

Notice of Meeting

Buckinghamshire Council and Surrey County Council Joint Trading Standards Service Committee



Date & time
Thursday, 18 May
2023 at 2.00 pm

Place
Woodhatch Place, 11
Cockshot Hill,
REIGATE
RH2 8EF

Contact
Angela Guest
angela.guest@surreycc.gov.uk

If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 07929 724773 or email angela.guest@surreycc.gov.uk.

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Angela Guest on angela.guest@surreycc.gov.uk

Members of the Committee

Mark Winn (Co-Chairman) and Denise Turner-Stewart (Co-Chairman)

Advisory Members:

Beville Stanier and Scott Lewis

AGENDA

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence and substitutions.

2 MINUTES OF THE PREVIOUS MEETING - 22 NOVEMBER 2022

(Pages 5
- 8)

To agree the minutes of the previous meeting.

3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or

- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest

- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)

- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

4 PROCEDURAL ITEMS

a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (12/05/2023).

b Public Questions

The deadline for public questions is seven days before the meeting (11/05/2023).

c Petitions

The deadline for petitions was 14 days before the meeting.

5 ACTION TRACKER AND FORWARD PLAN

(Pages 9
- 14)

To review the Action Tracker and Forward Plan.

- 6 2022/23 SERVICE REVIEW INCLUDING KEY PERFORMANCE INDICATORS** (Pages 15 - 54)
- The Buckinghamshire Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for 2022-23.
- 7 WORK TO SUPPORT COMMUNITIES AND INDIVIDUALS DURING PRESSURES CAUSED BY COST-OF-LIVING PRESSURES** (Pages 55 - 70)
- Report for noting.
- 8 TRADING STANDARDS VAPES ENFORCEMENT** (Pages 71 - 80)
- Report for noting.
- 9 TRADING STANDARDS COMMUNICATIONS** (Pages 81 - 90)
- This report outlines the different channels and methods used to communicate work and advice for residents and businesses, as well as giving examples of the Services communications.
- 10 JOINT SERVICE BUDGET** (Pages 91 - 98)
- The Joint Committee regularly reviews and sets the Service budget.
- 11 TRADING STANDARDS TOBACCO WORK** (Pages 99 - 106)
- The Children and Young Person's (Protection from Tobacco) Act 1991 requires Local Authorities to consider, at least once in every period of twelve months, the extent to which it is appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons Act 1933, are effected.
- 12 DATE OF THE NEXT MEETING**
- The next meeting of the Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee will be held on 21 September 2023 and will be hosted by Buckinghamshire County Council.

**Joanna Killian
Chief Executive**

Published: Wednesday, 10 May 2023

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It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.00 am on 22 November 2022 at online via Teams.

These minutes are subject to confirmation by the Committee at its meeting on Tuesday, 4 April 2023.

Elected Members:

(* Present)

* Denise Turner-Stewart (Co-Chairman)

* Mark Winn (Co-Chairman)

Sir Beville Stanier

* Scott Lewis

13/21 APOLOGIES FOR ABSENCE [Item 1]

An apology was received from Councillor Sir Beville Stanier.

14/21 MINUTES OF THE PREVIOUS MEETING [4 MARCH 2022] [Item 2]

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

15/21 DECLARATIONS OF INTEREST [Item 3]

There were none.

16/21 PROCEDURAL ITEMS [Item 4]

17/21 MEMBERS' QUESTIONS [Item 4a]

There were none.

18/21 PUBLIC QUESTIONS [Item 4b]

There were none.

19/21 PETITIONS [Item 5]

There were none.

20/21 FORWARD PLAN AND ACTION TRACKER [Item 6]

Resolved:

That the forward work plan and action tracker be noted.

21/21 PERFORMANCE, HALF YEAR SERVICE REVIEW AND JOINT SERVICE BUDGET [Item 7]

Key points from the discussion:

Steve Ruddy (Head of Trading Standards) and Amanda Poole (Assistant Head of Trading Standards) introduced the report. The following key points were made regarding the service budget:

- a) A shared service budget overspend of £218,000 was forecast for the financial year 22/23. This was down from the previous years' prediction of a £263,000 overspend in 22/23. Forthcoming changes to the rate of National Insurance may further alter that figure, but this had not been incorporated into the budget, due to the way in which each authority accounted for and planned their budgets around factors such as National Insurance and Pay Inflation this forecast leads to an overspend in Buckinghamshire and an underspend in Surrey.
- b) The overspend reduction had come in part due to a £43,000 government grant issued to carry out work related to the introduction of legislation regarding allergen labelling on foods pre-packed for direct sale (known as 'Natasha's Law'), as well as a reduction in spending related to legal costs with numerous cases adjourned due to pressures on the court system. A plan was in place to further reduce the overspend over the following 2–3-year period.
- c) A Board meeting would be held in January, at which the details of the 23/24 budget would be discussed including changes to the income and expenditure of the service, as well as the proposed plans to further reduce the overspend.

The following key points were made regarding the performance and service update:

- d) A process was underway to review and assess the Key Performance Indicators (KPIs) against which the future performance of the service was assessed. Further details would be provided at the January Board meeting with an opportunity for members to provide feedback.
- e) £1,342,971 had been saved for residents as a result of Service interventions during Q1 and Q2 of financial year 22/23. This put the service on track to exceed each of the previous three financial year's total savings should the same rate continue throughout Q3 and Q4. This figure was an estimated saving based on the average loss incurred by various scams per person in accordance with national research conducted by Trading Standards National Scams Team working with economists. Further funding had been secured from the Police and Crime Commissioners locally and the Home Office nationally for additional call blocking units to assist with this intervention work, and communications were being circulated to encourage members of the public who could afford to, to purchase their own call blockers and doorbell cameras. Those issued by the service itself were free of charge and taken from an allocation given as a result of a regional funding bid.
- f) It was estimated that for every £1 spent on a call blocker, £32 would be saved. For every £1 spent on a doorbell camera, £39 would be saved.
- g) The service continued to work closely with a wide range of partners in both local authority areas to ensure that the residents most vulnerable to scams were known to the service and could be contacted for support.
- h) The service provided SCAMchampion training for those wishing to support the work of the Friends Against Scams Team initiative by hosting their own awareness sessions and encouraging others to join up. As of the meeting, over one million people nationally had taken the Friends Against Scams training. Councillors Winn and Turner Stewart both expressed an interest in

becoming SCAMBassadors, and would spread scam awareness messages to the wider community and act as role models.

- i) There continued to be significant delays in getting cases through the courts due to the Covid-19 backlog and the more recent barrister strike. Three defendants had pleaded guilty to offences between April and September 2022. Five further convictions had occurred in October and early November 2022. National Trading Standards had produced guides of best practice when handling large-scale prosecutions to ensure that lessons that had been learned from previous cases nationally could be shared.
- j) The service had also utilised the Enterprise Act (as a route of civil justice) as an alternative to criminal proceedings in some instances.
- k) The number of Primary Authority Partnerships (PAPs) had increased to 158 from 147 at the start of the year. This included some coordinated partnerships (largely trade associations) who would pass on advice received from the service to their membership. This was the highest number of PAPs by any Trading Standards service in the country. It was stressed that the priority for the service was to remain a reliable and responsive partner to those in PAP arrangements and not to overstretch its resources.
- l) The Business Advice helpline continued to provide additional support to local businesses with many issues including supply chain disruption due to Brexit changes and the Russian invasion of Ukraine.
- m) It was yet to become clear what impact the Retained EU Law (Revocation and Reform) Bill would have on the ongoing work of the service in relation to its support of businesses.
- n) Between April and September 2022, 180 consignments of goods had been examined compared to 319 during the entire previous fiscal year, putting the service well on track to surpass its previous year's workload. The work was fully funded externally by the Office for Product and Safety Standards as part of the wider effort to improve the UK's border security on a national scale.
- o) It was agreed to provide an update at the January Board meeting discussing the service's work to combat the sale of illicit tobacco products including vapes.

RESOLVED:

- 1) That the Service's performance be noted.
- 2) That Councillors Winn and Turner-Stewart would agree to become Friends Against Scams SCAMBassadors.
- 3) That the current forecast outturn for the joint service budget for 2022/23 be noted.

22/21 DATE OF THE NEXT MEETING [Item 8]

The Committee noted that its next meeting will be held on 4 April 2023.

Chairman

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Buckinghamshire CC and Surrey CC
Trading Standards Joint Committee

18 May 2023

Action Tracker & Forward Plan

Purpose of the report:

For Members to consider and comment on the Committee's Actions and Recommendations Tracker and to note the forward plan.

Introduction:

The tracker recording actions and recommendations from previous meetings is attached as Annex A, and the Committee is asked to note that all previous actions are now closed. The forward plan is attached as Annex B.

Recommendations:

The Committee is asked to monitor responses, actions and outcomes against actions and recommendations from previous meetings and to note the forward plan.

Report contact: Angela Guest, Committee Manager

Contact details: 07929 724773, angela.guest@surreycc.gov.uk

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Buckinghamshire CC and Surrey CC Joint Trading Standards Committee Actions and Recommendations Tracker

The recommendations tracker allows Joint Committee Members to monitor responses, actions and outcomes against their recommendations or requests for further actions. The tracker is updated following each Joint Committee meeting. Once an action has been completed and reported to the Joint Committee, it will be removed from the tracker.

Actions

Reference	Date of Meeting	Recommendations/Actions	Responsible Officer/ Member	Response	Status

Completed actions (to be deleted)

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This forward plan is subject to ongoing review and may be amended depending on external events and Government policy

Annex B

Forward Work Programme

September 2023 – Formal public meeting

Item title:	Budget and Performance
The Committee will be asked to:	Note the Service's performance and current financial position.

April 2024 – Formal public meeting

Item title:	Budget and Performance
The Committee will be asked to:	Note the Service's performance and current financial position.
Item title:	Trading Standards Tobacco Work
The Committee will be asked to:	Consider the report as a reflection of activity over the financial year 2023-24 and consider enforcement activities which may be undertaken in 2024-25

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BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 18 MAY 2023

LEAD OFFICER: STEVE RUDDY
HEAD OF TRADING STANDARDS

SUBJECT: 2022/23 SERVICE REVIEW INCLUDING KEY PERFORMANCE INDICATORS

1.0 SUMMARY OF ISSUE:

- 1.1 The Buckinghamshire Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for 2022-23 (April to March) (Annual Report - Annex A).
- 1.2 The information provided shows that the Service is performing well across the range of indicators and is delivering some excellent activity against key performance indicators.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee notes the Service's performance.

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
- a) Ensure effective performance of the Service. This includes reviewing performance by considering performance against the agreed measures.

4.0 PERFORMANCE DETAILS:

- 4.1 The performance of the joint service is measured through key performance indicators agreed by the Joint Committee. The indicators were last discussed by the Joint Committee at their Board meeting in January and this annual report reflects that discussion.
- 4.2 Flexibility of the Trading Standards Service to respond to the latest situation, within overall priorities for the Service, is vital for delivering what matters to residents and local businesses. The performance framework supports this and allows the Joint Committee to look at performance in the round. This year that flexibility has allowed the Service to refocus its work mid-year into



activities to support communities and individuals through the impacts of inflation and the cost-of-living crisis. This activity is reflected in the annual report to a degree and is covered in a longer paper at Item 2 focusing on this 'cost of living' support.

- 4.3 There are currently no statutory performance indicators for Trading Standards and there is no performance benchmarking data available for comparison. Previous attempts to create national performance indicators for Trading Standards have not been successful.
- 4.4 Following the National Audit Office report on "Protecting consumers from scams, unfair trading and unsafe goods" published in December 2016 the Association of Chief Trading Standards Officers (ACTSO) developed the national "Impacts and Outcomes Framework for Trading Standards". The concept of this approach is to use a wide range of indicators, divided across three main areas: Tackling detriment and preventing harm; Supporting the local economy; and Promoting health and wellbeing. This has been reported on since the 2018-19 year and provides overall information about the impact of Trading Standards using nationally aggregated data but does not provide benchmarking data because it is accepted that each Service is likely to be focusing on different areas within this framework to respond to their local issues in any given year and bearing in mind their local situation. The latest aggregate data from the ACTSO returns was part of the Performance paper considered by the Joint Committee in November 2022.
- 4.5 The Joint Committee will note that most of the performance indicators for the joint Service have no targets. They are purely indicative of a situation and should be read alongside others to form an overall picture of the work the Service is doing which contributes towards the overall priorities (but does not directly control the outcome). An example of this type of indicator are those related to investigation outcomes. A 'good' investigation is one which is appropriately thorough and fair to all parties with the outcome decided in accordance with the Services' agreed Enforcement Policy. So, the number of convictions is useful to understand as part of the picture of our work to tackle fraudulent and illegal trading practices but there can be no targets sets because the Service must act fairly, appropriately and in line with our Enforcement Policy and not be led towards prosecution by a target. Similarly, the sentences set by judges and magistrates are not within our control but do give an indication of the judiciaries view of the seriousness of the offences prosecuted.
- 4.6 Impacts of the covid pandemic can be seen in some of the historical performance information but has generally now returned to pre-pandemic levels.
- 4.7 **A key Service priority is protecting the most vulnerable, tackling fraudulent illegal and unfair trading practices, including serious and organised crime.** In 22-23 the financial impact of our interventions related to scams and frauds was **£2,878,557** a significant increase comparing to £2,090,836 for 21-22.
- 4.8 Prevention is a cornerstone for the service in how we seek to protect both residents and businesses, and the report discusses different tools we use to work with both vulnerable individuals and the wider population in our areas..

- 4.9 17 defendants have been convicted (following guilty pleas) of offences, compared to 6 for last year. No defendants have been found not-guilty (also none for the same time period last year). The Service currently has 11 cases going through the legal process, and despite the significant increase in the number of convictions this year we are still seeing delays in the court process, with one of this years' outcomes having taken over 3 years just in the court process (the decision was made to prosecute in 2019), and three trials delayed from 2022.
- 4.10 In addition to the outcomes of investigations the Service undertakes activities to disrupt illegal and unfair trading. The report goes into more detail of what illegal products the service has seized, pending investigation, or stopped from being allowed into the Country such as tobacco and unsafe goods.
- 4.11 **Our second key priority is to enable businesses to get the help and support they need to thrive and grow. Delivering public protection through supporting businesses to comply with their legal responsibilities and ensuring a level playing field.** Research shows that a positive regulatory environment can contribute significantly to economic development and sustainable growth, improving the openness of markets and creating a less constricted business environment for innovation and entrepreneurship. It can protect compliant businesses by enabling fair competition and promoting a level playing field and provide business with the confidence to invest, grow and create new jobs.¹ Supporting businesses to understand what they need to do to be compliant is a vital part of a positive regulatory environment, ensuring that they can confidently focus their resources in the right areas.
- 4.12 The service continues to successfully grow Primary Authority Partnerships with 162 partnerships at the end of March. In the first few months of 2023 we have begun to see some turbulence in the business arena, with businesses whom we have partnerships with being taken over, taking others over or going out of business. This is causing our number of partnerships to move both up and down.
- 4.13 **Improving wellbeing and public health; tackling the supply of unsafe, dangerous or age restricted products and working to maintain the integrity of the food chain, including food quality, nutrition, and animal health is the third key priority for the Service.**
- 4.14 Work tackling illegal supplies of tobacco is a significant activity for the Service given the harm caused by smoking, the disproportionate affect this has on more deprived groups and the appeal to children and people from lower socio economic groups that cheap illegal tobacco has – further exacerbating the impacts on them. The annual report in Annex A explains in more detail the work in this area, including test purchasing and operations with the tobacco detection dogs, which have found over 85,000 illegal cigarettes since April.
- 4.15 Demand has continued to be high to tackle the import of unsafe products through transit sites for Heathrow. Over 70,000 unsafe and non-compliant products destined for people's homes were prevented from entering the

¹ [Regulation and Growth \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

country through our work, including electrical items unsafe because they could give their users an electrical shock and toy guns that presented serious choking and intestine obstruction hazards because the gel pellets fired could be swallowed but then would expand significantly on contact with liquid.

5.0 CONSULTATION:

5.1 No external consultation has taken place.

6.0 RISK MANAGEMENT AND IMPLICATIONS:

6.1 All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).

6.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

7.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

7.1 The Service has delivered all elements of the original business case.

8.0 LEGAL IMPLICATIONS

8.1 The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service and maintaining financial oversight. The Service's performance is then subject to scrutiny in the participating authorities in the normal way.

8.2 The report makes a number of references to relevant legal processes and proceedings that the Service has been involved in over the last year. There are no other specific legal issues that need to be drawn to the attention of the Committee.

9.0 EQUALITIES & DIVERSITY

9.1 The performance being reported will not impact on residents or staff with different protected characteristics, as such an Equality Impact Assessment has not been included.

