

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 10.00 am on 10 October 2018 at County Hall, Aylesbury, HP20 1UA.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 28 March 2019.

Elected Members:

- * Denise Turner-Stewart (Co-Chairman)
- * Noel Brown (Co-Chairman)
- * Richard Walsh (non-voting)
- * Anne Wight (non voting)

In attendance

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

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

11/18 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Mr Jason Russell, Executive Director, Highways, transport and Environment, Surrey County Council and Ms Gill Quinton, Executive Director, Communities, Health and Adult Social Care, Buckinghamshire County Council.

12/18 MINUTES OF THE PREVIOUS MEETING 29 MARCH 2018 [Item 2]

The minutes were agreed as an accurate record of the meeting held on 29 March 2018.

13/18 DECLARATIONS OF INTEREST [Item 3]

There were none.

14/18 PROCEDURAL ITEMS [Item 4]

15/18 MEMBERS' QUESTIONS [Item 4a]

There were none.

16/18 PUBLIC QUESTIONS [Item 4b]

There were none.

17/18 PETITIONS [Item 5]

There were none.

18/18 FORWARD WORK PROGRAMME [Item 6]

Declarations of interest:

There were none.

Witnesses:

Steve Ruddy, Head of Trading Standards

Key points from the discussion:

- The Head of Trading Standards explained that the performance and budget item on the forward work programme would be a standing item for every meeting.
- The Joint Committee would be looking at Food and Tobacco plans once a year.
- Members requested to have Brexit on the agenda for future meetings to understand the impact going forward.
- Members raised a question on the future operation of Buckinghamshire County Council if the decision was made to become a Unitary Authority.

RESOLVED:

The Joint Committee NOTED the Forward Work Programme.

19/18 ACTION REVIEW [Item 7]

Declarations of interest:

There were none.

Witnesses:

Steve Ruddy, Head of Trading Standards

Key points from the discussion:

None

RESOLVED:

The Joint Committee NOTED the Forward Work Programme.

20/18 PERFORMANCE AND JOINT SERVICE BUDGET [Item 8]

Declarations of interest:

There were none.

Witnesses:

Mr S Ruddy, Head of Trading Standards

Ms A Poole, Deputy Head of Trading Standards

Ms A Poole, Assistant Head of Trading Standards presented the report.

The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee had been asked to note the performance of the service for the financial year from April 2017 to March 2018, and Quarter 1 of the current financial year from April 2018 – June 2018. The information provided covered performance against the seven high level indicators agreed by the Joint Committee and in relation to the service budget.

The Chairman noted all the factors provided by Head of Trading Standards and enquired about the entire cost of the department and all the activities.

Key Performance Indicators were discussed as followings:

- Increasing the financial savings for residents as a result of interventions and investigations.
- Protecting residents by stopping rogue traders operating in Buckinghamshire and Surrey.
- Preventing residents becoming victims through expanding the use and reach of social media alerts, TS Alert! Volunteers and other preventative initiatives to raise awareness of scams, rogue traders and unsafe products.
- Increasing the number of Primary Authority Partnerships.
- Increasing membership of trader approval schemes.
- Working with partners to tackle illegal sales of age restricted products; to explore new ways to reduce harm from the use and consumption of unsafe products; and to tackle poor food quality and nutrition scams (including activities related to this area carried out by volunteers).

The Chairman stated that Trading Standards would need to ensure competitive prices in order to create more business.

Mr Walsh stated that the prices set were low in comparison to the commercial world.

Mr Ruddy confirmed that Trading Standards were charging moderately compared to other local authorities – the Service is at the top end, but is not at the top of what LA's are currently charging. The Chairman appreciated that Trading Standards were doing an excellent job and were heading in the right direction.

It was noted that the position of the UK after leaving the EU was still unclear. The Chairman asked for further regular updates to come back to the Committee.

ACTION: Ms Poole & Mr Ruddy

Key points from the discussion:

- Overall the service was performing well across the range of indicators and delivered some excellent results against key performance indicators in 2017-18.
- The Joint Service budget was underspending currently, and was anticipating a total underspend of £94,000 at the end of the current financial year (which equated to around 3% of the planned budget).

The summary of budget position had been shown on page 49 of the report.

Ms Poole stated that Trading Standards had an underspend of £94,000 for the joint service and it was being split proportionately. Trading Standards were trying to maintain that underspend as the year progressed.

