. Where possible hearings are taking place over video link and jury trials are due to commence on 15<sup>th</sup> June 2020.
28. Doorstep Crime – a trial is due to commence in June 2020 relating to fraud charges against a builder for making false representations to customers about building work on their properties. He appeared in Crown Court in November 2018 and pleaded not guilty to 8 counts and since this date further offences have come to our attention and the court dates moved to accommodate this.
29. Animal Health – a man has been charged with offences under the Rabies Act relating to the illegal landing of a puppy. He was due to appear in the magistrate's court on 18<sup>th</sup> January 2020, failed to attend and an arrest warrant was issued. He is charged with offences under the Rabies Act and Fraud Act.
30. Animal Health- A Lincolnshire farmer has been charged with the theft of sheep, animal by-product breaches and failure to maintain records of animal movements. He pleaded not guilty to the offences and his trial was put back until March 2020 and then adjourned further to October 2020.
31. Illicit Tobacco -There are 3 illicit tobacco cases waiting for trial in the Crown Court. One is listed for September 2020, one October 2020 and a further case for April 2021. The cases involve 3 different retail shops: Kubus at Worksop, Kubus at Mansfield and Supernews at Stapleford.

## COMMUNITIES

33. **COVID-19 Community Fund** - As a rapid response to the the coronavirus pandemic the County Council established an £1 million Nottinghamshire COVID-19 Community Fund on 24<sup>th</sup> March 2020. The Fund has been created to help communities as they respond to exceptional challenges over the coming months. Its aim is to support local charities and community organisations that are delivering essential services to vulnerable Nottinghamshire residents impacted by COVID-19.
34. Community and voluntary groups can apply for a grant of anywhere between £200 to £10,000 to deliver projects or services that meet the Nottinghamshire COVID-19 Community Fund criteria. In the response stage of Covid-19. the priority for the Fund was to support projects that directly helped vulnerable people affected by the effects of COVID-19, such as by providing access to food, toiletries, necessities, as well as projects to help vulnerable people in isolation and projects which are already set up and are incurring extra costs as a result of helping vulnerable people. Work is being developed on how the Fund continues to support communities through the recovery phase of COVID-19.
35. The Local Improvement Scheme Capital Round 2020/21 has been delayed as a result of Covid-19. 180 applications had been received, and have been subject to a rigorous assessment process in March 2020.
36. As a result the spread of Covid 19, all applicants were contacted via email to let them know that as a result of the emergency, the process has been temporarily paused. The Team has

been refocussed on designing, launching and administering the £1m Covid 19 Communities Fund.

37. As the transition and recovery develops it is anticipated that the process for dealing with the 2020/21 LIS Capital Round will re-commence in Autumn 2020. This will include contacting all applicants to confirm with them if they are interested in pursuing their original applications.
38. The Communities Team have developed the criteria for the Fund and managed delivery. Applications are invited as part of a rolling programme and processed on a day by day basis. To date 170 groups have been awarded a total of £451,740.
39. **Financial Health and Resilience of the Community & Voluntary Sector across Nottinghamshire** - In response to the longer-term impact of COVID-19, The LRF has commissioned a piece of work to start to look at the health and resilience of the C&VS across Nottingham and Nottinghamshire. The Communities Team is leading this work which is bringing together partners from District and Borough Council's, health and the voluntary sector.
40. Nationally and locally, charities and voluntary organisations are being hit hard by the COVID-19 restrictions. Things are moving incredibly quickly, and communities are still struggling to understand the likely scale of the crisis. The work being undertaken is looking at developing a systems approach to tackling the challenges faced by communities, for example:
- The impact of reducing face-to-face services and developing new ways of providing support to existing service users
  - Managing increased demand for core services, particularly around advice and information
  - Adapting services to meet new and unexpected need – creating new services and interventions
  - Redeploying staff and supporting them to work from home – implementing new systems, processes and ways of working
  - Providing additional training as well as health and well-being support for staff and volunteers.
41. A survey of the C&VS is currently underway to provide a snapshot of the current state of the sector. The findings will be used to inform measures to support the sector in the longer term. Work will include:
- Developing an integrated approach which supports community asset building and strengthening the resilience of the CVS, recognising that this requires investment
  - Looking at funding and commissioning differently, supporting, for example, integrated panels for funding decisions
  - Capturing good practice, for example, looking at innovative approaches to new working such as pooling resources and joint commissioning.
42. **Armed Forces** – Armed Forces Week began on 22<sup>nd</sup> June with Reservist Day on 24th June to highlight and recognise the valuable contribution Reservists make to the Armed Forces. The County Council held several events on line showing support, which included a workplace talk. Armed Forces Day on the 27th June provided an opportunity to show support for the men and women who make up the Armed Forces community from currently serving troops to service families, veterans and cadets

43. **VE DAY 75** - As a result of Covid-19 a planned celebration for the 75<sup>th</sup> anniversary of VE Day at event at Rufford Abbey Country Park had to be cancelled. Virtual on-line celebrations were planned and implemented by the County Council. These alternative celebrations proved to be a real success with residents from across the county getting involved and engaging positively with the Council. A real sense of community spirit and pride was apparent.

Sergeant Alex Sutton, WWII Veteran 96. From Farndon, Nottinghamshire, served with the Parachute Regiment was the county councils poster boy, reflecting on VE Day was quoted as saying, "It was the most joyous day. along with my mates, we all knew we were going home. I will never forget that feeling of happiness." Alex was also kind enough to share stories and poetry he had written which is visible on the public website.

<https://www.nottinghamshire.gov.uk/culture-leisure/heritage/ve-day-75-celebrations>

The dedicated VE Day webpage went live on 1 May 2020 and received over 10,000- page views, most of these visits occurring in the four days leading up to and including VE Day.

A range of resources were created by NCC that residents could download and use as part of their stay at home celebrations. These included:

- War time pick and mix sweets quiz – 511 downloads
- Colour in thank you poster – 478 downloads
- Bunting template – 429 downloads
- Questions of honour quiz – 406
- Colour in VE Day poster – 404 downloads
- Ministry of Food quiz – 381 downloads
- VE Day song sheet – 3939 downloads
- Keep Calm and Bake Cakes recipe card – 321 downloads
- Create your own VE Day hat – 282 downloads

The engagement NCC received on the day, especially on social media, was amongst the highest levels seen for a one-day event.

Officers are developing a similar approach with regards to VJ Day in August 2020.

## **Other Options Considered**

44. None.

## **Reason/s for Recommendation/s**

45. To ensure appropriate political oversight of key Trading Standards and Communities matters.

## **Statutory and Policy Implications**

46. 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.

## **Financial Implications**

47. None.

## **RECOMMENDATION/S**

That the Committee:

- 1) Considers the updates and highlights any actions required.

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

**For any enquiries about this report please contact:** Mark Walker, Group Manager Trading Standards & Communities, Tel: 0115 977 2173

## **Constitutional Comments (KK 05/06/2020)**

48. The proposals in this report are within the remit of the Communities and Place Committee.

## **Financial Comments [RWK 08/06/2020]**

49. There are no specific financial implications arising directly from the 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