10.0 WHAT HAPPENS NEXT:

10.1 Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

REPORT DETAILS

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 01372 371730

Consulted:

Annexes:

Annex A: Annual Report 22/23

Sources/background papers:

NA

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Annual Report

2022-23

Buckinghamshire & Surrey
trading standards

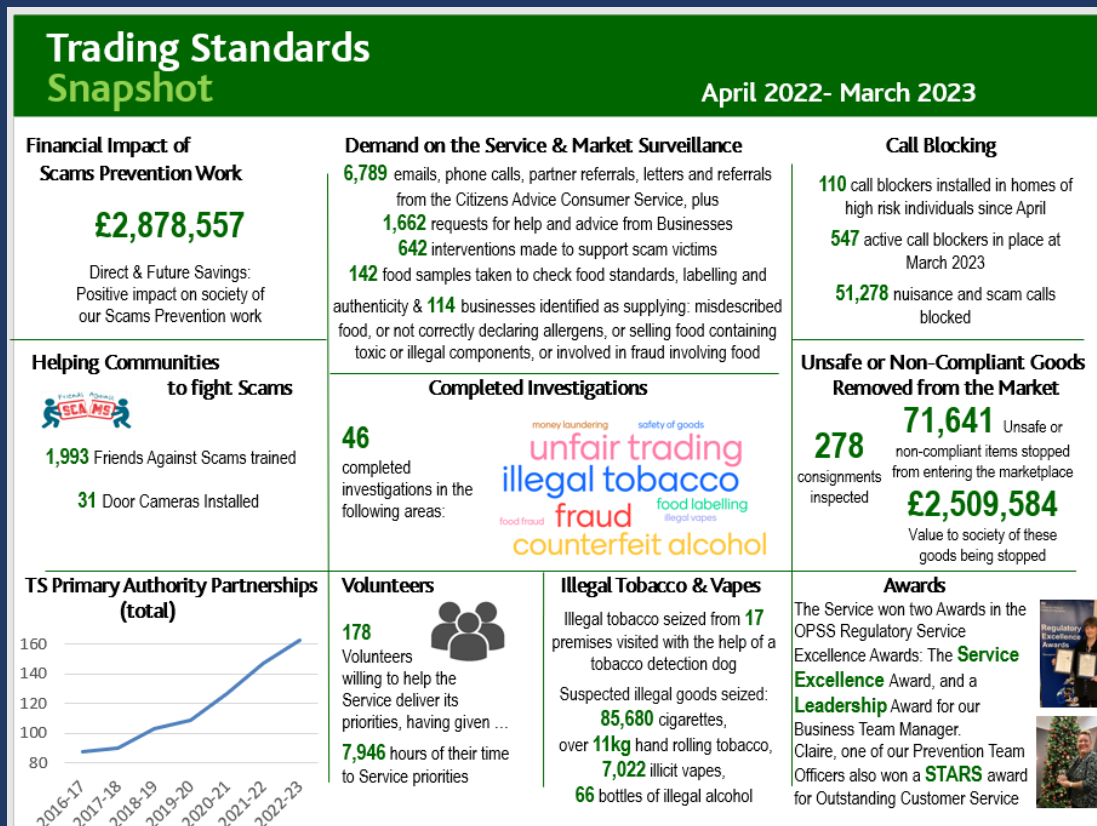


Summary

The Trading Standards service exists to:

- protect individuals, communities and businesses from harm and financial loss
- help businesses to thrive by maintaining a fair trading environment
- improve the health and wellbeing of people and communities
- fulfil our statutory responsibilities to deliver consumer and public protection services across Buckinghamshire and Surrey

Supporting communities through significant increases in the cost of living became a priority mid-year, causing the service to undertake activities that weren't planned at the start of the year. Highlights of the year include an increasing impact of our prevention work, reaching over £2.8m money saved for residents. Despite ongoing delays in the court system, the year saw a return to pre-pandemic numbers of outcomes to our investigations, with more defendants pleading guilty prior to trial and working with other agencies on larger cases. Support to businesses through our advice service, including through Primary Authority Partnerships continues to be strong, highlighted by two related awards – for our Business Advice Team Manager and an overall Award for Service Excellence.



Service Priority Area 1

Protecting the most vulnerable. Tackling fraudulent, illegal and unfair trading practices.

Key Performance Indicator:

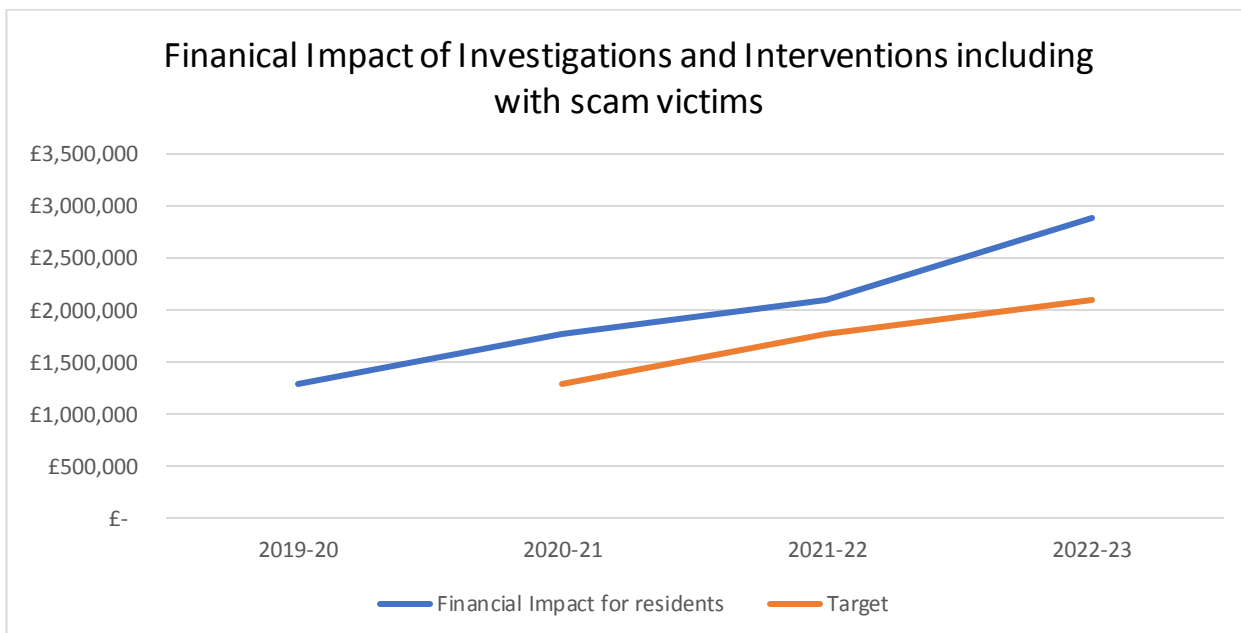
To increase the financial impact of our investigations and interventions including with scam victims.

Status Green



Comments:

Work to prevent and tackle scams and consumer frauds is a high priority for the Service. In 2022-23 **£2,878,557** has been saved for residents as a result of Service interventions compared to £2,090,836 in 21/22.



Some examples of our financial impact during the year include:

- An investigation and subsequent prosecution for fraud. The victims received compensation of around 95% of their losses voluntarily paid by one of the defendants prior to sentencing (totalling approximately £198,000). Proceeds of Crime proceedings are ongoing against another of the defendants and, in time, the victims may receive the remainder of their losses in compensation.
- Installing call blockers in the homes of 110 people particularly vulnerable to phone fraud this year. Call blockers installed by the Service have stopped over 50,000 nuisance and fraudulent calls. On average this saves a vulnerable resident nearly

£9,000 per year and improves the householders wellbeing. The cost: benefit ratio of the call blockers is 32:1 i.e., every £1 spent saves £32.

- Installing door cameras in the homes of 31 people particularly vulnerable to doorstep fraud. In the pilot these cameras reduced the household losses to doorstep fraud on average £18,300 and increased the householders wellbeing. The cost: benefit ratio of the pilot project was 39:1 i.e. every £1 spent saves £39.

Call Blockers



Call blockers are an extremely effective way of stopping criminals accessing vulnerable residents by telephone giving residents peace of mind and preventing the fraud. Buckinghamshire and Surrey Trading Standards provides and installs call blocking technology free of charge to people being plagued by nuisance and scam calls.

If a local resident feels either they or a relative may benefit from a call blocker they can email this request to us at trading.standards@surreycc.gov.uk. A Prevention Team officer will contact the resident and discuss how the call blocker works and assess whether it is an appropriate solution for the resident. A simple form will be completed, and the fitting of the call blocker arranged. In urgent cases our officers are trained to install the units there and then.

Feedback from residents who have had a call blocker installed (and their families) is consistently positive. The most recent feedback included the following comments:

- The device has made a huge difference for my parents. I am sure the scammers get scared off when they ring. I can see the failed calls on the log file.
- Would just like to thank you for this service. Checking the caller list, I'm very glad I don't have to answer all these scam calls. Thank you again.
- I much appreciated your visit and that the call blocking device will bring more peace of mind. I had not realised just how supportive Trading Standards are, the feeling of isolation in the first instance cannot be stressed too much, but now I know how to access some support I feel better. Many thanks.
- Haven't received a scam/nuisance call since having TrueCall.
- Thank you so much for your help. We now only hear from friends/relatives.

Through access to the call blocker data we can see the origin of failed calls enabling us to understand the causes and themes behind nuisance and fraudulent calls which helps us to ensure that our communications on scams are current and topical. The most recent data showed: insurance, solar panels, loft insulation, domestic appliance warranties and medical devices as the top subject areas for attempted scam calls in the last year.

In May it was announced that the Government is proposing to ban all unsolicited calls offering financial products to reduce the amount of fraud: [UK to ban all cold calls selling financial products - BBC News](#)

Door and doorbell Cameras

Doorstep crime (fraud) refers to rogue traders, bogus callers, and distraction burglary. These crimes can have a huge financial impact on their victims and lead to both psychological and physical damage. Home Office research shows the majority of victims of this type of offending are over 65 and are two and a half times more likely to be in care or die within two years as a result of victimisation compared to their non-defrauded neighbours.



Following a successful regional pilot into the use of door cameras at the homes of people vulnerable to doorstep fraud, the Service has brought the use of door cameras into our standard practice. We have been trialling different types of cameras during the year. Cameras vary in suitability and the level of interaction required from the householder. Feedback from residents who have had the cameras installed includes:

- The bell is excellent, and we can hear it well. We have had no unwelcome callers, the notice on the front door telling tradesmen (uninvited) to go away.
- I find it useful although I sometimes have difficulty finding my phone to see who is there.
- This is highly useful to me and makes me feel more at ease.
- It's been really useful. I am the son... able to get involved if needs be for dealing with front door interactions as mum is so frail.
- Knowing who is at the door has given me great confidence.
- Feel Confident. 'Nottingham Knockers' and other undesirable types have been deterred by the ring doorbell.
- The ring doorbell is a very effective device.
- Definitely recommend, fantastic device
- Chime not working but currently preferable as mother isn't alerted to anyone being at the door but can be informed if she needs to.

Other Preventative Interventions

Stopping residents from becoming repeat victims of fraud and scams requires putting in place a mix of interventions that are personalised to them which relate back to the reason(s) they are vulnerable to fraud. As described above there are some technological interventions that help but, in many cases, social isolation is a key factor, with victims having developed relationships with the scammers because they are the only people they regularly speak to or believing that they are friends. Fraudsters are adept at cultivating these relationships to

maximise their exploitation. Social isolation needs to be addressed alongside technological interventions to enable residents to live more happily in their own homes for longer.

Re-connecting people with their local communities, in activities that genuinely interest them can be key to reducing that social isolation. We are fortunate to have a strong group of volunteers who can assist with this work, by befriending people and accompanying residents to local activities until they feel confident to go alone.

Being alert to other needs of the individual and connecting them to charitable and other Council services that can assist to overcome challenges they might experience is also vital, and the service has excellent links to enable this. For example a person who has been subjected to years of mail fraud where they have been buying excessive quantities of products may also be a hoarder and support is available through the fire service and adult social care to manage that.



The Scam Marshal scheme is for individuals who have been targeted by scams and now want to fight back. We empower these people to share their own experiences, helping others to report and recognise scams and by sending any scam mail that they receive to the National Trading Standards (NTS) Scams Team so that it can be utilised as evidence in future investigative and enforcement work. This refocuses their connection with the frauds into something positive and with purpose which can be useful in improving their wellbeing and helping them feel like they are taking back control.

As well as working with individuals most vulnerable to fraud, the Service also acts with the wider community to raise awareness of fraud and scams and reduce the chances of anyone becoming a victim. There is more information about this in the Communications paper.

One example is that the Service runs monthly “Friends Against Scams” webinars where people can learn how to protect themselves and their loved ones from scams and help raise awareness throughout their own community. The webinars can be booked on this link: <https://www.eventbrite.co.uk/e/594737645307> and these sessions have contributed to us being the lead TS Service nationally for people signed up through the Friends against Scams initiative through us, with over 23,000.



Those who are willing can become Scam Champions where they run Friends Against Scams training sessions themselves. This month, to tie in with Deaf Awareness Week the Friends Against Scams webinar is being run with British Sign Language and subtitles and is being recorded for future use and over 180 people have signed up for this webinar.

During the year, Surrey County Council became a Friends Against Scams organisation, joining Buckinghamshire Council in offering all staff Friends Against Scams training. The Members of the Joint Committee also committed to be Scambassadors, using their community connections to raise awareness and help people not to be victims of fraud.



In December one of our Prevention Team officers, Claire, won a STARS in Surrey award for **Outstanding Customer Service**, against 90 other nominations in this category. The award recognised Claire's dedication to improving the lives of residents vulnerable to scams. An example of her work included supporting an elderly lady who was left with a very ill husband and a barely habitable home when they were victims of home

improvement fraud that had escalated whilst they were out of their house at a hospital appointment. The state of their home and more detail of the case can be viewed here: https://www.youtube.com/watch?v=RK-KV9XPVt8&feature=emb_logo The Service investigated and prosecuted the perpetrators, and unfortunately the lady's husband died shortly afterwards. Claire worked tirelessly to help her find reputable traders to make her home habitable again and then to rebuild her confidence by ensuring she was connected with ongoing support within her local community.

Case Studies: The Prevention Team work closely with scam victims to identify and act on the root cause(s) of their being victimised (often social isolation is a factor). The team also look to increase the barriers to the fraudsters (e.g. installing a call blocker). Engagement can be over a prolonged period of time and is likely to involve working with partners in other Service areas. Examples of working with scam victims are below:

Case Study 1

Mr H, an elderly resident, had been scammed out of a significant amount of money and was referred to Trading Standards by Bucks Adult Social Care. Due to health issues and restricted mobility, Mr H is a socially isolated individual who is easily confused and struggles to get his thoughts across in a clear and coherent manner. Although reluctant to believe it was a scam, he could provide paperwork relating to the issue.

In 2015 he was offered by letter an oil share investment opportunity. This soon escalated into regular telephone cold calls. Trading Standards were able to ascertain that Mr H had transferred £20,376 from his Lloyds account to these cold callers, however, it is believed that the actual amount lost in in the region of £44,000.

It was established that the address given was a mail forwarding address and not the address of the business. The crime was reported to the bank and Mr H received £10,000 compensation. Ongoing intervention with the bank secured the return of a further £10,376 and a marker on his account to safeguard him in the future. Trading Standards have installed a call blocker, are searching for the remaining funds, and monitoring mail for further scams.

Case Study 2

Mr and Mrs G received a cold call from an individual wearing a lanyard and purporting to be from the council. The stranger followed Mr G up his garden path into his home and into his dining room. The man did not produce any identification but explained he was providing help to all elderly residents with the cost of living. The stranger was in Mr and

Mrs G's home for around 30 minutes and handed them a voucher to be redeemed at the post office. Mr G took the voucher to the post office to try and cash it, only to be told by the counter staff that the voucher was fraudulent.

Although no money was lost to the scam itself, it is possible that this was also an attempt at a distraction burglary. Thankfully Mr G never let the man out of his sight and no items were reported missing.

Mr G, who has Parkinson's disease, and his wife, who has dementia, were left feeling distressed and extremely embarrassed by the incident. Mr G refused to report the incident to anyone other than his daughter, who in turn contacted trading standards and the police.

The residents were already protected from unwanted telephone calls in person calls remained a risk. Safeguarding work was undertaken and No Cold Calling stickers put up. The installation of a doorbell camera, which Mr G believes would make him feel much safer, is awaiting permission from the housing association. In the meantime, local Police Community Support Officers (PCSOs) are regularly checking in on them for reassurance.

Case Study 3

Ms M is a resident with severe cerebral palsy who uses assistive technology and has a live-in carer. Following a bereavement, Ms M wanted to help and support her long-term carer and companion and began an internet search for tickets to Zimbabwe.

Whilst exploring online travel agents she was targeted by a pop-up advertisement. Ms M tried to close the window but due to her restricted motor control she inadvertently clicked on it before shutting the window down. Despite already having a call blocker on her landline (and probably not linked to her actions), this was followed by a cold call to her mobile phone who she believed to be a travel agent. The scammer harassed Ms M, calling twice a day for six days to get her to transfer £10,000. These persistent and aggressive phone calls frightened and distressed Ms M who contacted Trading Standards.

Scam prevention advice and reassurance was given immediately, followed by an in-person welfare visit. As part of our safeguarding work, we blocked the scammers number and showed Ms M and her carer how they could block suspicious numbers themselves.

Although she remains nervous of using the phone, and internet, the previous advice given when the call blocker was fitted prevented Ms M from losing money on this occasion.

Trading Standards continues to support and advise Ms M e.g., use of popup blocking and firewall software. The scammers number is being referred to the Information Commissioners Office for their consideration and we are liaising with Scope, to explore possible solutions to the manual dexterity issues associated safely closing scam pages and pop ups.

Key Performance Indicator:**Status Green**

Actions to stop rogue traders operating in Buckinghamshire and Surrey.

**Comments:**

11 defendants prosecuted by us have been convicted this year, with a further 6 people convicted following our investigations being joined with others (in one case prosecuted by Surrey Police and in the other case prosecuted by Hampshire Trading Standards). No defendants were acquitted during this year. This compares to 6 convictions last year (5 directly by us, 1 was convicted by the RSPCA following an investigation that we were closely involved in). There were also no acquittals last year.

In total over 29 years of prison sentences have been ordered following these investigations and prosecutions compared to just over 4 months last year.

The convictions related (primarily) to fraud (7), unfair trading (1), supplying illegal tobacco (5), supplying unsafe goods (1), counterfeiting (1) and money laundering (2).

