



**8<sup>th</sup> January 2013**

**Agenda Item: 5**

## **REPORT OF THE GROUP MANAGER, TRADING STANDARDS**

### **UPDATE ON KEY TRADING STANDARDS MATTERS**

#### **Purpose of the Report**

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

#### **Information and Advice**

2. **Electric Blanket Testing** – In 2012, 8 test days were conducted, with 456 blankets being tested and 62% found to fail safety requirements. Two hundred and eighty (280) replacement blankets were issued to older and vulnerable adults. In October, a 90 year old resident suffered a house fire caused by their old electric blanket.
3. The age of the failed blankets is a major safety concern, with many being over 20 years old and some as old as 50 years old. Blankets over 10 years old should be replaced due to wear and tear, and improvements in safety standards. Staff have learned how to identify old blankets from their design, colour and serial numbers.
4. During January, the Team will use a new tactic to remove unsafe old electric blankets from use. In the authority's "Electric Blanket Exchange" campaign, older and vulnerable residents will be invited to ring in - officers out and about on visits will visit them at home, and will replace any blankets found to be over 10 years old. The Team hope this will help reach even more vulnerable residents and more flexibility than the test days used so far.
5. **Illegal Money Lending – month of action** - In November, the team joined up with the national Illegal Money Lending Unit in a month long campaign to raise awareness of illegal money lending. Activities were focussed on Mansfield, Ashfield and Worksop which have been identified from demographics as the areas most likely to suffer from illegal money lending activity. Front line staff from a number of agencies received training on the community impact of illegal money lending, and how to recognise and report any problems.
6. An awareness event was held in Mansfield marketplace, where a life size Stan the Loan Shark was used to attract interest to the stand. Questionnaires were completed by partner agencies and prison visitors, with the results being used to focus future enforcement and awareness raising campaigns. The month of action aims to increase the number of vulnerable residents contacting the loan shark hotline, as comparison with national data trends indicates the issue is currently much underreported in Nottinghamshire.

7. **Illicit Tobacco** - In November, officers joined forces with HM Revenue & Customs (HMRC) colleagues to target premises suspected of selling illicit tobacco. Sniffer dogs uncovered illicit tobacco at 3 of the 5 premises visited - one Ashfield retailer was hiding a mix of counterfeit and non-duty paid goods inside 2 vacuum cleaners. In total, 24 packs of counterfeit cigarettes and 13 pouches of counterfeit tobacco were recovered by Trading Standards, whilst HMRC officers seized 3,660 cigarettes, 2.9kg of tobacco and 52 bottles of wine. The total high street value of items seized was estimated to be £3,000. Investigations are ongoing.
8. **Illicit Alcohol** - In December, Trading Standards Officers visited 50 off-licences in a pre-Christmas counterfeit alcohol enforcement campaign. The operation aimed to gauge the effectiveness of the team's previous interventions and extensive media coverage, which raised public awareness of the dangers of counterfeit alcohol and warned retailers of the consequences of being caught. Over the last year the team have caught seven premises selling counterfeit alcohol resulting in three prosecutions, three written warnings and one court case pending. Retailers also risk having their alcohol licence suspended or revoked.
9. **Suspected Illegal Landing** - Officers responded to reports regarding two dogs that were found running loose in the Bingham area. Following capture, one was found to have a French microchip and as such, had to be treated as being in the country illegally until officers had seen passport documentation to show the dog had had the required rabies vaccinations. Having begun to put quarantine arrangements in place, the owner was traced and presented the documentation to show that the dog was in the Country legally.
10. **Animal Disease Contingency Exercises** - The County Council is required to have Animal Disease contingency plans in place, and to test readiness for potential outbreaks. As such, Trading Standards has recently been involved in two exercises.
11. For the first, the Service hosted an Avian Flu event - 53 attended included officers from neighbouring authorities, vets and Animal Health and Veterinary Laboratories Agency (AHVLA) managers. The day considered a simulated outbreak and focussed on coordinating the responses that the various partners would need to make.
12. The Service also took part in AHVLA two-day exercise to test responses to a fictional Foot and Mouth disease outbreak at a premise within the County. A Trading Standards Officer was based at Lincoln to provide a link between the control centre and the operational response. During the test, the Service provided information on animal movements to and from the fictional infected premises, and identified resources to patrol and restrict the movement of vehicles, individuals and animals within the restricted zones surrounding the premises over an extended period.
13. Both exercises provided a good opportunity to assess the team's plans and readiness should a disease outbreak occur. The subsequent debriefs and lessons learned will feed into contingency planning and improve future responses.
14. **Fallen stock** - Dead animals and other animal by-products must be disposed of by law in an approved manner. The Service occasionally receives reports from members of the public, two recent examples being:

- A dead sow sighted at a pig unit. Following investigations, the company were given a written warning. New procedures for staff on dealing with dead stock have been introduced by the Company.
  - A dead horse was reported, and investigations revealed that it had been dead for approximately 36 hours. The carcass was removed by a licensed collector. Three other ponies in the same field gave no welfare concerns. The area continues to be monitored as the keepers of the animals are believed not be permanently resident in the locality.
15. **Flooding** - the floods at the end of November posed potential animal welfare and fuel storage risks which the Service helped to actively manage. Officers closely monitored and responded to the developing flood situation.
  16. Officers worked with farmers in proximity to the River Trent, contacting those most at risk to establish local conditions and impact, whether livestock had been moved to safety, and whether they required any assistance. One farm in Newark was at considerable risk at the height of the floods, with surrounding area flooded, and water continuing to rise into the barn areas where his 100 cattle were trying to find refuge.
  17. Officers kept contact with the farmer throughout the rise and fall of the water, and put contingencies in place with a haulier to move the cattle to a place of safety. Newark Livestock Market not only offered assistance, but also to house the animals if necessary. Officers remained in constant contact with the farmer until the height of the flooding had passed. The contingencies put in place were fortunately not required.
  18. With petrol and other fuel stores in the potential path of the floods, the Service made contact with the businesses concerned to ensure that measures were in place to prevent fuel from tanks contaminating water courses. The Service also prepared itself for reports of petroleum leaks in flooded areas – historic leaks are brought to the surface during floods, and the public make reports.
  19. **Business Support** – The service is currently in detailed discussions with a further 6 companies who have expressed an interest in forming Primary Authority Partnerships with the authority.
  20. **Covert Internet Investigations** - Trading Standards officers recently completed a two week assessed course run by the National Policing Improvement Agency (NPIA) in the subject. The internet is an ever growing market place that criminals exploit, and poses significant investigative challenges. This course trained the officer to national police standards on evidence gathering and ensuring compliance with laws governing such work. The authority now has only one of nine such Trading Standards based investigators in the country.
  21. **Safeguarding The Vulnerable** - The Service recently intervened on behalf of a lady who was being held to a contract signed by her late husband to purchase furniture. Unfortunately, he died suddenly, and his wife who was also very ill found she could no longer afford the furniture. She contacted the company, but they refused to cancel the contract. The company's stance was making her very anxious and was making her health worse. Following discussions with the company, the company eventually agreed to cancel the contract.

22. **Food Standards Agency (FSA) National Review of Official Food & Feed Controls** - The FSA met recently with Trading Standards Officers to look at how effectively the two work together and to investigate what improvements could be made in order to enhance 'official controls'. The event was part of an evidence gathering program to scope out improvements and alternatives as part of the far reaching national review. The review will be concluded around May 2013.
23. **Environmental Weight Restrictions and Lorry Watch** - During October and November 2012 enforcement exercises were carried out, identifying 49 vehicles to be in excess of the permitted weight limit. At the time of writing, 21 vehicles were found to have legitimate reasons, 3 received official warnings and the remaining vehicles are still under investigation.
24. Two more Community Lorry Watches will be launched imminently, in the villages of Tollerton and Cromwell. Both areas have recently had new weight restrictions introduced, and the local residents are very keen to help reduce the number of vehicles breaching the restrictions. To date, around 120 intelligence reports have been received from observations made by members of these two communities.
25. **Scambusters** - The Regional Team has been heavily committed to leading a major national fraud investigation. This culminated in a series of co-ordinated raids on premises across the Midlands, South and South West of England on 15<sup>th</sup> November, supported by Trading Standards, the Police and the National E Crime Team. Over 1,400 sacks of evidence were recovered and examined. The fraud potentially runs into millions of pounds, and affects businesses and members of the public in Nottinghamshire, other parts of the UK and Europe. Such is the importance of the investigation, the team has been allocated additional funding from Central Government to tackle it, as previously reported.
26. **Legal Action Update** - Paul Lawrence who had previously been prosecuted for the sale of counterfeit dvds earlier this year, recently pleaded guilty to further offences of a similar nature. He was sentenced at the Crown Court on the 5<sup>th</sup> November, and was given a 10 month prison sentence. He is also now subject to a Proceeds of Crime Investigation.
27. Jarvis Jenkins was sentenced at the Crown Court on the 7<sup>th</sup> November 2012, for conducting poor quality work on peoples' homes. He was given a 10 month suspended sentence on one charge, 8 months suspended sentence on another charges, given a 180 hours community punishment order, and was made the subject of a curfew order for three months. A Proceeds of Crime investigation has now started.
28. On the 8<sup>th</sup> November, Darren Sharpe pleaded to several counts of fraud. His business associate Christopher Simpson is still to enter a plea regarding the alleged fraudulent sale of mobility aids. The next hearing is the 18<sup>th</sup> December 2012, when it is anticipated that if Simpson pleads guilty, they will both be sentenced. If Simpson pleads not guilty, his case will be adjourned for a trial in April 2013.
29. On 26<sup>th</sup> November, John Cooney of Radcliffe-on-Trent was sentenced to six months imprisonment for the mis-selling of mobility aids. This was in respect of the breach of an injunction the Authority had obtained against him for previous similar actions. Cooney's former business partner, Carl Mould was sentenced to 4 months imprisonment in August. The Judge told Cooney that he had shown "misplaced leniency" when Cooney previously

appeared before him, and also said that if he had the power he would prevent Cooney from ever dealing with vulnerable and older people.

30. Lee James and Nicholas Densham are due to appear for a second time on the 5<sup>th</sup> December 2012. We will allege that James had been changing customer's steel beam orders and sending out different specification beams to those ordered, for financial gain, assisted by Densham.
31. Carl Mould, who recently served the prison sentence for contempt of Court regarding the mis-selling of mobility aids, is due in Court once again on the 7<sup>th</sup> of December to face criminal charges. The County Council will allege that Mould has committed a number of Fraud offences.
32. A further man who was selling counterfeit dvd's on Hucknall market is due in court on the 19<sup>th</sup> December 2012. A small amount of copying equipment was also seized from his home address.
33. A Mansfield retailer found to be selling counterfeit Jacobs Creek wine, is due in Mansfield Magistrates court on the 24<sup>th</sup> January 2013.

## **Statutory and Policy Implications**

34. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

It is recommended that:

- 1) the Committee notes the contents of this report.

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## **Background Papers**

None.

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

All. CS17