

**MINUTES** of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 12.15 pm on 25 September 2019 at County Hall, Aylesbury, Buckinghamshire, HP20 1UA.

**The meeting started at 1.00 pm.**

These minutes are subject to confirmation by the Committee at its meeting on 25 March 2020.

**Elected Members:**

\*In attendance

- \*Ms Denise Turner-Stewart (Co-Chairman) Surrey County Council
- \*Noel Brown (non-voting) Buckinghamshire County Council
- \*Gareth Williams (Co-Chairman) Buckinghamshire County Council
- \*David Harmer (non-voting) Surrey County Council

**In attendance**

Steve Ruddy, Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Wendy Morgan-Brown, Head of Registrars, Coroners, Archives and Trading Standards, Buckinghamshire County Council

**13/19 APOLOGIES FOR ABSENCE [Item 1]**

There were no apologies.

**14/19 MINUTES OF THE PREVIOUS MEETING: 28 MARCH 2019 [Item 2]**

The minutes were agreed as a true record of the meeting.

1. It was noted that the 5<sup>th</sup> bullet point under item 7; 9/18 Performance and Joint Service Budget, should read "That the number of convictions was currently 12..." as the figure referred to the number of a variety of convictions, not solely money laundering.

The minutes were signed by the Chairman.

**15/19 DECLARATIONS OF INTEREST [Item 3]**

There were none.

**16/19 PROCEDURAL ITEMS [Item 4]**

**17/19 MEMBERS' QUESTIONS [Item 4a]**

There were none.

**18/19 PUBLIC QUESTIONS [Item 4b]**

There were none.

**19/19 PETITIONS [Item 4c]**

There were none.

**20/19 FORWARD WORK PROGRAMME [Item 5]**

**Declarations of interest:**

There were none.

**Key points from the discussion:**

1. It was noted Brexit was on the forward plan.
2. The Joint Volunteer Recruitment programme would be a verbal update.
3. March 2020 – An updated enforcement policy would be presented before the new Buckinghamshire Council goes live on 1 April 2020.
4. Food and Feed Control Plan to be added to March 2020.
5. Emerging Issues report to be a standing item on the forward plan.
6. Consumer White Paper report to be added – date to be confirmed.

**RESOLVED:** The Committee agreed the Forward Work Programme.

**21/19 ACTIONS AND RECOMMENDATIONS TRACKER [Item 6]**

**Declarations of interest:**

There were none.

**Key points from the discussion:**

1. The minutes of the previous meeting provided an update on the discussion of item A8/17; it was agreed that the item would be removed from the tracker.

**RESOLVED:** The Committee agreed the actions tracker.

**22/19 PERFORMANCE AND JOINT SERVICE BUDGET [Item 7]**

**Declarations of interest:** There were none.

**Witnesses:**

Amanda Poole, Assistant Head of Trading Standards  
Steven Ruddy, Head of Trading Standards

**Key points from the discussion:**

1. Officers introduced the report and provided a brief summary. Members noted the following points:

- The report related to the performance for 2018/19 plus the performance for Q1 of 2019/20.
  - All the key performance indicators (KPIs) with numerical targets were met in 2018/19.
  - The other key performance indicators showed how well the service was performing against priority areas.
  - A wide volatility range was evident in KPI 2 – Protect residents by stopping rogue traders operating in Buckinghamshire and Surrey.
2. In regards to KPI 2, Members asked if the trend was seasonally driven. Officers stated that it was not seasonally driven; some offences happened all year round whereas for some there was a slight seasonal variation e.g. the spring time showed a rise, however this did not correlate to the outcomes after investigation and the court process as there is wide variation in how long this takes. Members stated it would be useful to have a chart showing when an issue took place and when it was brought to trial to see if there was pattern of offending. The officer explained that an increasing number of cases tended to have multiple elements such as fraud and money laundering.
  3. The number of volunteer hours had increased in 2018/19 and was high in Q1 of 2019/20. The officers had been in discussion with the Fire Service in Surrey with the aim of encouraging further volunteer engagement. Surrey County Council posted volunteering roles as a job opportunity and found that volunteers who were engaged tended to return, particularly if they had a specialist interest. Buckinghamshire County Council tended to recruit volunteers through local events e.g. illicit tobacco roadshows and anti-scam talks. It was noted that members of the street associations were only counted in the volunteering hours if they had been involved in certain tasks e.g. providing a scam awareness talk. The officer explained that they were keen to increase the number of volunteer hours devoted to priority areas rather than increase the number of volunteers; the preference was for quality rather than quantity.
  4. The KPIs would be reviewed post-Brexit and would tie in with the Association of Chief Trading Standards Officers (ACTSO) Impacts and Outcomes Framework.
  5. Trading Standards Inputs and Outcomes Data Return - ACTSO was encouraging a voluntary approach across the country to focus on three objectives which fitted with local authority priorities. Local authorities were being asked to collect data and a national data summary would be published, possibly in November 2019, depending on the Brexit situation. The officers requested feedback on what was thought to be useful or not useful in the report. A Member commented that objective 2 – Supporting the Local Economy, should be more specific, e.g. the non-commercial local economy, as a huge part of the economy did not pay any taxes. The report mentioned that “.... services are collectively supporting consumers and honest business nationally” but thought it should be more explicit and should state the period covered. Officers agreed a consolidated briefing note would be provided after every meeting.