In one case two people were prosecuted for their part in selling fake (counterfeit) Canon batteries. One was involved as a money launderer, being used by the primary offender in the hope of obscuring his identity. The money launderer was given a rehabilitation order, whereas the main offender is required to do 250 hours community service and has a 9 month suspended sentence. Information about some of the other prosecutions is contained elsewhere in this report and in the press articles below.

Disruption activities to inhibit the sale of illegal tobacco have been carried out regularly throughout the year, with 17 seizures of illegal tobacco following 6 days with the tobacco detection dogs to help us find hidden illegal tobacco. In a concerning trend we have seen the complexity of hides being used increase significantly as the year went on. The Service now has some significant investigations into the activities of some of the suppliers of the illegal tobacco as well as a number of cases in the court process.

Ongoing actions to deter include 53 active investigations at the end of the year. The Service also had 15 cases going through the legal process (the majority for prosecution) at the end of the year with a further two going through the legal process to seek confiscation of Proceeds of Crime following the defendants conviction.

Case Studies: Some of the court cases had good coverage in the local press and on social media, for example:

Bucks Free Press

News Sport Best of Bucks Your Area True Crime UK

News Coronavirus Crime Politics Opinion Young Reporter

Aylesbury shopkeepers who hid stash of cigarettes in wall are fined

23rd February

BUCKINGHAMSHIRE COUNCIL COURT CRIME AYLESBURY



18:20 [Signal] [Wi-Fi] [Battery]

← Tweet

Surrey County Council News ✓
@SurreyNews

Last week our @Bucks_SurreyTS team witnessed the prosecution of Epsom Food Limited for seven charges related to illicit products. With the assistance of a tobacco detection dog 🐕 and @SurreyPolice, 117 packets of illicit tobacco 📦 were seized. Watch a previous raid below 📺

and a tobacco dog and it's handler.

528 views

15:01 · 30/03/2023 from Earth · 1,673 Views

1 Retweet 4 Likes

Tweet your reply

▶ Enter your **postcode** for **local news** and **info**

Enter your postcode

Go

In    
YourArea




 **Hughie Smith, 49, from Chertsey was jailed for eight years** (Image: Surrey Police)

A Chertsey man has been jailed for eight years after fleecing thousands of pounds from his elderly victims. Hughie Smith, of Fernlands Close, was sentenced at Hove Crown Court on March 3 after he pleaded guilty to a number of fraud offences.

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 News ▶ Surrey News ▶ Surrey Police

Surrey fraudster jailed for eight years after fleecing thousands of pounds from elderly victims

'To deliberately target vulnerable people in this way is appalling'



Crime

Men jailed after Aylesbury court hears how they conned the elderly in fraudulent home improvement scheme

“This is a shocking case, with vulnerable, elderly residents ruthlessly targeted as easy prey”

Two men have been jailed for conning elderly residents in a fraudulent home improvement scheme.

On Friday (10 March) at Aylesbury Crown Court James John Caleb Sheen of Warren Crescent, Oxford and Michael Steven Jones of Divinity Road, Oxford, were given prison sentences.

They were convicted of committing a number of crimes relating to their scheme which involved conning victims out of large amounts of money.



Key Performance Indicator:

Status Green

Communications activity:

New indicator

- % engagement generated by our social media activity
- Number of impressions generated by Trading Standards social media activity
- Number of followers on social media platforms.

Comments:

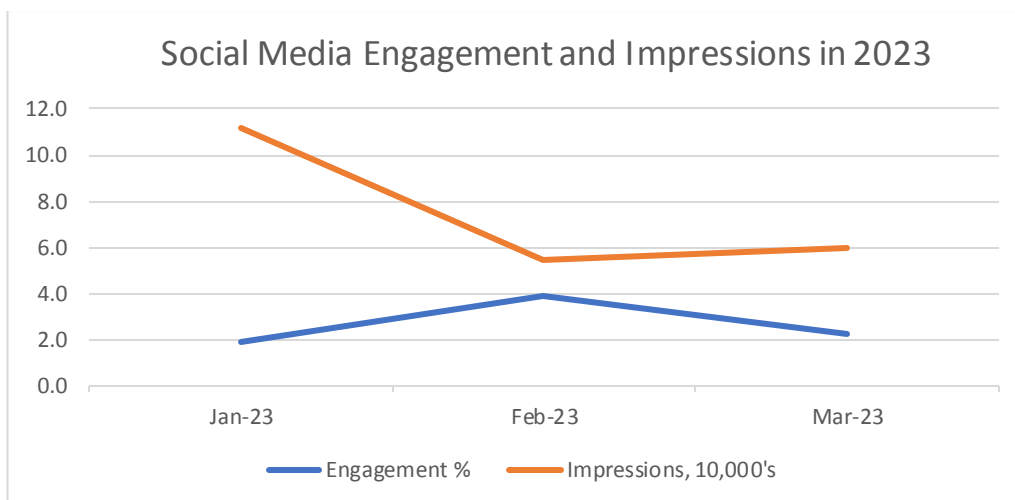
The Service only began to regularly look at this data part way through the year so historic data is limited.

At the end of the year the followers stood at:

- Twitter – **4,189**
- Facebook – **2,056**
- TS Alert! Signed up to receive newsletter – **1,244**

Social media engagement across all of our channels during the calendar year 2022 was **3.34%**, an increase from 2.37% in the calendar year 2021 and well above the local government 'good' standard of 1-2%. Engagement is not linked to the number of posts you put out, as one engaging posts may generate much more action from readers (such as liking, sharing or commenting on the post) than lots of posts.

Social media impressions (i.e. the number of times the post/tweet is seen on a readers screen) generated by Trading Standards totalled **1,100,000** in the calendar year 2022 which was an increase from 888,000 in the calendar year 2021. This number is likely to be proportionate to the number of posts/tweets put out (unless they are paid for as advertising).

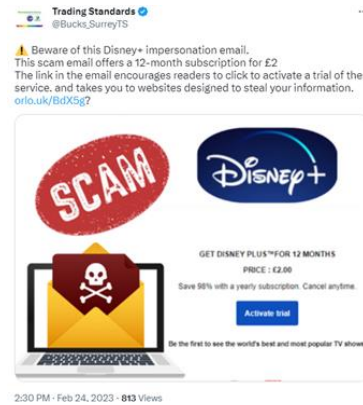
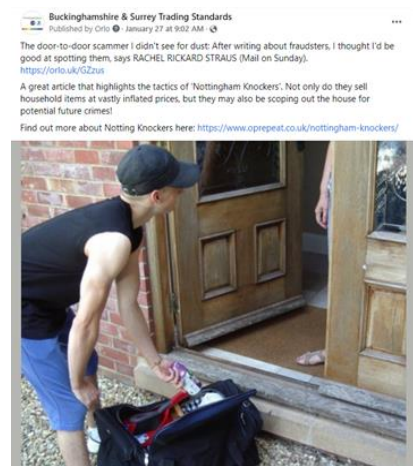


This graph demonstrates that engagement and impressions do not follow the same pattern, which is why the Joint Committee are looking at both measures.

The Service post on Facebook and Twitter frequently (usually at least daily) with a mix of information about what we have been doing, local alerts regarding doorstep sellers and information from partners which relates to our activities (for example information from the Animal Health and Plant Agency about Avian Flu restrictions, information from the Food Standards Agency with an allergen alert, product safety recalls, Action Fraud messages on the latest scams etc).

The tweets and Facebook posts gathering the most impressions in March, February and January of 2023 related to the testing we'd done of 'energy saving' devices, door to door scammers known as Nottingham Knockers, scam awareness training and scams relating to holidays and TV subscriptions:

Case Studies: Social media posts are used to educate and inform the public about current and topical issues, for example:



Service Priority Area 2

Enabling businesses to get the help and support they need to thrive and grow. Delivering public protection through supporting businesses to comply with their legal responsibilities and ensuring a level playing field.

Research shows that a positive regulatory environment can contribute significantly to economic development and sustainable growth, improving the openness of markets and creating a less constricted business environment for innovation and entrepreneurship. It can protect compliant businesses by enabling fair competition and promoting a level playing field and provide business with the confidence to invest, grow and create new jobs.

Key Performance Indicator:

To increase the number of Primary Authority Partnerships (PAPs)

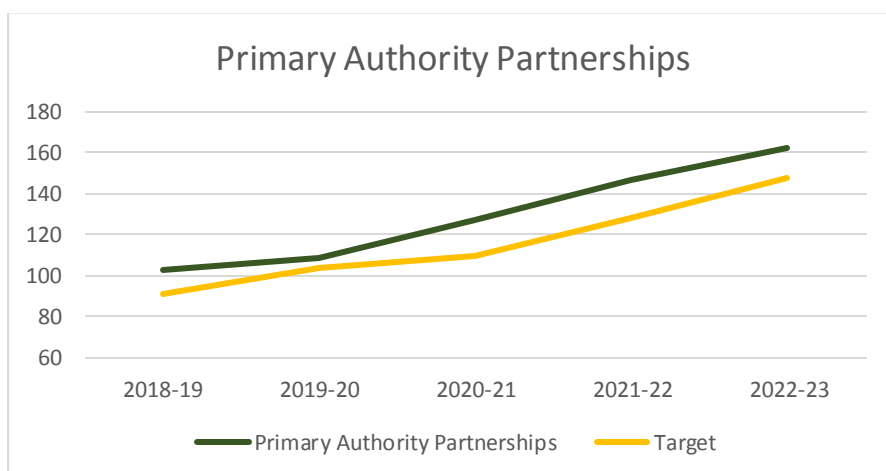
Status Green



Comments:

Primary Authority is a national, statutory scheme that enables businesses to access tailored regulatory advice from one authority on a cost recovery basis. Bucks and Surrey's award-winning Primary Authority service supported 162 partnerships by the end of the year making it the largest provider in the UK.

There has been a steady growth in the number of partnerships despite continuous movement with some businesses merging or folding. Overall performance for the year was excellent and is above (good) the target of 148.



This number also includes some “coordinated” Partnerships where the relationship with an organisation covers numerous member businesses. For example, the Association of Convenience stores who have nationally over 5,000 members (approx. 95 in Surrey and 76 in Bucks) who between them have around 33,500 shops.

Primary Authority Partnerships (PAPs) contribute to a positive regulatory environment as they provide a robust platform for Regulatory Services including Trading Standards to understand a business in depth and give appropriate and timely advice. The advice ensures start-ups get it right at the outset and enables all businesses to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.

Case studies: Primary Authority relationships are a successful multiplier for the impact of preventative advice and an effective way to manage and resolve non compliances that, whilst presenting a risk, don't meet the threshold for enforcement action. There are numerous examples of our work to choose from so a few are provided below:

Celebrating reaching the milestone of 150 Primary Authority Partnerships

When the Service reached 150 Partnerships earlier in the year, we wanted to turn this milestone into something positive for our local communities.

Given the cost-of-living crisis we asked our Partners to donate either goods or cash that could be used by food banks. We also undertook a staff raffle to raise some money to add to the donations. Many of our partners already have ongoing arrangements with food banks to reduce their food waste, but we were able to collate over 3,500 items and £550. The food and money were delivered to food banks in Surrey and Buckinghamshire in October.

Case Study 1



Officers attended the Association of Convenience Stores' (ACS) Heart of the Community Conference in London. This annual political conference brings together 200 convenience retailers in Westminster. It aims to help convenience retailers understand the political and policy issues that will impact their business in the year ahead and inspire them to engage with their communities.

This was a great opportunity to promote our convenience sector advice, especially on High Fat Salt and Sugar Regulations and e-cigarettes. Officers showed examples of non-compliant vape products to illustrate the types of products to avoid. See examples of guidance we have developed with the ACS below, including brand new advice relating to the deposit return scheme in Scotland. To view all of the advice issued to ACS follow this link: <https://www.acs.org.uk/advice>

ACS the voice of local shops. acs.org.uk **ELECTRONIC CIGARETTES** An ACS advice guide for retailers

1. HOW TO RECOGNISE LEGITIMATE PRODUCTS

There are strict requirements for vapes that are allowed to be placed on the UK market. Check the following to ensure the products you stock are legitimate:

The maximum tank size is 2ml. This is equivalent to 600-650 puffs for disposables. Products advertising significantly more usage than this are illegal.

The maximum size of refill containers is 10ml.

DISPOSABLES = 2ml
REFILLS = 10ml

Batch number.

Batch: 959078

Recommendation to keep the product out of the reach of children.

The maximum nicotine content allowed for vapes is 20mg/mL.

20mg/ml

Health warnings must cover 30% of the front and back of the pack. The health warning must read:

Any variation on this wording is not allowed.

Offers and discounts, product safety/health claims are prohibited on packs.

Vapes that are charged from the mains electrical supply should bear the CE mark or UKCA mark. The UKCA (UK Conformity Assessed) mark became part of UK law when the UK left the EU and must be included on all packaging from January 2023 onwards.

List of ingredients in nicotine-containing liquid, if present.

3x Flavoured eLiquid

INGREDIENTS
Vegetable Glycerine (<80%)
Monopropylene Glycol (<20%)
Flavouring: cookie, cherry, almond, 0.6% Nicotine

The product must indicate the nicotine content and delivery per dose.

Nicotine content
6-8 mg per cartridge

All vapes and refill containers must be tamper-evident and have child-resistant packaging. Electronic/electrical products must be disposed of separately from household waste, more information about recycling vapes and WEEE regulations is available on page 7.

Packaging must also contain the manufacturer or importer name and contact details.

Imported and distributed by
E-Smoke Ltd
90 Eastern Road,
Slough SL3 1XS
Tel: 01753 100100
Email: info@e-smoke.co.uk

ACS the voice of local shops. acs.org.uk **HFSS PRODUCTS: PROMOTION AND LOCATION REGULATIONS** An ACS advice guide for retailers

1. IS MY BUSINESS IMPACTED BY THE REGULATIONS?

Convenience retailers' obligations under these regulations depend on the number of employees in their business and the size of their selling space in store(s). ACS' Assured Advice guide will help convenience retailers to understand:

- Which convenience retailers are impacted by the regulations.
- What volume promotions you can and cannot run on HFSS products.
- Where in your store you can and cannot display HFSS products.
- What areas of your website and online platforms are affected.
- How you can determine if a product is HFSS.
- How the regulations will be enforced.

Implementation dates

There are differing implementation dates for certain parts of these regulations:

October 2022	October 2023
Introduction of location restrictions	Ban on volume promotions

The location restrictions will come into force from **October 2022**.
The ban on volume promotions will come into force from **October 2023**.

What is a HFSS product?

The regulations apply to the categories of prepacked goods set out in the list below. However, this does not mean every product within each category will be impacted. Products must be assessed on an individual basis to determine their 'nutritional profiling score' (NPS).

Retailers should work with suppliers to establish what products are HFSS. The majority of suppliers will be clearly communicating what products are HFSS.

Soft drinks with added sugar	Confectionery	Cakes	Ice cream	Crisps and savoury snacks
Morning goods (eg pastries)	Puddings and dairy desserts	Sweet biscuits	Breakfast cereals	Ready meals
Yoghurts	Milk drinks with added sugar	Juices with added sugar	Pizza	Chips and similar potato products

STEP 1/3: Restrictions on volume promotions (From October 2023)

Convenience retailers with more than 50 employees must not offer volume promotions on HFSS products from October 2023. The calculation of your employee numbers could be impacted by your participation in a 'franchise agreement', including membership of symbol groups.

```

graph TD
    Q1{Do you have 50 or more employees?} -- YES --> A1[You cannot run volume promotions on HFSS products in store or online.]
    Q1 -- NO --> Q2{Do you operate any part of your business as a franchise or are you a member of a symbol group?}
    Q2 -- YES --> A2[Ask your symbol group or franchise head office whether their advice is that you are included in these regulations.]
    Q2 -- NO --> A3[You are exempt from all parts of these regulations.]
    A2 --> A1
  
```

Franchise agreements and symbol groups

Convenience retailers that are deemed to have a 'franchise agreement' will have to calculate their employee numbers based on **all employees within the whole franchise business or symbol group they are part of**, not just the precise directly employed in stores.

Convenience retailers will need to consult their symbol group supplier or franchise partner to discuss whether their agreement is considered to be a 'franchise agreement' as defined in the regulations. The regulations define a 'franchise agreement' based on ALL the following criteria:

- You agree with another party to the sale or distribution of food.
- You agree with another party to the supply of particular food products specified in an agreement.
- You agree with another party to comparable contractual arrangements as other businesses to:
 - products provided by the franchisor
 - the internal or external appearance of the premises.
 - the business model used for the operation of the business.

Retailers should gain access to legal advice on the status of their contracts, either:

- advice provided by their symbol or franchise head office, or
- advice the retailer has sourced themselves.

Source: The Food (Promotions and Placement) (England) Regulations 2023 Section 4 Qualifying Businesses

Case Study 2

Discussion and guidance for online retailers of alcohol on the steps they can make to ensure they do not make sales to people under the age of 18. This information is being used to educate retailers and to promote online age verification technology accompanied by assured advice. This has since led to the recent recording of a podcast on the same issue.

