

20th November 2012

Agenda Item: 4.

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** – 155 electric blankets were tested in October for older and vulnerable people, at test days in Worksop, Carlton and West Bridgford. Eighty-five (55%) of the blankets tested failed, due to defects or their age. Over 60% of the failures were over 20 years old, while 2 were over 50 years old. Replacements were issued in exchange for those that failed, and the old blankets donated to animal charities for bedding.
3. The weekend after the tests, a 90 year old resident suffered a house fire caused by their old electric blanket. A new replacement blanket has since been supplied to the resident involved.
4. **Counterfeiting** – officers have seized a quantity of counterfeit “Stanley” utility knives from a trader in the Broxtowe area. Investigations are ongoing.
5. **Fireworks** – in the run up to 5th November, Trading Standards visited licensed/registered firework retailers in the County to ensure fireworks were being stored and sold legally and safely. Overall it was a positive picture this year with the majority of retailers clearly taking their responsibilities seriously. Trading Standards officers worked with a few retailers to remedy the minor storage issues identified.
6. The Service ran a media campaign to invite information from the public about premises suspected of storing fireworks illegally or selling fireworks to children. Officers conducted a test purchase exercise assisted by under age volunteers and can report that no sales were made. Good media coverage was received in the local newspapers promoting Trading Standards role in this area of work and relaying key messages regarding safe storage of fireworks at home.

7. **Safeguarding the Vulnerable –**

- Scam awareness training to building society staff earlier this year recently paid dividends. A building society employee intervened to prevent an older scam victim withdrawing money, and also alerted Trading Standards. Officers discovered she had paid a considerable amount to numerous mailing scams, and are now working closely with relatives and social care colleagues to protect her from future scams.
 - National Consumer Week (12th-19th November) – this year's theme is "Cold calling - don't buy it!" The Service is taking part in a national campaign to protect the vulnerable in their own homes, by raising awareness, by giving them the confidence to say 'NO', and by help them to understand that anyone refusing to leave their property is committing a criminal offence.
 - Training was delivered with City colleagues in October to health and social care staff at an event at the Disability Living Centre in Nottingham.
 - Officers will attend the Nottinghamshire Safeguarding Adults Partnership Event on 20th November. The event focuses on the risks to vulnerable adults living within the community, and will include presentations on the work of the Service.
 - Police control room staff will be visiting the Service on a rolling programme from December, as part of their ongoing training. This new initiative aims to enhance communications and intelligence exchange between both organisations, and to improve joint responses to doorstep crime and similar incidents.
8. **Environmental Weight Restrictions and Lorry Watch** - Between June and October, 18 enforcement exercises were conducted. Details of 146 lorries were recorded and checked, of which 108 had legitimate reason to be in the areas. Sixteen have been warned and 22 are still under investigation.
9. Trading Standards continue to work closely with the community in two parish councils within Newark & Sherwood where restrictions have recently come into force. Some road layout features contribute to problems the community are encountering. Officers are working with Highways, the Police and local businesses to find ways to address some of these, whilst it is hoped that Community Lorry Watch Schemes can be launched soon within both.
10. **Metrology** - Two delegates from the Russian Metrological Research Institute were present to observe one of our officers recently testing the rail weighbridge at Thoresby Colliery. The visit was to give insight into UK testing requirements - the information gained will be used to write test procedures for equivalent equipment in Russia.
11. **Review of Food Controls** - The Food Standards Agency is reviewing the official controls in place for food hygiene, food safety, traceability and analysis. This will cover activities conducted by Trading Standards, Environmental Health and Port Health.
12. The purpose of the review is to evaluate existing activities and assess effectiveness. The first stage of the review is a questionnaire sent to all local and Port Health Authorities to gather data and a response has been submitted. The Committee will be kept updated as the review develops.

13. **Food Law Enforcement** - officers responded to calls from the Police and Environmental Health colleagues to carry out a joint visit at a food re-labelling factory they had concerns about. Fortunately, it was established that the factory was compliant regarding Trading Standards matters.
14. **Safeguarding of inheritance** - officers are currently investigating a potential national fraud regarding the mis-selling of legal services to older and vulnerable consumers. Thousands of pounds have been charged by a business for a product that the Service alleges is falsely claiming to protect the buyers' assets to avoid them having to pay care home charges in the future. The investigation is currently in advanced stages. The main suspect behind the scheme was discovered to have been using a false identity, and is currently serving four months imprisonment for outstanding offences recorded under his real name.
15. **Support for Business** - two new Primary Authority partnerships with local businesses have recently been formed, taking the total to 15.
16. Shop workers cite the fear of verbal or physical abuse as reasons for selling age restricted products to those under 18. In order to better understand the issues, a Primary Authority company invited Officers to a forum where staff spoke honestly about why on occasions they might not follow procedures. The information gathered from this meeting will form the basis of legal advice the Service will provide as part of the Primary Authority partnership.
17. **Legal Action Update** - following his committal to Crown Court, Graham Jenkins (also known as Jarvis Jenkins) pleaded guilty on 3rd October to a number of charges in relation to poor quality work he carried out on several peoples' homes. He will be sentenced on the 8th November.
18. Maxwell Alvey, sentenced in September to 4 years imprisonment for fraud relating to van 'clocking' and the theft of money from his aunt, appeared on 26th October for a Proceeds of Crime hearing. The court ruled that Alvey had benefitted from his crimes to the value of £425,000, and he was given a confiscation figure of £205,000.
19. The court ruled that from the £205,000, £125,000 would go to Alvey's aunt, whilst £55,000 will be shared amongst ten vehicle clocking victims. The remaining £25,000 will go into the Home Office, with a proportion to come to the Council via the incentivisation scheme. Alvey has until 30th April 2013 to pay the £205,000, or face a further 30 months imprisonment for default.
20. James William Thomas of Mansfield, the man sentenced at Nottingham Crown Court to 100 hours community punishment for selling counterfeit cigarettes and tobacco, appeared in court on the 19th October for a Proceeds of Crime hearing. He was given a confiscation figure of £8,000 and ordered to pay £3,000 costs, both to be paid within 4 months.
21. Mr Tak Kin Lai of Ashfield Stores appeared in court on the 24th October for the sale of cigarettes to a person under the age of 18. He had refused the sale of alcohol, but sold cigarettes to our young volunteer instead. He received a £300 fine and was ordered to pay £200 costs.

22. Paul Lawrence, who was prosecuted for the sale of counterfeit DVDs earlier this year, pleaded guilty to further similar offences. On 6th November he attended Nottingham Crown Court for sentencing and received a ten month prison sentence.
23. Following a complex investigation, two men appeared in court on the 5th November for fraud matters. It was alleged the men had been involved in supplying different specification steel beams to those ordered, for financial gain. The fraud had serious safety implications, as the actions of the two men resulted in under-strength beams being installed in buildings. Trading Standards officers have liaised with local building control officers, and have contacted numerous builders and property owners affected.
24. **Legal Action Update – Regional Operations Unit (“Scambusters”)** - Darlington trader Kieran Calvert, who carried out poor standard guttering and fascia improvements under the guise of reputable companies, pleaded guilty to 19 charges under the Fraud Act on 3rd October. The offences dated from September 2010 to August 2011, with frauds totalling £27,000. Calvert was sentenced to 18 months in prison by the Crown Court.
25. Two more individuals are due in Nottingham Crown Court on the 9th November, regarding the mis-selling of mobility aids to older and vulnerable adults.

Statutory and Policy Implications

26. 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 the Committee notes the contents of this report.

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For any enquiries about this report please contact:

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Background Papers

None.

Electoral Division(s) and Member(s) Affected

All.

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