A member of the committee stated that it was not good to keep vacancies open to save money as this would not be good for the service. Ms Poole stated that Trading Standards have been through a re-structure and Mr Ruddy stated that they were now actively trying to recruit to these positions as the Trading Standard Officers were crucial for front line services, corporately there had been restrictions on recruitment but these were not being applied to Trading Standards Officers. The Chairman agreed to maintain the underspend.

Ms Poole highlighted that there was a programme to achieve additional savings. A joint board meeting was taking place in November 2018 to review the budget and continue to look for opportunities to look for additional savings.

Ms Poole stated that performance was summarised in the report which included which showed overall performance rating as green.

Ms Turner-Stewart queried whether the performance indicators were stretching enough, given that they were all reported as green. This was discussed and it was requested that officers consider this further and make suggestions to the next Board meeting.

ACTION: Mr Ruddy

The Chairman highlighted recent concerns about an article in Daily telegraph regarding the performance of the service and Ms Poole stated that, since the restructure, Trading Standards have a team focusing on prevention work.

Ms Poole had also contacted the National Trading Standards (NTS) Scams Team and highlighted that some of the early data contained approximately 40% to 50 % of those affected who had died by the time the lists reached local authorities. Ms Poole stated that this would be one of the reasons that the figures for those visited had been lower than 100%.

Mr Ruddy stated that individual local authorities dealt with national scams very differently, many other local authorities had said that the demand was too high and would not take all the referrals possible from the NTS Scams Team. In Bucks and Surrey, all referrals are received from the NTS Scams Team.

Checks are done to make sure the person is still there and then an assessment is made by an officer whether a visit would be appropriate. Chronic scam victims sometimes need significant support to reduce their social isolation, and volunteers help with this which can often be needed for a considerable length of time.. The Chairman stated that reducing social isolation and getting communities to look out for each other was one of the drivers for Street Associations and would help in connecting with neighbours. The Chairman requested Ms Poole to write a report in response to the article.

ACTION: Ms Poole

The Chairman appreciated volunteers helping with Trading Standards work which had been a backbone for the services delivered.

RESOLVED:

The Joint Committee noted the Performance and Budget Report.

21/18 TRADING STANDARDS TOBACCO WORK [Item 9]

Declarations of interest:

There were none.

Witnesses:

Mr S Ruddy, Head of Trading Standards
Ms A Poole, Deputy Head of Trading Standards

Key points from the discussion:

- The Children and Young Person's (Protection from Tobacco) Act 1991 required Local Authorities to consider, at least once in every period of twelve months, the extent to which it was appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons Act 1933, were effected.
- This sought to prohibit the sale of cigarettes and associated items, such as nicotine delivery systems, to persons under the age of 18. The duty related to tobacco enforcement only.
- The Service undertook work in the area supporting the delivery of the Public Health improvement outcomes and responsibilities that related to the use of tobacco in order to help people to live healthy lifestyles; make healthy choices and reduce health inequalities.
- The report considered the Service's work in relation to tobacco and associated products and was not restricted to the potential sale to children and young people.

RESOLVED:

The Joint Committee noted the Tobacco Report.

22/18 POTENTIAL IMPACT ON TRADING STANDARDS WORK OF THE UK LEAVING THE EU [Item 10]

Declarations of interest:

There were none.

Witnesses:

Mr S Ruddy, Head of Trading Standards
Ms A Poole, Deputy Head of Trading Standards

Key points from the discussion:

The majority of legislation dealt with by Trading Standards is based on EU law. Despite the commitment to simply transfer this into UK law there were many references and links to EU bodies and it had not been clarified which bodies in the UK would take over these roles. For instance the EU wide product safety alert (RAPEX) system would potentially be no longer available to the UK but it was not clear what steps would be taken to deal with the issue.

This brief report summarised the issues and challenges facing Trading Standards as the key local government regulator charged with enforcing consumer protection legislation both pre and post Brexit. The report was based on the outcomes of the work of the Chartered Trading Standards Institute (CTSI) Brexit Think Tank.

Trading standards had contributed to the national work and would be preparing for a variety of different scenarios coming out of Brexit.

The Chairman and the Committee Members commended Trading Standards for their work. The Committee requested that the officers present thanked the whole team for their commitment to deliver the Service.

23/18 DATE OF THE NEXT MEETING [Item 11]

The next meeting of the Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee would be held on 28 March 2019, at 11.30am in Committee Room C, County Hall, Kingston upon Thames, Surrey.

Meeting ended at: 12.30pm

Chairman