Case Study 3

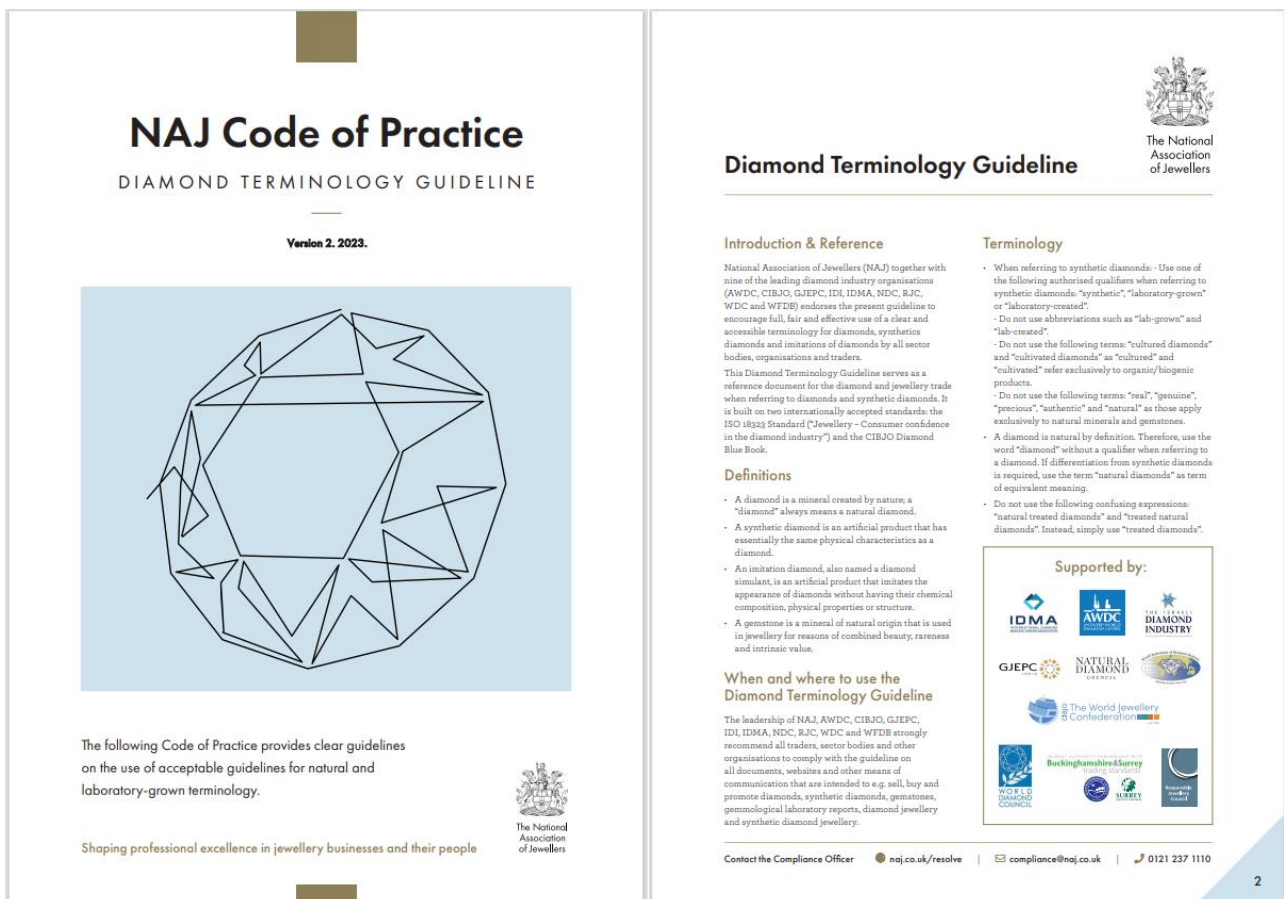
Label checks and advice regarding health warnings about high caffeine content and suitability of the product for children and vulnerable adults.

Consume Responsibly:

High Caffeine Content. Not Recommended for Children, Pregnant or Breastfeeding Women, or People Sensitive to Caffeine (32mg/100ml). Consume responsibly as part of a balanced diet and healthy lifestyle.

Case study 4

During the year, working with the National Association of Jewellers (NAJ) we updated our advice on Diamond terminology which helps businesses and consumers understand the difference between natural and synthetic diamonds and is used nationally and internationally.



The image shows two pages from the 'NAJ Code of Practice Diamond Terminology Guideline'. The left page is the cover, featuring a large diamond illustration and the title 'NAJ Code of Practice DIAMOND TERMINOLOGY GUIDELINE Version 2, 2023'. The right page is the first page of the guideline, containing sections for 'Introduction & Reference', 'Definitions', and 'Terminology'. It also lists supporting organizations like IDMA, AWDC, and GJEPC.

NAJ Code of Practice
DIAMOND TERMINOLOGY GUIDELINE
Version 2, 2023.

Introduction & Reference
National Association of Jewellers (NAJ) together with nine of the leading diamond industry organisations (AWDC, CIBJO, GJEPC, IDI, IDMA, NDC, RJC, WDC and WTDI) endorses the present guideline to encourage full, fair and effective use of a clear and accessible terminology for diamonds, synthetic diamonds and imitations of diamonds by all sector bodies, organisations and traders. This Diamond Terminology Guideline serves as a reference document for the diamond and jewellery trade when referring to diamonds and synthetic diamonds. It is built on two internationally accepted standards: the ISO 18323 Standard ("Jewellery - Consumer confidence in the diamond industry") and the CIBJO Diamond Blue Book.

Definitions

- A diamond is a mineral created by nature; a "diamond" always means a natural diamond.
- A synthetic diamond is an artificial product that has essentially the same physical characteristics as a diamond.
- An imitation diamond, also named a diamond simulant, is an artificial product that imitates the appearance of diamonds without having their chemical composition, physical properties or structure.
- A gemstone is a mineral of natural origin that is used in jewellery for reasons of combined beauty, rareness and intrinsic value.

When and where to use the Diamond Terminology Guideline
The leadership of NAJ, AWDC, CIBJO, GJEPC, IDI, IDMA, NDC, RJC, WDC and WTDI strongly recommend all traders, sector bodies and other organisations to comply with the guideline on all documents, websites and other means of communication that are intended to e.g. sell, buy and promote diamonds, synthetic diamonds, gemstones, gemmological laboratory reports, diamond jewellery and synthetic diamond jewellery.

Terminology

- When referring to synthetic diamonds - Use one of the following authorised qualifiers when referring to synthetic diamonds: "synthetic", "laboratory-grown" or "laboratory-created".
 - Do not use abbreviations such as "lab-grown" and "lab-created".
 - Do not use the following terms: "cultured diamonds" and "cultivated diamonds" as "cultured" and "cultivated" refer exclusively to organic/biogenic products.
 - Do not use the following terms: "real", "genuine", "precious", "authentic" and "natural" as those apply exclusively to natural minerals and gemstones.
- A diamond is natural by definition. Therefore, use the word "diamond" without a qualifier when referring to a diamond. If differentiation from synthetic diamonds is required, use the term "natural diamonds" as term of equivalent meaning.
- Do not use the following confusing expressions: "natural treated diamonds" and "treated natural diamonds". Instead, simply use "treated diamonds".

Supported by:

- IDMA
- AWDC
- THE SMALL DIAMOND INDUSTRY
- GJEPC
- NATURAL DIAMOND
- The World Jewellery Confederation
- Buckinghamshire & Surrey
- DIAMOND COUNCIL
- MIREX

The following Code of Practice provides clear guidelines on the use of acceptable guidelines for natural and laboratory-grown terminology.

Shaping professional excellence in jewellery businesses and their people

Contact the Compliance Officer | naj.co.uk/resolve | compliance@naj.co.uk | 0121 237 1110

Logos of all current partnerships

Primary Authority Partnerships in Surrey



Primary Authority Partnerships In Buckinghamshire



National Primary Authority Partnerships





Key Performance Indicator:

Status

% of requests for business advice completed within 10 working days

Trial indicator

Comments:

This is a trail indicator, where we have been testing the ability to record and report with the intention of reporting next year.

The primary aim for business advice is to give accurate and relevant advice. However, the speed is also important. Trialling the indicator has highlighted some issues with our recording system and these are gradually being tackled to improve the robustness of the data.

Case studies: Advice is delivered on the business advice helpline either by telephone or email and is often bespoke to particular circumstances or products.

Examples

- Label checks, advice regarding the use of the words traditional, traditional way and ethically sourced.
- Query regarding the application of EN71 (toy safety) to badges.
- Implications for the addition of substation and EV chargers to a petrol forecourt.
- Advice sought on labelling taps/showers and bathroom accessories.

Service Priority Area 3

Improving wellbeing and public health; tackling the supply of unsafe, dangerous or age restricted products and working to maintain the integrity of the food chain from farm to fork, including food quality, nutrition, and animal health.

Key Performance Indicator:

Number and estimated value of unsafe/non-compliant goods removed from or prevented from entering the supply chain

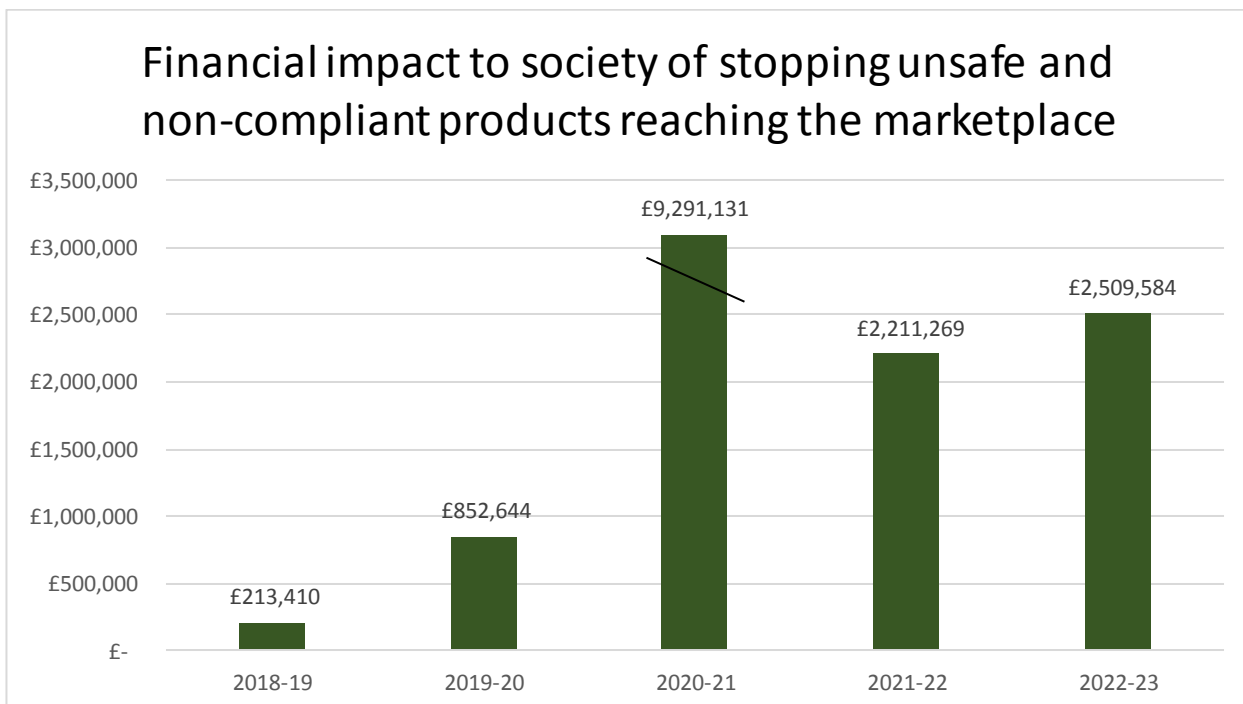
Status Green



Comments:

Using funding from the Office for Product Safety and Standards (OPSS) who are part of the Department for Business and Trade, **71,641** unsafe or non-compliant products were stopped from entering the country by our officers at Heathrow during the year. This represents a positive financial impact of over **£2.5m** to society of preventing unsafe goods reaching communities where they can cause damage to people and property.

This compares to just under 47,000 unsafe or non-compliant products stopped in the previous year.



Case studies: Amongst the range of products, we have stopped various make up and cosmetic products containing banned or excessive chemicals that pose risks of cancer, kidney failure and neurological damage. A regular reason for declining entry to consignments is the importer failing to provide documents to prove what their products contain or that they have been tested to check they are safe. Some examples of other unsafe products prevented from entering the country during the year include:

Example 1

Power tool adapters/battery chargers. These were sent for testing due to concerns over poor product quality. Testing showed they posed a hazard of electric shock as well as problems with documentation and markings.



Example 2

eBikes being imported with non-UK plugs



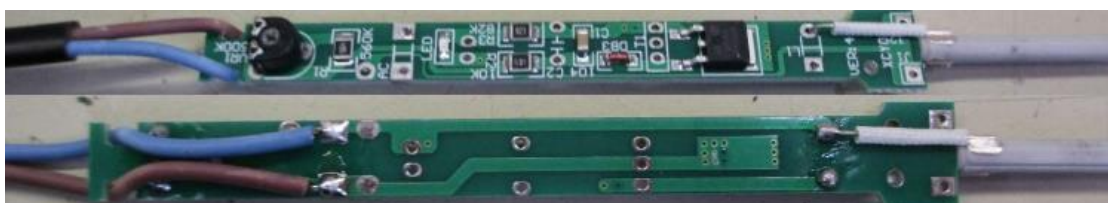
Example 3

Copper Water Bottles and “Healing” Bangles making medical claims on the packaging. The copper water bottles that claimed copper water “improves digestion; removes bacteria and impurities; support healthy immune function” were tested and found to cause water kept in them to then contain more copper than is permitted in drinking water. The analyst also confirmed that “there are no authorised food health claims relating to copper and digestion nor are there any relating to copper and the cardiovascular system or ageing.” The MHRA were contacted and they confirmed that neither product was a registered medical product (as they would need to be if they wished to make legitimate medicinal claims).



Example 4

Soldering irons that posed a risk of electric shock because you could access live parts without tools (the cable cover could be removed by hand) and there was electrical strength breakdown through the material mesh making the nib live (as well as the plug being the wrong size and counterfeit cabling):



Example 5

Children's magnet trick toys. With the potential for significant harm if a child swallowed these magnets (they would easily fit into a child's throat) we were particularly interested to see the testing that had been done to the product. Upon request of paperwork, it became clear the products were not appropriately tested for the key element of magnets and the consignment was refused entry. The toy is also currently undergoing a recall as some products had already reached the marketplace.



Example 6

Toy gel guns that were unsafe because the gel balls they fire could fit in a child's throat and were capable of significant expansion when exposed to liquid, presenting a choking or intestine obstruction hazard either of which could be fatal. It was also incorrectly labelled with no UK contact details for the importer or manufacturer.



Key Performance Indicator:

Status Green

Number of premises tested for selling illicit or age restricted products inappropriately, and approximate value of seized goods.



Age Restricted Goods

Test purchases by underage volunteers were carried out at **59** premises. The volunteers made 26 attempts to buy alcohol, 9 attempts to buy knives and 24 attempts to buy vapes with failure (sale) rates of **27%** for alcohol, **11%** for knives and **29%** for vapes.

The Service is alert to potential problems with nitrous oxide being sold to under 18 for psychoactive purposes and works with partners if complaints are received. Very recently the government made an announcement that nitrous oxide will be banned, which we assume will change the current legislation regarding sales to under 18s. We await the detail of the future legislation to understand whether Trading Standards will be involved in enforcement.

Illegal Tobacco

As a cheap source of tobacco, often with no health warnings in English and not in plain packaging, illegal tobacco is linked to smoking in young people and those from more deprived groups for whom price affects how much they can smoke.

Smoking remains the biggest single cause of preventable mortality and morbidity with huge costs to society¹. Because smoking is so harmful, differences in smoking prevalence across the population translate to health inequalities, and differing smoking prevalence rates in different groups² will be exacerbated by it being more likely that those with lower incomes will be more likely to purchase illegal tobacco because of its lower cost.

Following **114** unannounced test purchasing visits for illegal tobacco, **6** days of operations with the tobacco detection dogs have been conducted.

The test purchases help us to know where to target our time with the detection dogs. The dogs themselves are vital for locating illegal tobacco, which is often professionally well hidden, underlining the criminal intent behind its supply. In many cases our officers would not be able to find the tobacco without the help of the dogs, and even when the dogs have indicated tobacco is present it can often take some time to work out how to reach it.

¹ In Surrey smoking was responsible for 3,958 deaths (2016-18) and 7328 hospital admissions (18/19).

The estimated cost to society of smoking in Buckinghamshire is estimated to be £106.2 million¹ per year (made up of losses to the local economy due to productivity losses, costs to the NHS, additional social care costs and costs of house fires caused by smoking).

² In 2019 Surrey smoking prevalence in routine and manual workers was 24.4% compared to 7.5% for those in managerial and professional occupations

This activity led to **17** seizures from premises of over **85,000** cigarettes, over **7,000** illegal vapes, over **11kg** of illegal hand rolling tobacco and some potentially illegal alcohol found. The approximate value of the illegal tobacco seized was **£40,000**.

16 investigations into the supply of illicit tobacco concluded during 22/23. During 2022-23 **4** people and **1** company were convicted for tobacco related offences. They were fined and one was given a suspended prison sentence, and **12** written warnings being issued. One other case is awaiting time in court following a decision to prosecute. Following the seizures during the year, more recent matters remain under investigation.

Case studies: Recently we have seen the use of electro-magnets to provide a further way of preventing tobacco from being found. Below are some photos of illegal tobacco hides and tobacco seized this year:

Example 1

Illegal tobacco found in a van parked near to a shop (left); and illegal tobacco being logged (right):



Example 2

Illegal tobacco found in the top of a walk in chiller unit (secured with an electromagnet):



Example 3

An illegal tobacco hide found behind a shelving unit (also secured with an electromagnet) and a tobacco unit hidden within a wall (far right):



Key Performance Indicator:

Status Green

Market surveillance activity carried out, including in relation to food and animal health e.g., samples taken, visits conducted, seizures made.



Comments:

Marketplace surveillance activity became increasingly focused on products that residents were more likely to buy in a cost-of-living crisis as inflation rose throughout the year. There is a separate paper for the Joint Committee focusing on this, however it will also be seen in this report.