6. In response to a query from a Member, officers confirmed the data was not yet available for item 1.9.4 in Objective 2; Supporting the Local Economy.
7. The Chairman commented on the healthy number of Primary Authority Partnerships and asked about the cost of servicing the partnerships. Officers explained that all costs and overheads were covered in the cost recovery mechanism and that the Service was ensuring to maximise what could be included in the charging regime. Reputation was what the service sold business on and was the reason it was priced at the top end of local authorities who do this work.
8. Budget – the Trading Standards budget summary on page 47 showed that the service was on track but there was a risk of an emerging pressure of £100K by the end of the financial year due to impacts of EU Exit on the service income and work. This was the first time since the creation of the joint service that officers had felt the need to express a risk of an overspend; the officers stressed they would be taking steps to manage it. There was the possibility of receiving some funding from Surrey County Council related to Brexit and officers would also be in discussion with Buckinghamshire County Council. A member asked whether there would be a risk to the public if the required legislation (which had not been passed as anticipated due to parliamentary time being taken up with Brexit matters) remained in limbo; the officers confirmed that it would not constitute a risk to the public; it was primarily an income issue. The legislation issue would apply across the country and would be an additional role to deliver. As part of mitigating the risk of an overspend, staff had not been replaced when vacancies had arisen and the risk was expected to reduce over the next six months.

**Actions/ further information to be provided:**

KPI 2 – Officers to consider providing a chart to show when the issues occurred and the length of time taken to be brought to trial.

A consolidated briefing note to be provided after every meeting.

**RESOLVED:**

The Trading Standards Joint Committee:

- I. Noted the Service's performance.
- II. Noted the Service's current financial position.

**23/19 TRADING STANDARDS TOBACCO WORK [Item 8]**

**Declarations of interest:**

There were none.

**Witnesses:**

Amanda Poole, Assistant Head of Trading Standards  
Steven Ruddy, Head of Trading Standards

### **Key points from the discussion:**

1. Officers introduced the report and provided a brief summary. Members noted the following details:
  - Tackling the sale of illicit tobacco was a high priority due to the public health implications.
  - The link between the Trading Standards Service and the Public Health led strategies on smoking reduction and tobacco control.
  - The recent legislation on vaping.
  - The work carried out during 2018/19; i.e. the number of visits to premises in Surrey and Buckinghamshire and the number of illicit tobacco roadshows. Sniffer dogs were sometimes used when visiting premises as some traders went to significant lengths to hide the illicit tobacco. The illicit tobacco roadshows raised awareness that anyone buying illicit tobacco was fuelling the economy; people were encouraged to tell Trading Standards Officers where they obtained their illicit tobacco.
2. A member asked if there was capacity to increase visits to premises with sniffer dogs. Officers stated that the visits were always announced and that the sniffer dogs had been reasonably successful. Sniffer dogs were also used at the roadshow events. A member suggested summer fetes could be used to run roadshow events.
3. More roadshows are planned to be carried out during 2019/20, along with more sniffer dog days.
4. The Trading Standards officers were in discussion with the Public Health teams to try and find more intelligence about which shops are selling illicit tobacco to enable the Trading Standards Service to target work and be as effective as possible.
5. Prosecutions were being carried out on those traders found with illicit tobacco. A Member suggested this be publicised. The Officers confirmed that the Communications team helped write their press releases for any convictions.

