

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.00 am on 4 April 2022 at Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey ,RH2 8EF.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 22 September 2022.

Elected Members:

- * Nick Naylor (Co-Chairman)
- * Kevin Deanus (Co-Chairman)
- * Scott Lewis
- * Mark Winn

In attendance

Steve Ruddy, Head of Trading Standards, Buckinghamshire and Surrey Trading Standards Service
Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire and Surrey Trading Standards Service
Andy Tink, Senior Principal Accountant, Surrey County Council
Steve Owen-Hughes, Director, Community Protection & Emergencies, Surrey County Council
Karen Collins, Acting Head of Service for Registration, Coroners and Trading Standards, Buckinghamshire Council
David Pickering, Team Manager – Regulation, Buckinghamshire and Surrey Trading Standards Service

1/22 APOLOGIES FOR ABSENCE [Item 1]

An apology was received from Beville Stanier.

2/22 MINUTES OF THE PREVIOUS MEETING - 22 SEPTEMBER 2021 [Item 2]

The Minutes of the meeting held on 22September 2021 were agreed as a correct record.

3/22 DECLARATIONS OF INTEREST [Item 3]

There were none.

4/22 MEMBERS' QUESTIONS [Item 4a]

There were none.

5/22 PUBLIC QUESTIONS [Item 4b]

There were none.

6/22 PETITIONS [Item 5]

There were none.

7/22 ACTION TRACKER AND FORWARD PLAN [Item 6]

RESOLVED:

The Joint Committee noted the Action Tracker and Forward Plan. There were no outstanding actions to be considered.

8/22 PERFORMANCE AND JOINT SERVICE BUDGET [Item 7]

Key points from the discussion:

1. The Officers introduced the report, and the following key points were noted on service budget:
 - The budget this year was an expected overspend for the joint services however there were slightly different positions for each Council.
 - For next year there were pressures identified but each council may take a differing view on how to handle those. Pressures included pay inflation, insurance and pay award which had not been finalised yet. These pressures had not been included in the budget.
 - Officers were working to explore ways to increase income.
2. The Officers introduced the report, and the following key points were noted on service performance:
 - The data was only for three quarters of the year as the fourth quarter data was not available at time of writing report.
 - Overall, performance was positive
 - There were impacts and significant delays in getting cases through the courts due to Covid
 - The successful door camera pilot project data had been used to apply for more funding and as a result there were more cameras being rolled out
 - The call blockers project had had a positive impact and further funding had been received for more call blockers.
 - A Member asked about the deterrent effect of door cameras to which officers responded that they were known to have a deterrent effect where they were installed but could not say if that had a wider deterrent.
 - A Member suggested using social media to advertise the benefits and by using the statistics already gained it would encourage residents to use the camera door bell.
 - A Member asked about prioritisation of funding for projects. Officers responded that for both call blockers and door cameras, vulnerability was prioritised and where there had been recent incidents. It was important to do that because older people become repeat victims if vulnerable.
 - Work with businesses to enable them to get the help and support they need to thrive and grow was going well. The service continued to successfully grow the number of Primary Authority Partnerships. There had been particular focus on preparing businesses for new legislation coming in such as Natasha's Law.
 - Officers described the multi-agency approach to fraud.
 - When asked what the biggest risk to Trading Standards was for the next year officers highlighted online services and products, and

difficulties in supply chains. The cost of living crisis would mean criminals and rogue traders take advantage of any vulnerability and also take advantage of the complexity of the green economy.

Actions/ further information to be provided:

That the Head of Trading Standards look at using social media to advertise the outcome of projects with the aim of encouraging more residents to use methods such as door cameras.

RESOLVED:

That the Service's performance, the joint service budget for 2022/23 and the pressures be noted.

Mark Winn arrived during the officer presentation of this report.

9/22 TRADING STANDARDS ENFORCEMENT POLICY [Item 8]

Key points from the discussion:

1. Officers introduced a report that set out proposed changes to the Trading Standard Enforcement Policy. The Enforcement Policy was regularly reviewed to ensure it remained appropriate and relevant to the regulatory and local authority landscape. The updates include amendments to:
 - Ensure a growing range of financial penalties (as available in legislation) are acknowledged as potential outcomes, including fixed monetary penalties.
 - Add, via a link, Financial Penalty Guidance for the Service as required under the Tenant Fees Act 2019.
 - Add, via a link, Fixed Monetary Penalty Guidance for the Service as required in relation to various food legislation.
2. A Member queried about whether there should be a recommendation on the timescale for review, say every year, but because the review could happen sooner, say as a reaction to legislation change, he discounted this idea.

Actions/ further information to be provided:

None.

RESOLVED:

1. That the following be agreed:
 - the amended Enforcement Policy attached as Annex A to the submitted report
 - the Financial Penalty Guidance as required under the Tenant Fees Act - Annex B to the submitted report, and
 - the Fixed Monetary Penalty Guidance for various food legislation - Annex C to the submitted report.

10/22 TRADING STANDARDS TOBACCO WORK [Item 9]

Key points from the discussion:

1. Officers presented a report that showed how strategies were linked between Buckinghamshire and Surrey. The following points were highlighted from the report:-
 - Intelligence gathering, enforcement work and test purchasing were used to guide further action, for example the use of dogs. Hiding places were more difficult to find and that some funding from the HMRC for use of dogs had been helpful.
 - Tobacco was being kept off-premises and restocked as needed which showed the constant challenge to keep up with methods used.
 - There had been one prosecution this year for tobacco and nitrous oxide.
 - There was a challenge around vape liquids that were unsafe and non-compliant. There had been an increase in complaints of underage sale of vape liquids.
 - Illicit alcohol was also found alongside tobacco and the team sought license reviews.
2. One Member expressed their support for test purchasing and asked that news of outcomes of court cases be emailed to Members.
3. There was some discussion around the funding and use of dogs.
4. In response to a Member query about warrants the officers explained the need for search warrants for residential properties but not for businesses.

Actions/ further information to be provided:

That officers investigate the viability of using dogs for tobacco detection from the Surrey Fire and Rescue Service who had their own dog team.

RESOLVED:

That the submitted report be noted as a reflection of activity over the financial year 2021 – 2022 and the continued enforcement activities which will be undertaken in 2022– 2023 be endorsed.

11/22 TRADING STANDARDS CURRENT AND EMERGING ISSUES [Item 10]

Key points from the discussion:

1. Officer described in detail the current and emerging issues paper that included the following items:
 - The Calorie Labelling (Out of Home Sector) (England) Regulations 2021;
 - The Food (Promotion and Placement) (England) Regulations 2021; changes to the draft Online Safety Bill 2021;
 - the Government policy paper “Brexit Benefits”;
 - the Government White paper “Levelling Up”;
 - the Public Accounts Committee report into protecting consumers from unsafe products; and

- a BEIS Parliamentary Committee Investigation into post-pandemic economic growth, state aid and post-Brexit competition policy.
2. The Committee discussed the food legislation and how whether that would affect schools and the work that Trading Standards already do around this area.
 3. The Committee thanked the Trading Standards Team for their professionalism and work during the pandemic, that they had had excellent results and were recognised nationally and were an example to others.

Actions/ further information to be provided:

None.

RESOLVED:

1. That the current and emerging issues be noted.

12/22 DATE OF THE NEXT MEETING [Item 11]

The date of the next meeting was Thursday 22 September 2022 and would be hosted by Buckinghamshire Council.

Meeting ended at: 12.21 pm

Chairman