162 food samples were taken and tested.

153 businesses were found to be in breach of animal health and welfare legislation and brought into compliance.

114 businesses were identified as supplying: misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food.

Lettings Agents

Around 20% of households are in the private rentals, spending³ on average 26% of their income on rent, so it is vital that this sector operates fairly and doesn't put these renters at excessive risk. Trading Standards are responsible for ensuring that Letting Agents for rented accommodation comply with requirements to ensure:

- That client money (for example paid as deposits) is kept safe in a government approved Client Money Protection Scheme (so that it cannot be used by the letting agent for another purpose and be lost) and that membership of the CMP Scheme is visible to prospective renters.
- That lettings agents and landlords treat renters fairly in that only permissible fees are charged, and that there is visibility to prospective and current renters of what those charges are
- That prospective renters understand the energy efficiency of the property they are considering buying by visibility of a current Energy Performance Certificate at the time of marketing
- That renters can exercise their rights effectively by requiring lettings agents to have clearly visible which Redress Scheme they are part of.

Over the past year 64 agents have been contacted and advised to carry out corrective actions to ensure that they are compliant with the requirements above. Of these 47 (73%)

³ [Private rental affordability, England, Wales and Northern Ireland - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

have responded to the advice and are now fully compliant. We continue to work with the remainder and are optimistic that the majority will become compliant.

Where a letting agent is not moving themselves into compliance the Service can impose financial penalties, and this is considered in line with our Enforcement Policy. During the year a letting agent and a landlord were both fined (a fixed penalty amount of £200 each) for failing to ensure that an Energy Performance Certificate (EPC) was available when a property was marketed. In that case the EPC was not commissioned for over 4 months after initially marketing and letting the property.

Weights and Measures



As part of work to tackle issues raised in importance by the cost-of-living crisis and residents needing to know that they are getting what they have paid for, the Service tested over **300** petrol pumps across Surrey and Bucks to ensure they were accurate. Around 5% were inaccurate and were taken out of use whilst they were adjusted.

Product safety

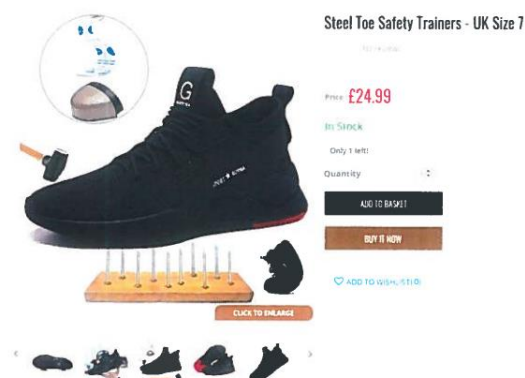
This year the Service has particularly focused on testing products that are more appealing to people during more intense cost of living pressures, including devices claiming to save energy and electricity costs.


Of **16** different products bought and tested **13 (81%)** failed. Another 3 products have been bought and submitted for testing but the results of testing remaining outstanding. Almost none of the claims being made were true. As well as being mainly useless, some were also dangerous.

Follow up work on the products that failed has included having products withdrawn from sale (both voluntarily and through web site take downs), advice to businesses on changes that were needed to labelling to make the products safe in use, sharing information with other regulators nationally through the Product Safety Database and investigation.

Examples

During the year a prosecution into the supply of unsafe 'safety trainers' was completed with the conviction of the Company and its Director who were both fined. The shoes were supposed to protect the wearer from all manner of harms, including penetration by nails and being hit by a hammer, as demonstrated in their sales picture (right). When they were tested it became apparent that they had no such protection posing very serious risks to users who expected them to be a form of protection.



 This image cannot currently be displayed.


In one example a small heater (see picture left) failed as there was a risk of electrocution and the Service is working to ensure it is removed from sale from a multitude of platforms including eBay and Amazon as well as alerting other Trading Standards Services of the risk and encouraging the Office for Product Safety and Standards to take a national approach to the risks posed.

Nearly **8,000** unsafe or non-compliant vapes were seized during the year. The main problems are oversized disposable vapes, vapes with incorrect labelling (labelled for the US market without appropriate UK warnings) and vapes that are not registered with the Medicines and Healthcare products Regulatory Agency (MHRA) as being ok for sale (so haven't been shown to comply with UK rules on composition).

Electric Blanket Testing

As energy saving advice was given in the autumn to heat the person rather than the room the Service decided to test electric blankets in use by residents. Electric Safety First funded the testing and one of our Primary Authority Partners, Dreams, provided new electric blankets that could be used to replace ones which failed. Of 71 blankets tested, there was a staggeringly high failure rate of 80%. One failed blanket was identified as being over 40 years old, another already showed scorch marks before it was tested (see below)



FUNDED BY  

Free Electric Blanket Checks
86% of blankets we tested recently were a fire risk. 

27 February
Fairfield
Centre,
Leatherhead

28 February
St Mary's
Community
Centre, Byfleet

1 March
Buckingham
Community
Centre

Bring your blanket for testing:
from 10am to 3pm.
Replacement blankets issued if yours fails.

Firework Storage safety

The Service licences sellers of fireworks for their storage. When the retailers have live fireworks on their premises we undertake targeted visits to the higher risk retailers and any whom we receive complaints about to ensure that the explosives are being stored safely given that fireworks can be so dangerous if not stored and used correctly.

Animal Health & Welfare



Avian flu is an infectious type of influenza that spreads among birds. In rare cases it can infect humans if they are in very close contact with infected birds, and the Health Protection Agency are monitoring this aspect of the disease very closely. We were fortunate to only have one outbreak in our area (at Horley) during the year. We worked closely with colleagues across a range of Services, particularly in the Animal and Plant Health Agency (APHA), Emergency Management, Public Health and Communications to assist in managing the outbreak.

As part of this road signs warning of the disease zone were erected and over **1,500** premises visited by Trading Standards Officers to identify previously unknown keepers of birds. Across all the visits made (including those by APHA officers) over **60** keepers of birds were newly identified who were then advised on how to keep their birds safe and visited by APHA vets to monitor the health of their birds.

Up to date information on the outbreak, or general level of risk and the latest biosecurity requirements is published on our social media channels and through our newsletters ([Animal health newsletter - Surrey County Council \(surreycc.gov.uk\)](#)). The most up to date situation, including outbreaks and the latest risk level can be found here: [Avian influenza \(bird flu\) - GOV.UK \(www.gov.uk\)](#)

Bovine Tuberculosis: Our activity to ensure the health and welfare of farmed animals and the security of the food chain has identified **153** businesses in breach of Animal Health and Welfare legislation including issues relating to failure to test in relation to Bovine Tuberculosis (Tb), not reporting animal movements and minor animal welfare matters. Bovine Tb is an infectious zoonotic chronic respiratory disease in cattle. It is one of the biggest challenges facing the UK cattle farming industry today.



Cattle in the Edge area (Buckinghamshire) are required to test every 6 months to prevent the spread of the disease. Enforcement and intervention are concentrated on overdue TB tests, illegal movements of cattle from restricted holdings; cattle moved prior to the required pre or post movement tests and failure to cleanse and disinfect a holding after a TB Breakdown.



Rabies: Illegal landings of animals which have been brought into the country and haven't followed the quarantine or vaccination requirements continue to occur increasing the risk of rabies being brought to Great Britain. Whilst the Councils have plans in place if rabies is suspected, it is important to do everything we can to minimise the chance of using them as the risk to health and life of both humans and animals coming into contact with an infected animal would be significant.

During 2022-23 **4** investigations were carried out into illegal puppy imports. However, it is worth noting that Central Government provided guidance with special provisions for small animals accompanying Ukrainian refugees allowing careful quarantine in their host home.

Food Surveillance Projects

In a time where people are more concerned than ever about getting what they have paid for and expect, we continued to carry out food market surveillance projects, with **162** samples taken. **46%** of these samples were found to be unsatisfactory in relation to labelling and or composition. The non-compliances ranged from minor labelling irregularities in relation to nutritional information given to the wrong decimal point, to CBD products found to contain THC, and food found to contain undeclared allergens.

114 businesses have been found to be selling misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in food fraud. These non-compliances were found during Food Interventions and because of food sampling. These included projects to look at goat speciation (is what you are buying what you think it is?); whether bakery products contained harmful levels of acrylamide (a

substance carcinogenic to humans and previously found in biscuits) or the allergen soya; whether CBD products contained the amount of CBD expected or the psychoactive (and banned) chemical THC; and whether milk contained the level of fat appropriate to its' labelling.

Example surveys

Earlier in the year the results were received of testing for **goat speciation** to ensure that foods claiming to contain goat did. The results have been very delayed due to a lack of the necessary chemicals to run the tests. However, the results show a concerning lack of goat, with 10 out of 15 not containing goat, including one which was substituted with beef, which would be of concern to those with certain religious beliefs. Follow up advice visits were made and suppliers contacted to rectify the issue.

Another food project relates to foods claiming to contain **CBD (cannabinoids)**. This showed high failure rates with samples not containing the amount claimed, and all containing some level of THC (the psychoactive and banned part of the cannabis plant). In addition, there are issues with name of the food, nutrition claims, health claims, food information, food supplement regs and Weights & Measures. In relation to those containing THC follow up is being undertaken in conjunction with the Police.

We are pleased to report that there were no significant problems found with the **bakery products**.

The level of **fat in milk** can be important for many people, for example some people will actively choose skimmed milk because they are on a low-fat diet or full fat milk because they are on a higher fat diet. This can be particularly important for the youngest and oldest in our society, but many others choose their milk based on its' perceived fat content. Samples were taken from local producers and one sample was found to contain 33% more fat than declared.

A project to test if **cows milk** was present in hot drinks requested to be made with **dairy alternatives** produced 4 drinks with cows milk present out of 15 purchased (over 26%). Follow up visits were made to advise the business and understand how the failure happened so that it can be avoided in the future.

Responding to complaints about foods and food businesses

In addition to surveillance projects, invaluable information to help us target our activity comes from complaints. There have been a number of complaints in relation to allergens which, due to the potential risk to life caused by undeclared allergens, we follow up and provide advice to support businesses to comply. Where a business fails to comply after advice, further enforcement is considered.

In the summer an Improvement Notice was issued to a takeaway business for continuing to fail to provide accurate allergen information to its customers despite multiple attempts by the Service at giving the business advice both in person and in writing, and this remains an ongoing case. In another example the service tested for Gluten in a “Gluten free” samosa following a complaint. Gluten was found and an investigation is ongoing to identify the source of the gluten and work with businesses to ensure their allergen labelling correctly describes all the allergens present in their products.

BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 18 MAY 2023

**LEAD OFFICER: AMANDA POOLE
ASSISTANT HEAD OF TRADING STANDARDS**

**SUBJECT: WORK TO SUPPORT COMMUNITIES AND INDIVIDUALS
DURING PRESSURES CAUSED BY COST-OF-LIVING
PRESSURES**

1.0 SUMMARY OF ISSUE:

- 1.1 With high inflation putting households and businesses under immense strain, the most vulnerable and disadvantaged are affected the greatest.
- 1.2 Trading Standards helps protect residents from harm by ensuring honesty, fairness and safety across the marketplace. In a time of financial hardship, getting what you are paying for becomes increasingly vital.
- 1.3 Supporting communities through significant increases in the cost of living became a priority mid-year, causing the service to undertake activities that weren't planned at the start of the year.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee notes the Service's work outlined in the report attached at Annex A to support communities through cost of living pressures.

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
 - a) Ensure effective performance of the Service. This includes reviewing performance by considering performance.

4.0 Cost of Living work - Details:

- 4.1 The activity of the Service in this area can broadly be divided as follows:



- 4.2 **Product Safety: Ensuring products are safe, regardless of their cost.** Marketplace surveillance activity became increasingly focused on products that residents would find more appealing and were more likely to buy in a cost-of-living crisis as inflation rose throughout the year.
- 4.3 This included tested devices claiming to save energy and electricity costs. In one example the product claimed to be able to save you “as much as 90% on your electricity bill”. Claiming it would, among other things, “remove dirty electricity”. Neither of these claims are true and we have undertaken a range of activities to remove these products from the market.
- 4.4 With assistance of a grant from Electric Safety First, the Service carried out testing of electric blankets in use, finding 80% of those tested were dangerous. All dangerous electric blankets were replaced with safe new ones provided free of charge by Dreams, one of our Primary Authority Partners.
- 4.5 **Keeping vulnerable consumers safe from scams: Keeping people safe from financial loss or harm to their wellbeing.** Financial pressures can cause people to be temporarily vulnerable in ways that they would not otherwise be, making decisions that are affected by the pressure they feel under.
- 4.6 Government grants are unfortunately frequently piggy backed off by fraudsters trying to exploit these vulnerabilities, so the Service has aimed to raise awareness of potential scams as widely as possible, through routes including social media, webinars and both Council’s literature for residents. Some examples are given in the report.
- 4.7 **Fairness of the trading environment: Providing confidence to consumers that they are getting what they paid for. Helping honest businesses not to be put at a disadvantage.** Some examples of this work include testing the accuracy of petrol pumps, working to disrupt the supply of illegal goods such as tobacco and tackling lettings agents who are not providing the required protections for their customers, for example by keeping their deposit money safe in client money protection schemes.
- 4.8 5% of petrol pumps tested were inaccurate and were taken out of use prior to them being adjusted to be accurate. Due to the elevated cost of petrol, on average these pumps would have been overcharging each consumer £1 every time they filled their tank.

5.0 CONSULTATION:

- 5.1 No external consultation has taken place.

6.0 RISK MANAGEMENT AND IMPLICATIONS:

- 6.1 All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).
- 6.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

7.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 7.1 There are no specific financial implications. This work was delivered from within existing resources.

8.0 LEGAL IMPLICATIONS

- 8.1 The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service. The Service's performance is then subject to scrutiny in the participating authorities in the normal way.
- 8.2 There are no other specific legal issues that need to be drawn to the attention of the Committee.

9.0 EQUALITIES & DIVERSITY

- 9.1 Cost of living pressures will have a disproportionately high impact on communities that are already financially stretched and those with fewer support mechanisms in place. Some of the work described in the report would support all communities whereas some was specifically targeted at those most likely to be impacted the hardest.

10.0 WHAT HAPPENS NEXT:

- 10.1 The Service continues to be alert to cost of living pressures and intends to repeat some of the work outlined in this report in the coming year as a way to protect residents.

REPORT DETAILS

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 01372 371730

Consulted:

Annexes:

Annex A: Cost of Living Summary Report

Sources/background papers:

N/A

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Supporting communities during cost of living crisis 2022-23

Buckinghamshire & Surrey trading standards



Summary

High inflation puts households and businesses under immense strain, the most vulnerable and disadvantaged are affected the greatest.

Trading Standards helps protect residents from harm by ensuring honesty, fairness and safety across the marketplace. In a time of financial hardship, getting what you are paying for becomes increasingly vital.

Supporting communities through significant increases in the cost of living became a priority mid-year, causing the service to undertake activities that weren't planned at the start of the year.

Product Safety

Ensuring products are safe, regardless of their cost.

Market surveillance

Marketplace surveillance activity became increasingly focused on products that residents would find more appealing and were more likely to buy in a cost-of-living crisis as inflation rose throughout the year.

This included small fan heaters and devices claiming to save energy and electricity costs. In one example the product claimed to be able to save you “as much as 90% on your electricity bill”. Claiming it would, among other things, “remove dirty electricity”.



Recommended Usage

Use One (1) Voltbox unit for every up to 700 sq.ft of space. Maximize the results and help Save As Much as 90% on your Electricity Bill.

The Most Innovative Electricity Management Device on the Planet:

Stabilize Your Current, Remove Dirty Electricity, Slash Your Power Bill Today!

Of **16** different products bought and tested **13 (81%)** failed. Another 3 products have been bought and submitted for testing but the results of testing remaining outstanding. Almost none of the claims being made were true and some of the products were also dangerous.



In one example a small heater (see picture left) failed as there was a risk of electrocution and the Service is working to ensure it is removed from sale from a multitude of platforms including eBay and Amazon as well as alerting other Trading Standards Services of the risk and encouraging the Office for Product Safety and Standards to take a national approach to the risks posed.

Follow up work on the products that failed has included having products withdrawn from sale (both voluntarily and through web site take downs), requiring businesses to remove the untrue claims from advertising, advising to businesses on changes that were needed to labelling to make the products safe in use, and sharing information with other regulators nationally through the Product Safety Database.

One of our Facebook posts warning residents about the devices and linking to the press release was the most engaged with post in February:



With funding from the Office for Safety and Standards, surveillance activity on products being imported through Heathrow has continued this year. The Service has found, and stopped, over 71,000 unsafe and non-compliant products. With the exception of covid years where unsafe PPE was a particular problem, this is higher than in previous years illustrating the increasing supply of dangerous products and the importance of preventing them reaching the marketplace. The products stopped have included unsafe new electric blankets and dangerous heaters of a similar style to those sampled above.



Electric Blanket Testing

With energy saving advice for the many struggling with energy bills to 'heat the person not the home' likely to lead to increased use of electric blankets, and around 43 fires a year nationally being caused by unsafe blankets prior to this cost-of-living crisis, the Service applied for a grant from Electrical Safety First to test electric blankets.

Electric Safety First funded the testing; one of our Primary Authority Partners, Dreams, provided new electric blankets that could be used to replace ones which failed, and we worked with partners including the libraries services of both Councils to get suitable venues in the heart of communities.

Of **71** blankets tested across **6** days, there was a staggeringly high failure rate of **80%**.

Buckinghamshire & Surrey
trading standards

FREE
Electric Blanket Safety Checks

Old, damaged, or improperly used electric blankets pose a risk for fire or burns.