### **Actions/ further information to be provided:**

Officers to consider running illicit tobacco roadshows at summer fetes.

### **RESOLVED:**

The Trading Standards Joint Committee:

- I. Considered the report as a reflection of activity over the financial year 2018/19
- II. Endorsed the activities which would be undertaken in 2019/20.

## **24/19 EMERGING ISSUES FOR TRADING STANDARDS [Item 9]**

### **Declarations of interest:**

There were none.

### **Witnesses:**

Amanda Poole, Assistant Head of Trading Standards  
Steven Ruddy, Head of Trading Standards

### **Key points from the discussion:**

#### **a. Sales of Knives to Under 18s**

1. Officers introduced the “Sales of Knives to Under 18s” report and provided a brief summary. Members noted the following details:
  - The Committee had been briefed previously on, the police led, Operation Sceptre and the level of sales of knives to persons under the age of 18.
  - It was noted that a date had been arranged in October 2019 to carry out an operation with the Police in Surrey, but the location was unknown at the time of the meeting. Officers reported that last year Trading Standards was reliant on the Police approaching them with information. Operation Sceptre was now more established but a Member felt the service needed to be more proactive on acting on intelligence and having input into the area to be targeted. The Member also commented that the sale of knives to persons under 18 was an established issue rather than an emerging issue. Officers explained that the focus had moved from the sales of cigarettes to the sale of knives.
2. A Member asked if there was a policy to carry out the operation jointly with the police. Officers explained that Trading Standards worked with the police, partly because of Operation Sceptre, and also to help develop the relationship with the police for test purchases in Buckinghamshire and Surrey. The police cadets were used to attempt to buy knives and would probably also be used for test online sales.
3. Trading Standards tended to enforce the legislation and carry out any prosecutions that resulted.
4. Officers acknowledged that there was always more that could be done but it would take away resources which were already stretched.
5. The government had identified the top ten areas in the country for knife crime and had increased resources in these areas. However, neither Buckinghamshire nor Surrey was in the high risk top ten. Trading Standards had managed with existing resources. After a brief discussion on resources and target areas; the Chairman stated that targeting was valid but did not feel more resources were required in this area; he would prefer to see more resources on scam awareness.

**Actions/ further information to be provided:**

Officers to investigate the areas to target in Surrey and liaise with the Youth Offending Service.

**RESOLVED:**

The Trading Standards Joint Committee endorsed Trading Standards working with the police on this issue and to carry out the test purchase operations as suggested in the report.

**b. Enforcement of Road Weight Restrictions**

**Key points from the discussion:**

1. Officers introduced the “Enforcement of Road Weight Restrictions” report and provided a brief summary. Members noted the following details:
  - Neither the Trading Standards Service nor the police had engaged actively in this area for a number of years due to a lack of resources.
  - There were local concerns over heavy weight vehicles causing harm to bridges and damaging infrastructure.
  - Officers had worked in partnership with the Surrey Heath Police division to investigate two locations and would use the information learned.
  - The pilot aimed to raise the profile of what could be undertaken and also act as a deterrent.
2. It was noted that the pilot could open up a potential demand which the Service would struggle to meet.
3. A member commented that the Police needed to be behind the scheme as otherwise it would be seen as wasting time; the Member also suggested issuing a joint letter to Thames Valley Police and Surrey Police; it was agreed this should wait until after Brexit.
4. Oxon were installing an ANPR camera to check vehicles; however, officers explained that it could be quite complex to enforce and expensive. It would involve a large investment to put in place as there was the cost of the cameras, licensing and GDPR procedures to comply with. There were also exemptions which would apply.
5. The building of HS2 and the third runway at Heathrow would result in many more heavy vehicles on the roads in the county and it was agreed it would be useful to monitor the situation and receive feedback on the pilot scheme.

**Actions/ further information to be provided:**

Officers to consider issuing a joint letter to Thames Valley Police and Surrey Police after Brexit.

**RESOLVED:**

The Trading Standards Joint Committee;

- I. Endorsed the pilot operation in Surrey and supported a pilot operation in Buckinghamshire.
- II. Considered any issues arising from these operations in a subsequent report to be brought to the Joint Committee in spring 2020.

**25/19 DATE OF THE NEXT MEETING [Item 10]**

The Committee noted that its next meeting will be held on 25 March 2020.

Meeting ended at: 2.25 pm

---

**Chairman**