Bring your blanket to these libraries:

December
10am-12pm
1pm-3pm

12th Redhill
13th Ewell (Bourne Hall)
14th Staines
15th Aylesbury
16th High Wycombe

FUNDED BY
Electrical Safety First

FUNDED BY
Electrical Safety First

Buckinghamshire & Surrey
trading standards

Free Electric Blanket Checks

86% of blankets we tested recently were a fire risk.

27 February
Fairfield Centre, Leatherhead

28 February
St Mary's Community Centre, Byfleet

1 March
Buckingham Community Centre

Bring your blanket for testing: from 10am to 3pm.
Replacement blankets issued if yours fails.

In one instance a 90-year-old blind lady was brought in by her friend with an electric blanket that was approximately 45 years old and was found to be unsafe. In another instance the blanket already had scorch marks indicating even prior to testing that it was likely to be unsafe (see picture). Both of these owners were very happy with the new and safe replacements that they were given.



Keeping vulnerable consumers safe from scams

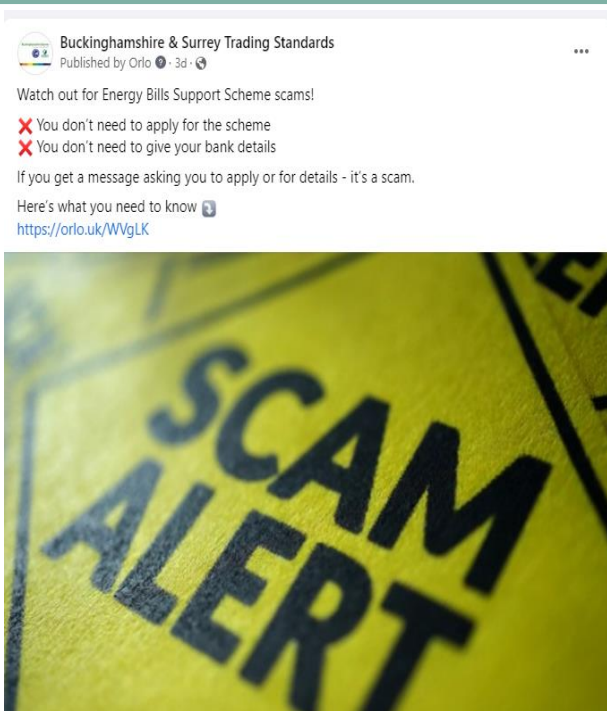
Keeping people safe from financial loss or harm to their wellbeing

Financial pressures can cause people to be temporarily vulnerable in ways that they would not otherwise be, making decisions that are affected by the pressure they feel under. Government grants are unfortunately frequently piggy backed off by fraudsters trying to exploit these vulnerabilities.

For raising awareness as broadly as possible, the Service has been using its' social media platforms to raise awareness of cost-of-living related scams and issues and to give people tips about staying safe at this time including by linking to other sources of information. We have also been regularly re-tweeting/posting information from the national illegal money lending team to tackle the harm from loan-sharks and raise awareness of the risks and sources of support.

Some examples of social media messages are below. The first tile below linked to an article from Citizens Advice: [What you need to know about the Energy Bills Support Scheme | by Emily Nix | We are Citizens Advice](#)


Examples: Tweets and Facebook posts related to cost of living scams, including some of the energy saving devices we've tested and found not to save you energy continued to be among those gathering the most impressions at the start of 2023:

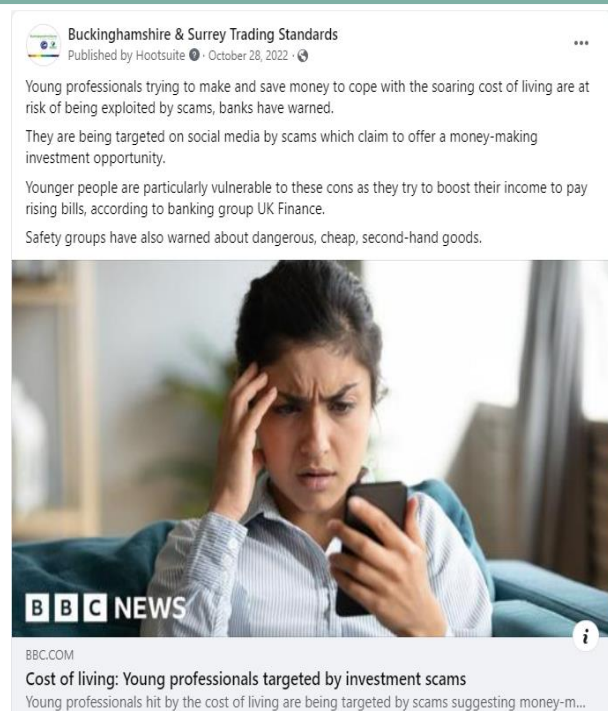



Buckinghamshire & Surrey Trading Standards
Published by Orlo · 3d ·

Watch out for Energy Bills Support Scheme scams!

- ✗ You don't need to apply for the scheme
- ✗ You don't need to give your bank details

If you get a message asking you to apply or for details - it's a scam.
Here's what you need to know 
<https://orlo.uk/WWgLK>



Buckinghamshire & Surrey Trading Standards
Published by Hootsuite · October 28, 2022 ·

Young professionals trying to make and save money to cope with the soaring cost of living are at risk of being exploited by scams, banks have warned.

They are being targeted on social media by scams which claim to offer a money-making investment opportunity.

Younger people are particularly vulnerable to these cons as they try to boost their income to pay rising bills, according to banking group UK Finance.

Safety groups have also warned about dangerous, cheap, second-hand goods.



BBC NEWS

BBC.COM
Cost of living: Young professionals targeted by investment scams
Young professionals hit by the cost of living are being targeted by scams suggesting money-m...

Buckinghamshire & Surrey Trading Standards
Published by Claire Hz · November 3, 2022 ·

For one in four (24%) UK adults, losing just £100 would tip them into serious financial crisis, unable to pay bills, buy food or buy other essentials. Please do check out this website to learn how to safeguard yourself and others from the latest scams

Friends Against Scams
November 3, 2022 ·

Criminals often adapt their scams to try and target people with solutions to current problems. This is being seen at the moment with the cost of living crisis - many people are struggling financially and criminals are using this to their advantage.

We've added a page to our website about some of these scams to watch out for
<https://www.friendsagainstscams.org.uk/costofliving> #ScamAware



FRIENDSAGAINSTSCAMS.ORG.UK

Cost of living scams | Friends Against Scams

Friends Against Scams is a National Trading Standards (NTS) Scams Team initiative, which a...

Buckinghamshire & Surrey Trading Standards
Published by Hootsuite · October 31, 2022 ·

⚠️ Rise in complaints about doorstep callers knocking on doors out of the blue and telling homeowners they may be eligible for free insulation!

The rogues then use pressure selling techniques and persuasive jargon about the energy crisis to make the householders agree to remedy works being completed and to pay upfront, with reassurances they can claim the costs back from the Government.

You can deter cold callers by displaying a No Cold Calling Sticker - email tradingstandards@surreycc.gov.uk to request one

<https://www.tradingstandards.uk/.../rogue-traders-cash-.../>

BE SCAM AWARE

Don't buy it from cold calling traders

Get a Stop Cold Calling pack from trading standards

SURREY COUNTY COUNCIL

Buckinghamshire & Surrey Trading Standards
Published by Hootsuite · December 14, 2022 at 12:02 PM ·

The cost-of-living crisis has left many people struggling to make ends meet. One consequence is that loan sharks are taking advantage of this hardship.

Stop Loan Sharks England can provide support if you are dealing with a loan shark
www.stoploansharks.co.uk

Mummy had to borrow £20 for dinner but now she won't stop crying

#SleighNoToLoanSharks

STOP LOAN SHARKS
Intervention . Support . Education

Buckinghamshire & Surrey Trading Standards
Published by Hootsuite · November 30, 2022 ·

Borrowing from a loan shark can lead to damaging consequences for your finances and future.

Let us help you learn more about them so you can avoid this risky debt trap — and find safer alternatives if needed
<https://www.stoploansharks.co.uk/>
#SleighNoToLoanSharks

It was only £100 to help towards my rent but she now wants double back

#SleighNoToLoanSharks

STOP LOAN SHARKS
Intervention . Support . Education

Join our free #webinar for advice on how to spot, report & protect yourself & others against #scams.

We're joined by guest speaker from @SurreyFRS to cover how to stay safe whilst budgeting your money this winter.

Sign up ...surreytradingstandards.eventbrite.com

#ScamAware #SaveSafely



10:01 AM - Jan 4, 2023 - 4,325 Views

Example: In addition to our own social media accounts we have worked closely with the communications teams in both Councils who have included some important scams messages in materials for residents.

For example Surrey included a scams warning in their Directory of Support:

COST OF LIVING

NO ONE LEFT BEHIND

SURREY COUNTY COUNCIL

Surrey County Council

DIRECTORY OF SUPPORT

surreycc.gov.uk/welfare

For news and updates on support from across the county, please scan the QR code or follow us on social media.

f t i

SUPPORT FOR FAMILIES

Surrey Family Information Service
Providing advice, support and information on a range of subjects.
Am I eligible? Yes, support and advice for everyone.
Visit surreycc.gov.uk/fis or call **0300 200 1004** (Mon - Fri, 9am - 5pm)

Club4
Free school holiday camps running during the longer school holidays, offering healthy food and fun activities.
Am I eligible? For children aged 5-16 who receive benefit-related free school meals.
Visit activesurrey.com/community/club4

Free school meals
Free school meals for primary and secondary pupils.
Am I eligible? All infant pupils are entitled to free school meals. Children in Year 3 and above are eligible if their parents receive one or more qualifying benefits. If you think your child may be entitled to a free school meal, contact your school to apply or visit surreycc.gov.uk/freeschoolmeals

School uniform
We have a list of local services that can support with school uniform costs.
Am I eligible? If you are worried about school uniform costs, the Family Information Service provides suggestions and services that can support.
Visit surreycc.gov.uk/schooluniforms

TOP TIP It's important for your health to heat your home to at least 18°C (65°F).

Be aware of scams
Cost of living scams can include fake energy rebate texts, offers of loans, too good to be true prices, and false home improvement claims to cut your bills. Be wary of unexpected phone calls, texts, pop up adverts online, emails and knocks on the door. For more advice, to report a fraud or scam, get a free no cold calling or scams sticker pack, or enquire about a free call blocker device please visit surreycc.gov.uk/tradingstandards or call **0300 123 2329**

Be aware of scams
Cost of living scams can include fake energy rebate texts, offers of loans, too good to be true prices, and false home improvement claims to cut your bills. Be wary of unexpected phone calls, texts, pop up adverts online, emails and knocks on the door. For more advice, to report a fraud or scam, get a free no cold calling or scams sticker pack, or enquire about a free call blocker device please visit surreycc.gov.uk/tradingstandards or call **0300 123 2329**

Fairness of the trading environment

Providing confidence to consumers that they are getting what they paid for. Helping honest businesses not to be put at a disadvantage.

The Service has seen an increase in the reporting of pricing complaints, in particular where shelf-edge reductions are not being matched at the tills. Consumers are checking receipts more and are noticing the discrepancy. This has occurred in major supermarket chains and in smaller independent shops. Where appropriate conversations have taken place with the shops concerned and checks undertaken. Another area is an increase in the reporting of short measure complaints across a range of goods including fuel, fruit and fish. Increasingly consumers are weighing their purchases on their own kitchen scales.

Accuracy of measures



The Service has tested the accuracy of 354 petrol pumps in 30 petrol stations (in Surrey 215 nozzles in 20 petrol stations, in Bucks 139 nozzles in 10 petrol stations). 18 nozzles (5%) were found to be giving incorrect measures and were taken out of use until they were adjusted to be accurate.

On average they were approximately 1% short, meaning that with current prices consumers would be paying around £1 more each time they filled up at one of those pumps than they should have been adding up to potential losses of tens of thousands of pounds.

Business Advice

Both the business advice helpline and Primary Authority Partnerships have been supporting businesses navigate the changing economic environment. This initially manifested as supply chain issues which resulted in shortages of certain ingredients

and card for packaging and has more recently developed into acquisitions, mergers and liquidations of businesses.

Advice has related to suitability and labelling of substitute ingredients, use of printed label /packaging stocks, allergen implications and transition of primary authority relationships.

Letting agents and property issues

Around 20% of households are in the private rentals, spending¹ on average 26% of their income on rent, so it is vital that this sector operates fairly and doesn't put these renters at excessive risk. Trading Standards are the responsible agency for ensuring that Letting Agents for rented accommodation comply with transparency requirements to display fees that they charge to both tenants and landlords. We also ensure that those fees charged by Letting Agents and Landlords are permitted within the criteria stipulated by the Tenant Fees Act 2019. This Act stopped landlords and lettings agents from charging unfairly.

Trading Standards also have responsibility to ensure that where Letting Agents hold client money, either belonging to tenants or landlords, that money is protected by membership of one of the Government approved Client Money Protection Schemes. This ensures that their money (often the deposit paid upfront) is protected from loss. The Letting Agent needs indicate which redress scheme and client money protection scheme they belong to via websites and in their physical premises so that residents know who to approach if there is a problem. The aim of these requirements is for renters to be better protected from unfair charges and losing their money through no fault of their own.

The declared Energy Performance of both domestic and commercial premises is now mandatory upon marketing of a property as it can significantly affect the ongoing costs of living in the property and Trading Standards are responsible for ensuring that Letting Agents, Estate Agents and Landlords ensure that Energy Performance ratings and certificates are available to prospective tenants or purchasers.

Following some activity a couple of years ago which showed more than 80% of lettings agents in the South East were not fully compliant, the Service has been carrying out work to improve compliance and protection for renters.

Over the past year 64 agents have been contacted and advised to carry out corrective actions to ensure that they are compliant with the requirements above. Of these 47 (73%) have responded to the advice and are now fully compliant. We continue to work with the remainder and are optimistic that the majority will become compliant.

Where a letting agent is not moving themselves into compliance the Service can impose financial penalties, and this is considered in line with our Enforcement Policy. During the year a letting agent and a landlord were both fined (a fixed penalty amount of £200 each) for failing to ensure that an Energy Performance Certificate was available when a

¹ [Private rental affordability, England, Wales and Northern Ireland - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

property was marketed. In that case the EPC was not commissioned for over 4 months after initially marketing and letting the property.

Work on this area, protecting vulnerable consumers in the private rental market will continue into 23/24.

Illegal goods

This is a broad term to include counterfeit goods and illegally imported goods to avoid paying duty. Such items are often cheaper than their legal equivalents and therefore become more attractive to both consumers buying them and businesses selling them when finances are stretched.

However, there are higher risks involved in buying these goods. Not only have they not been subject to the same regulatory controls so you cannot be sure that what is in them is safe, because of their illegal routes into the country they can be a source of funding to serious and organised criminals. Many of these types of goods are not labelled correctly for our market, so may not have warnings required or may not be labelled in English, making it difficult for some purchasers to know what's in them, including whether they contain allergens.

We are beginning to see intelligence which suggests an increase in counterfeit goods in the marketplace and we have planned work to tackle this problem in the year ahead.

Illegal Tobacco is a significant problem, with the cost-of-living crisis increasing the demand for cheap goods, our work in this area is increasing. As a cheap source of tobacco, often with no health warnings in English and not in plain packaging, illegal tobacco is linked to smoking in young people and those from more deprived groups for whom price affects how much they can smoke.

Because smoking is so harmful, differences in smoking prevalence across the population translate to health inequalities, and differing smoking prevalence rates in different groups will be exacerbated by it being more likely that those with lower incomes will be more likely to purchase illegal tobacco because of its lower cost.

Following **114** unannounced test purchasing visits for illegal tobacco, **6** days of operations with the tobacco detection dogs (funded by HMRC) have been conducted. The intelligence from the test purchases assists in directing where to look when making visits with the dog. For example, if the test purchaser noticed tobacco being collected from a vehicle, we would take the dog to the vehicle. This led to **17** seizures from premises of over **85,000** cigarettes, over **7,000** illegal vapes, over **11kg** of illegal hand rolling tobacco and some potentially illegal alcohol found. The approximate value of the illegal tobacco seized was **£40,000**.

During the year we have seen a noticeable increase in the complexity of the hiding places used for illegal tobacco, including the use of electromagnets to release the entrance to the hide (in one example it was behind a shelving unit, in another the tobacco was hidden in the top of a freezer unit) and other electronic means to release hides behind false walls – see photographs below. We are also seeing a concerning trend of the same premises re-stocking with illegal tobacco after our seizures, with some premises having had multiple seizures during the year.



BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 18 MAY 2023

LEAD OFFICER: DAVID PICKERING
TRADING STANDARDS MANAGER, REGULATION

SUBJECT: TRADING STANDARDS VAPES ENFORCEMENT

1.0 SUMMARY OF ISSUE:

- 1.1 Vapes are a key tool to stop adults from smoking tobacco. They are much safer than smoking tobacco and can be used to effectively manage nicotine addiction. The sale of vapes is a rapidly growing market. However, the introduction of disposable vapes in the last couple of years has seen a rise in problems in the market.
- 1.2 The report in Annex A discusses problems relating to the safety of the vapes themselves, affecting all users. The report also explores the sharp rise in under 18's (who did not previously smoke tobacco) vaping.
- 1.3 The report at Annex A explains what the Service has been doing in this area and some of the challenges.
- 1.4 The report explains the recent announcement from Government about improving vapes enforcement nationally, what the £3m allocated might be used for and how this might impact or assist locally.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee notes how the new funding may be used and considers any local approach it wishes the Service to take.

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
- a) Ensure effective performance of the Service.



4.0 Vapes Enforcement - Details:

4.1 Details are given in the report attached as Annex A

5.0 CONSULTATION:

5.1 No external consultation has taken place. The Public Health Teams in both partner Councils have been engaged in developing the attached report.

6.0 RISK MANAGEMENT AND IMPLICATIONS:

6.1 All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).

6.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

7.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

7.1 The report explores how new money announced by the Government may be spent in this area, with direct and indirect consequences for the Service.

8.0 LEGAL IMPLICATIONS

8.1 The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service.

8.2 There are no other specific legal issues that need to be drawn to the attention of the Committee.

9.0 EQUALITIES & DIVERSITY

9.1 Tobacco smoking prevalence is greater in lower socio-economic groups and adds to health inequalities. Having a safer alternative to smoking tobacco will help to reduce those health inequalities over the longer term. However the report discusses the increase in vaping among young people and how that might be tackled.

10.0 WHAT HAPPENS NEXT:

10.1 The Service will be alert to the work to develop the use of the funding as it progressed in the coming weeks and will engage where appropriate. The Service will respond to the call for evidence on youth vaping.

REPORT DETAILS

Contact Officer(s):

Mr David Pickering, Trading Standards Manager – Regulation 07908 408 106
Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 07968 834 638

Consulted:

Annexes:

Annex A: Trading Standards Vapes Enforcement Report

Sources/background papers:

N/A

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Trading Standards Vapes Enforcement

Problems in the vapes market:

Vapes are a key tool to stop adults from smoking tobacco. They are much safer than smoking tobacco and can be used to effectively manage nicotine addiction. The sale of vapes is a rapidly growing market, with sales reaching £792m in 2022. However, the introduction of disposable vapes in the last couple of years has seen a rise in problems in the market. There are problems with the safety of the vapes themselves, alongside growing evidence that there has been a sharp rise in under 18's vaping.

Safety of vapes: There are a range of compliance issues with vapes including:

- Not being registered with the Medicines and Healthcare products Regulatory Agency (MHRA) for sale in the UK. If the products are not registered, then there is no assurance about the chemicals they contain and whether they are safe to be inhaled. They must be registered to be legally sold.
- Having a liquid tank size that is larger than the maximum permitted. This enables excessive consumption of nicotine, which is increasingly harmful as the quantity of it being inhaled rises.
- Having incorrect labelling (often the labelling was designed for a different market than the UK). This may mean that it doesn't have the information about safe use or warnings required by our legislation.
- Counterfeit vapes, again with no knowledge of the chemicals they contain there is no assurance that they are safe.

Use of vapes by under 18's: It is illegal to sell vapes to under 18's and Public Health are clear that they should only be used by smokers of tobacco as a tool to quit. There may be several reasons for the rise in demand for vapes from under 18's including:

- The child appealing flavours of vapes such as popcorn, blueberry, mango ice, watermelon-cherry, and bubble-gum.
- The child appealing packaging of vapes, with bright colours and interesting imagery (see examples below).
- The low cost, particularly of disposable vapes, making them accessible on pocket money. Disposable vapes can be bought for a little as £2 and are often under £5 (compared to around £15 for a typical packet of cigarettes).
- The addictive nature of nicotine causing children to quickly become addicted.




Current enforcement and its' challenges:

Retailers about whom Trading Standards receive complaints of selling vapes to under 18's all receive advice from the Service. We then undertake test purchasing using under 18's. During 22/23, 24 attempts were made with 7 sales representing a 29% failure rate. We plan on doing more underage test purchasing in this year, although a challenge for us is recruiting under 18 volunteers. We sometimes do test purchasing in conjunction with the Police using Police Cadets as the volunteers.

Working with the UK Vaping Industries Association (UKVIA) in a Primary Authority Partnership we continue to support them to educate their member businesses through advice and webinars with the aim of reducing the risk of underage sales from both physical premises and internet sales.

Working with the Association of Convenience Stores (ACS) in a Primary Authority Partnership we have produced advice guides for members to educate regarding the sale of age restricted products. The vapes guide can be found here: [acs advice - vaping april 2023.pdf](#) Being present at their annual conference enabled us to demonstrate the difference between compliant and non-compliant vapes to help businesses understand what they can sell and why.



This guidance document contains Assured Advice under the ACS Primary Authority Scheme. For more details visit www.acs.org.uk/assured-advice

ACS advice
SELLING VAPES RESPONSIBLY

This guide explains how to source and sell vapes (otherwise known as e-cigarettes) responsibly. These are products that heat a nicotine containing liquid to generate an aerosol.

Vapes must be notified to the MHRA before being legal to place on the UK market. When sourcing new products, check the Notified Product lists on the MHRA website at <https://cms.mhra.gov.uk/acp/new>. If a product is not listed on the MHRA website in the Notified Products List, it is not allowed to be sold in the UK.

An ACS advice guide for retailers
www.acs.org.uk

ACS the voice of local shops

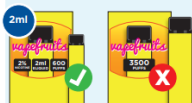
ACS the voice of local shops acs.org.uk

ELECTRONIC CIGARETTES. An ACS advice guide for retailers

1. HOW TO RECOGNISE LEGITIMATE PRODUCTS


There are strict requirements for vapes that are allowed to be placed on the UK market. Check the following to ensure the products you stock are legitimate:

The maximum tank size is 2ml. This is equivalent to 600-650 puffs for disposables. Products advertising significantly more usage than this are illegal.



2ml

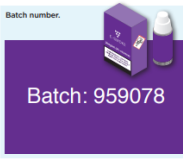
The maximum size of refill containers is 10ml.



2ml **10ml**


DISPOSABLES = 2ml REFILLS = 10ml

Batch number.




Batch: 959078

Recommendation to keep the product out of the reach of children.



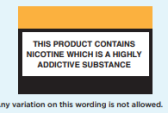
18+ ADULTS ONLY

The maximum nicotine content allowed for vapes is 20mg/ml.



20mg/ml


Health warnings must cover 30% of the front and back of the pack. The health warning must read:



THIS PRODUCT CONTAINS NICOTINE WHICH IS A HIGHLY ADDICTIVE SUBSTANCE


Any variation on this wording is not allowed.

Offers and discounts, product safety/health claims are prohibited on packs.



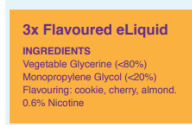
20% OFF!

Vapes that are charged from the mains electrical supply should bear the CE mark or UKCA mark. The UKCA (UK Conformity Assessed) mark became part of UK law when the UK left the EU and must be included on all packaging from January 2023 onwards.



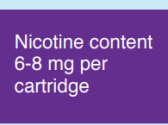
CE UK CA

List of ingredients in nicotine-containing liquid, if present.




3x Flavoured eLiquid
INGREDIENTS
Vegetable Glycerine (<80%)
Propylene Glycol (<20%)
Flavouring: cookie, cherry, almond
0.6% Nicotine

The product must indicate the nicotine content and delivery per dose.




Nicotine content 6-8 mg per cartridge

All vapes and refill containers must be tamper-evident and have child-resistant packaging. Electronic/electrical products must be disposed of separately from household waste, more information about recycling vapes and WEEE regulations is available on page 7.



Packaging must also contain the manufacturer or importer name and contact details.



Imported and distributed by E-Smoke Ltd
90 Eastern Road,
Slough SL3 1XS
Tel: 01753 100100
Email: info@e-smoke.co.uk

ACS the voice of local shops

acs.org.uk

ELECTRONIC CIGARETTES An ACS advice guide for retailers

2. PREVENTING UNDERAGE SALES


It is illegal to sell vaping products to anyone under 18. Anyone doing so is committing an offence, and both the business owner and staff members who made the sale can be penalised.

Challenge 25

ACS recommends the use of Challenge 25 policies for all underage sales. Challenge 25 is a store policy based on two simple principles:

- All staff serving customers should be trained to think 25. This means if a customer is seeking to buy an age restricted product (or any kind), the staff member should ask themselves the question - 'Does the person in front of me look like they might be under the age of 25 years?' If the answer is yes, then they should ask the person for a valid proof of age. If the identification confirms they are over the legal age of purchase for that product, then it can be sold to them.
- The store policy is clearly communicated to customers, usually through the use of visible in-store signage.

Posters are available to download and print from <https://www.acs.org.uk/challenge25>




3. PROXY SALES

It is an offence for an adult to purchase nicotine inhaling products on behalf of someone under age. This is commonly called a proxy sale. You should consider adopting a common approach to identifying and preventing proxy sales across all age restricted products.

It can be very difficult to know if an adult intends to buy an age restricted product for or on behalf of someone who is underage. Therefore, you are only expected to act when an obvious proxy sale is taking place. More information on common scenarios that retailers may encounter when dealing with attempted proxy sales is available in the ACS Assured Advice guide on Preventing Underage Sales.

To mitigate proxy purchasing, some manufacturers might enforce product quantity limits that restrict bulk orders that may be distributed to those underage. Check and comply with manufacturer product quantity limits if they have such policies in place.



4. ONLINE SALES

For retailers that sell vapes online through a delivery service or online ordering platform, ACS recommends conducting ID checks before any goods are delivered to a customer. More information about selling age restricted products online is available in the ACS Assured Advice guide on Preventing Underage Sales.

5. ADVERTISING

Retailers that advertise vapes should consult advice on the restrictions on advertising e-cigarettes and refill containers from the Department of Health and Social Care and from the Advertising Standards Authority.

MEDICATED E-CIGARETTES

- E-cigarettes which are licensed as medicines are exempt from the age restriction and can be sold to persons under 18.
- E-cigarettes that contain over 20mg/ml of nicotine are required to be licensed as medicines.
- You can check if e-cigarettes you stock are licensed as medicines by visiting the Medicines and Healthcare products Regulatory Agency (MHRA) website here: www.gov.uk/guidance/e-cigarettes-regulations-for-consumer-products

ACS advice

ABOUT THIS GUIDE

This guide is provided by the Association of Convenience Stores in consultation with Buckinghamshire and Surrey Trading Standards. It was last updated in January 2023. Please refer to the ACS website for the most current version of this guidance.

ACS Primary Authority Scheme

This advice was developed by ACS, Buckinghamshire and Surrey Trading Standards, Woking Borough Council and Surrey Fire and Rescue Service, as part of a dedicated primary authority scheme. This means that all the advice that has this mark against it is 'Assured Advice'.

Assured Advice means that if you adopt the policy in your business, when it must be respected by all other local authorities and they cannot ask you to adopt a different policy.

This guide covers a range of different issues of best practice and the shops that qualify as assured advice are marked by this hallmark.

To benefit from assured advice you must sign up to the ACS scheme. All ACS members can sign up to the ACS Primary Authority Scheme for details of how to join visit www.acs.org.uk/advice

CONTACT

For more details on this guidance, contact a member of our team on 0203 330000.

For more details on ACS:
Visit: www.acs.org.uk
Call: 0203 330000
Follow us on Twitter: @ACS_UK, @acsshops

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Relevant legislation and additional guidance

- Tobacco and Related Product Regulations (TRPR) <https://www.legislation.gov.uk/ukdsi/2016/5001/contents/made>
- MHRA Notified Products List: <https://onlinetools.mhra.gov.uk/npl/>
- MHRA Retailer Guide: <https://bit.ly/3mVU6U6>
- Yellow Card Reporting System: <https://yellowcard.medicines.gov.uk/>
- Restrictions on advertising electronic cigarettes (OHS2) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/610676/hs2-restrictions-on-advertising-of-e-cigarettes-substance-20-may-2017-vcf-complete
- ASA Code Section 22, Electronic Cigarettes: <https://www.asa.co.uk/industry-guidance/asa-code-section-22.html>

ACS the voice of local shops

When we find illegal vapes, we will seize them and usually we will ask for them to be forfeited, giving the retailer advice. We have seized nearly 8,000 non-compliant vapes in the year 2022-2023. This creates storage and disposal issues as they need to be appropriately recycled and are a complex product.

Although not funded by the Office for Product Safety and Standards (OPSS) alongside our usual product safety work at Heathrow, we do occasionally work with Border Force (usually by providing advice) to deal with the attempted import of vapes that are non-compliant. Most recently this was to deal with a batch of oversized disposable vapes (pictured right) that claimed to give 9,000 puffs when the approximate number of puffs for the legal maximum 2ml tank size would be around 600.



A further challenge for enforcement is the range of disposable vapes in the marketplace, and retailers keeping a similarly wide range of stock. Testing all the products we suspect to be non-compliant to provide the evidence for this is prohibitively expensive.

Recent government announcement / future enforcement:

Whilst the risk of potential health impacts of vaping is lower than smoking cigarettes, vapes usually contain the addictive substance nicotine. As such, vaping should only be used as a harm reduction aid to support smokers to stop smoke. The Government is clear on this and has two objectives for vaping. The first is to maximise the opportunities of using vapes as a 'quit aid' to help tobacco smokers to switch away from that to vaping. The second is to prevent non-smokers and young people from starting to vape.



In April 2023 the Government announced measures designed to reduce the sale of illegal vapes by providing £3million of funding for trading standards enforcement including an illicit vapes enforcement squad. The announcement aims to tackle the high numbers of non-compliant and unsafe vapes available in the marketplace and to tackle sales of vapes to under 18's.

Plans for the funding are still being developed with the aim to help Trading Standards Services across the country to be as effective as they can be in tackling these problems through enforcement.

This money is likely to help the team in the following ways:

- by targeting enforcement on vapes that are known to be illegal
- by providing a route for safe storage and destruction of this environmentally complex product
- by centralising an approach to online sales of illegal vapes, allowing our resources to be focused on local sellers
- by providing resource to stop more illegal vapes as they enter the Country, meaning fewer will reach retailers and get out to vape users
- by providing a central source of business advice materials and officer training to ensure we can act as efficiently and effectively as possible

We believe that the £3m may (but not yet fully agreed) be spent in some of the following areas:

What	Why	Impact for Buckinghamshire and Surrey
Increasing enforcement activity focused on vapes at our ports and borders	All (or the vast majority of) vapes are imported, they are not generally produced in the UK. Enforcement at the border is more efficient than at retail level as it prevents illegal vapes from being spread out across multiple retail venues. Costs/lost (seized) product are targeted at the importer at fault.	Trading Standards are likely to be directly involved in this work for Heathrow and receive funding to do so. Depending on the level of work we may need to increase our officers working at Heathrow, which may require recruitment.
Developing a national intelligence and data picture	Collating the data on issues and LA activity in this area will enable patterns to be seen and the case to be made for ongoing / future funding requirements.	We are likely to be asked for a regular information return in the same way as we currently give on illegal tobacco. We are likely to receive a small amount of funding to ensure we can provide this.



<p>Money to the regions to assist in managing the storage and disposal of illegal vapes</p>	<p>Storage and disposal are ongoing problem for local authorities. Vapes are a complex product for disposal adding to the challenge of ensuring seized products do not find their way back to the marketplace.</p> <p>To give an example one LA was quoted £1/vape for destruction.</p>	<p>This will simplify things and reduce the potential costs which were likely to have fallen on the Service (we currently have over 5,000 seized vapes in our secure stores awaiting destruction).</p> <p>This will reduce the barriers to us seizing vapes and enable us to seize more illegal product.</p>
<p>Coordinated national market surveillance</p>	<p>Most products are sold countrywide. Testing is expensive and difficult so currently the level of testing is low because it doesn't make sense for a LA to invest its resources in that way.</p> <p>Most vapes sellers sell a massive range of products, so testing all of them by the LA seizing them would be prohibitively expensive and time consuming.</p> <p>Therefore, coordination of their assessment and testing and sharing the results nationally will help all TS Services to target their resources on known illegal products.</p>	<p>Will give us a better understanding of (and evidence of) what products are illegal enabling us to take enforcement action.</p> <p>Will put us more in control of enforcement, by providing choices whether to prosecute or not.</p> <p>Will reduce the need to rely on information from vape manufacturers which can vary in accuracy.</p>
<p>Online test purchasing of vapes</p>	<p>Online sites make illegal vapes available across the country, so it makes more sense for the enforcement to be centralised</p>	<p>Reduces availability of illegal vapes in Buckinghamshire and Surrey without us having to take on national level issues.</p>
<p>Increased availability of information for businesses operating in this market on how to comply</p>	<p>Most businesses want to be compliant with the law, and therefore providing them with high quality information will drive up compliance in the market.</p> <p>It is logical and efficient for this to be provided centrally because there is no local variation in the legislation</p>	<p>Helps us to provide high quality advice materials to our local businesses in the most efficient way.</p>



<p>Increased coordination of enforcement best practice and training of TS Officers conducting enforcement</p>	<p>Many Trading Standards Services are facing the same problem and rapidly needing to get to grips with a market of disposable vapes that didn't exist 3 years ago. It is more efficient to share best practice.</p>	<p>Helps upskill our workforce to meet the current challenge in an efficient way. Stops multiple TS Services re-inventing the same processes and procedures, helping us to be efficient and learning from others helps us to be effective.</p>
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The Joint Committee is invited to note this information and to provide any advice they feel appropriate about how the service could develop the work relating to vapes



**BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL
TRADING STANDARDS JOINT COMMITTEE**

DATE: 18 MAY 2023

**LEAD OFFICER: STEVE RUDDY
HEAD OF TRADING STANDARDS**

SUBJECT: TRADING STANDARDS COMMUNICATIONS

1.0 SUMMARY OF ISSUE:

- 1.1 Trading Standards holds a variety of information and expertise which could help or reassure residents and businesses – for example knowledge of what goods are unsafe and are being recalled, knowledge of the latest scams circulating, or knowledge of where doorstep crimes are being committed. We share this information through a range of different channels to engage the residents for whom it would be most relevant. Having an ongoing programme of engagement with residents and businesses enables us to share more information with more people in support of our service priorities
- 1.2 This report outlines the different channels and methods used to communicate our work and advice for residents and businesses, as well as giving examples of the Services communications.
- 1.3 Improved communication reach and impact, together with the impact on consumer awareness and education, will support corporate objectives to enhance prevention work and hence better protect residents from harm

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee:
- 2.1.1 notes the Service's work to communicate its' activity.
- 2.1.2 considers ways in which the reach and impact of the Service could be extended further

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 It is important that the Joint Committee understands how we communicate so that: the Committee knows where to look if they are seeking information; the Committee can sign in to receiving communications in their preferred way;



and so that, as community leaders, the committee can let local residents know how to get useful information.

4.0 **DETAILS:**

- 4.1 Trading Standards holds a variety of information and expertise which could help or reassure residents and businesses – for example knowledge of what goods are unsafe and are being recalled, knowledge of the latest scams circulating, or knowledge of where doorstep crimes are being committed. We share this information through a range of different channels to engage the residents for whom it would be most relevant. Having an ongoing programme of engagement with residents and businesses enables us to share more information with more people in support of our service priorities.
- 4.2 As the principal consumer protection agency, Trading Standards are able to provide advice and guidance to residents and businesses on how to deal with issues generally or more importantly how to prevent incidents occurring in the first place.
- 4.3 Following investigations and convictions we publicise outcomes to serve as a warning to others who may be considering committing the same crimes; to reassure residents that criminals are getting justice; as a way to highlight how communities can help by looking out for each other; and how to report similar incidents.
- 4.4 Some messages are very general and some are targeted at a very small audience (at times down to an individual level).
- 4.5 Communications are integral to our prevention work, increasing community resilience, protecting our local economy and demonstrating to the criminal fraternity that crime does not pay within Buckinghamshire and Surrey.
- 4.6 Working closely with the Communications teams of both Buckinghamshire Council and Surrey County Council, press releases are issued when relevant and appropriate. Examples include outcomes of court cases, warnings and advice on identified emerging trends.
- 4.7 In addition to looking at quarterly data, periodically we more deeply review the effectiveness of the different channels we are using, to establish how well engaged with they are and by whom so that we know where to target our resources and what channels to use for different audiences. On the last occasion this was done it caused us to make some changes in our approach, including in relation to information for businesses so that we now have a separate newsletter dedicated to them.
- 4.8 A particular challenge facing the Service on communication is keeping pace appropriately with technology/apps. For example, for a while we posted on Instagram because this has a generally younger audience. However, we did

not gain sufficient traction with the type of things we were posting about (relative to the other things posted on that platform) to generate enough engagement for it being worthwhile continuing to put resource into this platform. We are however able to put messages out via the corporate accounts for things like Instagram and TikTok if they would be particularly suited to those channels.

- 4.9 Press Releases:** As well as being distributed to local media press releases are also posted on both Council's websites. Depending on the topic they may be picked up by local outlets (both printed press and social media accounts) or by regional or national media, including radio and TV. Some recent examples of stories in the media are in the links below:

[Trading standards investigation leads to prosecution of fraudulent roofing operation | Surrey News \(surreycc.gov.uk\)](#)

[Surrey fraudster jailed for eight years after fleecing thousands of pounds from elderly victims - Surrey Live \(getsurrey.co.uk\)](#)

[Aylesbury shopkeepers who hid stash of cigarettes in wall are fined | Bucks Free Press](#)

[Trading Standards cracks down on illegal tobacco sales in Buckinghamshire | Buckinghamshire Council](#)

[Trading Standards cracks down on illegal tobacco sales in Buckinghamshire - Bucks Radio](#)

<https://www.bucksfreepress.co.uk/news/23384731.fraudsters-jailed-aylesbury-conning-elderly-people/>

<https://www.bucksherald.co.uk/news/crime/men-jailed-after-aylesbury-court-hears-how-they-conned-the-elderly-in-fraudulent-home-improvement-scheme-4063919>

- 4.9.1 Press releases often result in requests for in person interviews to explore a topic in greater depth, these include local and national broadcast media as well as online webinars. Our media profile also means we occasionally receive requests to participate in television programmes such as BBC Fake Britain, Watchdog and Rip-Off Britain.

- 4.10 TS Alert!** is a fortnightly electronic newsletter with a wide range of pertinent information sent to anyone who signs up to receive it. Information ranges from the latest product/food recalls and scam alerts to updates on consumer issues and fun articles: [TS Alert \(new\) - TS Alert 28th April \(newsweaver.co.uk\)](#)



- 4.10.1 Currently there are 1,244 direct recipients every fortnight, but our reach extends far broader with many of these individuals disseminating within their wider communities. For example, through Neighbourhood Watch, Housing Associations and Thames Valley Police Alerts.

4.11 Business Bites: [Business Bites](#) is also a fortnightly electronic newsletter but is aimed specifically at business, with 72 subscribers, and contains information that is particularly relevant to them.

4.12 Sector Specific Newsletters: As the enforcement authority for animal health and welfare legislation we work alongside the Department for Environment Food & Rural Affairs (DEFRA) and the Animal & Plant Health Agency (APHA) to ensure that keepers understand and follow the rules to maintain high standards of animal welfare, the human food chain is protected, prevent livestock disease and to protect the rural economy for the benefit of everyone.

4.12.1 As part of this work the Service sends members of our farming community an animal health newsletter once or twice a year containing guidance, advice, topics of interest as well as signposting to other agencies and charities e.g., The Farming Community Network (FCN). FCN is a voluntary organisation and charity there to help farmers, livestock keepers and their families with either personal or business issues.

[Animal health newsletter - Surrey County Council \(surreycc.gov.uk\)](http://surreycc.gov.uk)

4.13 Facebook: Buckinghamshire and Surrey Trading Standards currently has 2,056 followers on Facebook at <https://www.facebook.com/BucksSurreyTS> however our total reach in 22-23 was over 573,000 with an average engagement rate (i.e. the proportion of posts where a reader interacted by liking, commenting or sharing a post) across the 2022 calendar year of 3.34% (well above the 1-2% considered good for local government services).



4.13.1 We also have a private Facebook group as a safe space for our Scam Champions to discuss issues, share experiences and plan future events. This group is highly engaged with and valued by the users.

4.14 Twitter: Twitter is another social media platform utilised by Buckinghamshire and Surrey Trading Standards. The Service currently has 4,189 followers to our own account, however with retweets our reach is a lot higher, a recent tweet offering a free webinar on Scams Awareness and Saving Safely was seen by over 4,000 people (see screen shot below). Both Council's also put Trading Standards information out through their general Council accounts (see example below) and retweet particularly pertinent messages. For real time updates and alerts on scams and frauds we recommend following our pages: https://twitter.com/Bucks_Surreyts/



Trading Standards
@Bucks_SurreyTS

Join our free #webinar for advice on how to spot, report & protect yourself & others against #scams.

We're joined by guest speaker from @SurreyFRS to cover how to stay safe whilst budgeting your money this winter.

Sign up
...surreytradingstandards.eventbrite.com

#ScamAware #SaveSafely



10:01 AM - Jan 4, 2023 · 4,325 Views

Buckinghamshire Council
@BucksCouncil

James John Caleb Sheen & Michael Steven Jones, Oxford, who preyed on vulnerable older residents in Buckinghamshire & neighbouring areas have received prison sentences for a range of home improvement fraud offences in a case brought by @Bucks_SurreyTS



4:00 pm · 14 Mar 2023 · 864 Views

2 Retweets 1 Quote Tweet 4 Likes



- 4.15 Neighbourhood Alerts:** Buckinghamshire and Surrey Trading Standards is a member of the Neighbourhood Alert system, an online, secure community messaging system. It is used by various agencies such as Police, Fire, Neighbourhood Watch etc to communicate directly with individuals and groups in specific geographic areas. In turn these messages are disseminated by individual Neighbourhood Watch coordinators throughout their local communities.
- 4.15.1 The Service uses this valuable tool to send alerts of doorstep crime incidents, scams, and other imminent threats. Although we can communicate with anyone within the network, anywhere within the UK, we currently have core of 2,246 active subscribers.
- 4.15.2 We also supplement this alert system through 'dynamic tasking'. As well as issuing alerts members of our Prevention team will contact directly any vulnerable individual we are aware of within the locality of the incident.
- 4.16 Campaigns.** The Service regularly participates in or runs campaigns. Examples include National Consumer Week, firework safety, Halloween costume safety ([Scare safely this Halloween! - YouTube](#)) and Rogue Trader Week. This year a campaign is being considered around young adults starting in their own home for example first time students or care leavers. The campaign would focus on how to approach tasks such as finding insurance without being scammed.


4.17 Webinars/eLearning: The Service runs, on average, two webinars each month. They are usually based around the Friends Against Scams initiative (operated by the National Trading Standards Scams Team) which aims to protect and prevent people from becoming victims of scams through empowerment. Attendees learn how to protect themselves and their loved ones from scams and help raise awareness throughout their own community. However, the Friends Against Scam sessions are sometimes combined with partner training on a linked subject. For example, having guest speakers from either of the Police Services or Fire and Rescue Service. The next webinar on the 4th May will be a Scam and Cyber Crime Awareness session alongside Thames Valley Police and will have a live British Sign Language interpreter and subtitles, linking it in with National Deaf Awareness Week and to extend our accessibility to the deaf community. With help from partners to raise awareness of the sessions, to both Councils' staff and residents, there are currently over 180 people signed up for it and the session will also be recorded for future use.



Be Scam & Cyber Aware

Advice from Trading Standards & Thames Valley Police, on keeping you & your information safe.

With BSL & live subtitles



4.17.1 For those Friends Against Scams who want to do more, we also provide SCAMchampion training. A SCAMchampion hosts their own awareness sessions to recruit Friends and drive Friends Against Scams forward in their communities or workplace. We currently have 167 registered SCAMchampions.



Join our webinar to become a SCAMchampion



4.17.2 The online courses can be booked through our Eventbrite page here: <https://www.eventbrite.co.uk/o/buckinghamshire-and-surrey-trading-standards-32720403671>

4.18 Face to Face / Events: The Service is aware that social media and electronic communications are not suited to everyone. The Service (often through our network of Volunteers including our trained Friends Against Scams / ScamChampions) regularly attends events to talk to residents or businesses face to face. Examples of events attended in the last year include: Surrey Pride, Bucks County Show, and The Association of Convenience Stores Heart of the Community Conference. Examples of regular events include library drop-in sessions, which are sometimes linked to community banking at libraries, Police training and a scheme in Surrey called Brewing Friendships.

4.18.1 The Brewing Friendships initiative aims to support people who have been identified by Adult Social Care as socially isolated. Over six weekly sessions a group are brought together in a social environment to cover topics such as IT Support, Scam Awareness, Art & Crafts, Falls Prevention & Low Impact Exercises, Nutritional Advice and Mental Health and Wellbeing. A key partner are local churches such as The Kings Church in Ewell who provide a venue, refreshments and a friendly face.

4.18.2 These sessions have received positive feedback including that the participants have benefited from the information, experience and knowledge they have received. As a direct result the participants have become demonstrably more resilient.

4.19 Partnership working and communications: The Service works closely with a range of other Council Services, such as libraries, regulatory services, adult social care, communications, community safety and community engagement. In addition we are a partner or linked to a number of multi-agency boards, including the Surrey Anti-Slavery Partnership, Surrey Safeguarding Adults Board, Thames Valley Multi Agency Approach to Fraud, Safer Buckinghamshire Board, Surrey Serious Organised Crime Board etc. These relationships enable relevant communications messages to be spread through our partners channels as well as our own.

4.20 Recently an article about scams and call blockers was featured in the Surrey Matters newsletter. The newsletter itself was opened by 84,000 residents across Surrey, with the specific article being clicked on nearly 3,000 times in the first 4 days since publication. As a direct consequence the Service received a very significant increase in applications for call blockers (80 in those few days) that we are now responding to.



5.0 CONSULTATION:

- 5.1 No external consultation has taken place. However the communications teams in both Councils are closely involved in this work.

6.0 RISK MANAGEMENT AND IMPLICATIONS:

- 6.1 All significant risks affecting the service (which could at times relate to communications or could require communication) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).
- 6.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

7.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 7.1 There are no particular financial implications because there are no significant changes suggested in this paper. Should this report prompt discussions about a different approach to communications the financial impact of that can then be considered.

8.0 LEGAL IMPLICATIONS

- 8.1 The Service is aware of the need to be fair in what we communicate in terms of naming individuals or businesses prior to any conviction. The Service would take advice if considering communicating about a sensitive matter.

9.0 EQUALITIES & DIVERSITY

- 9.1 The Service is aware that different channels of communication suit people differently. We seek to use this appropriately to target relevant messages on an appropriate channel for the audience to whom the message is relevant. The Service aims to undertake a range of communication to reach people for whom the message is relevant. The paper includes examples of intentionally taking a different approach to communications in order to reach people who might not be able to access some of our routes.

10.0 WHAT HAPPENS NEXT:

- 10.1 The Service is currently working with SCC Communications Team to develop a Communications Strategy for the Service and the BC Communications Team will be consulted as this develops. It is likely that this will generate

further ideas about how our communications approach could be used in the future to improve engagement with residents and businesses.

REPORT DETAILS

Contact Officer(s):

Mr Steve Ruddy, Head of Trading Standards 07968 834 638

Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679

Consulted:

Annexes: None

Sources/background papers: None

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BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 18 MAY 2023

**LEAD OFFICER: AMANDA POOLE
ASSISTANT HEAD OF TRADING STANDARDS**

SUBJECT: JOINT SERVICE BUDGET

1.0 SUMMARY OF ISSUE:

- 1.1 The Joint Committee regularly reviews and sets the Service budget.
- 1.2 The information provided shows that the Joint Service budget was 5.6% (£150,000) overspent at the end of the 22-23 year against the budget agreed by the Joint Committee in April 2022 (Annex A). This was less than the £262,000 flagged in April 2022 as the likely risk to the budget in 2022-23.
- 1.3 The reasons for the reduction in this overspend was an improvement in income beyond that expected particularly due to some 'new burdens' Grant funding from central government.
- 1.4 The proposed budget for 23/24 is £2,908,000. This includes pressures and savings. Both Councils have considered the budget for the joint Service, and informally agreed changes which are set out in this paper and in Annex B for formal agreement.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee:
 - 2.1.1 notes the outturn for the joint service budget for 2022/23
 - 2.1.2 agrees the budget for 2023/24 as set out in Annex B

3.0 REASON FOR RECOMMENDATIONS:

- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
 - a) Maintain financial oversight of the Service and ensure sound financial management.



4.0 BUDGET 22/23 AND 23/24:

- 4.1 The costs of the Joint Service are divided between the partner Local Authorities in the proportion: 34% Buckinghamshire and 66% Surrey, which includes any under or over spends.
- 4.2 There are a number of factors which introduce volatility to the budget. The service has an income budget of £693k, equivalent to 20.6% of its gross budget. It is challenging to accurately predict income and it's timing especially where costs are recovered from prosecutions, or where market conditions are changing. Some cases go through the legal process in a matter of weeks and others (particularly at the moment) run into years. Conversely the timing and amount spent on prosecutions varies depending what approach is taken by the defence, what arguments are made and whether the defendant pleads guilty at an early opportunity. The Service manages its' budget closely to even out the most volatile factors where it is possible.

2022/23 Outturn

- 4.3 The agreed budget for 2022/23 (in Annex A) was kept at the same value as the previous year of £2,676,000. However, the Joint Committee noted the known pressures, estimated at £262,000 for: pay inflation, additional National Insurance costs and reduced income, preferring for each Council partner to deal with these known pressures in different ways.
- 4.4 The Service managed the budget closely, taking opportunities as they arose to reduce the £262,000 risked overspend downwards. This has resulted in an actual outturn overspend of £150,000 (5.61%). The main reasons for this reduction in overspend are: receipt of government grants (that had not been anticipated in advance) to deliver enforcement of new legislation which is being delivered from within current staffing levels and slightly stronger than anticipated income. Legal costs that were anticipated in the early part of the year (but not flagged to the Joint Committee last April) did not materialise due to trials being further adjourned and defendants pleading guilty prior to trial thus avoiding the more significant costs.

Summary by expenditure type	Full Year Budget £'000	Full Year Actual £'000	Full Year Variance £'000
Employee related spend	3,037	3,149	112
Non-staffing expenditure	333	322	-11
EXPENDITURE:	3,370	3,471	101
INCOME:	-693	-645	49
Total Net Expenditure	2,676	2,826	150
<u>Bucks Contribution</u>	910	961	51
<u>Surrey Contribution</u>	1,766	1,865	99

- 4.5 Each Council has a different approach to how it plans on dealing with their proportion of the overspend.

2023/24 Planning

- 4.6 Both Councils have independently considered and agreed their own Medium Term Financial Plans. The impacts of these have been discussed by the partner authorities and a budget is proposed in Annex B for the Joint Committee to consider and decide upon.
- 4.7 The budget for 2023/24 identifies cost pressures and cost savings. The largest pressure for the Service going into 23/24 is pay inflation. In total this is estimated at £233,000, which includes the 2022/23 inflation (£75k) plus 2023/24 pay inflation which is unconfirmed but currently estimated at 5% (£158k). Other pressures are the creation of a new Apprentice role to partially mitigate some of the impacts of deletion of posts for cost savings, and income.
- 4.8 The pressure on income was highlighted in April 2022. At the start of the Covid pandemic the Service income was reduced by around £200,000. This was initially supported by central Government lost income grants. The Service is mid-way through a plan to recover this at a rate of £40,000 each year. This was recovered in 22/23 and the Service is optimistic that a further £40,000 can be delivered in 23/24.
- 4.9 Cost savings, totalling £151,000 have been identified as follows:
- 4.9.1 Removal of seconded Thames Valley Police Officer (based in Bucks)
 - 4.9.2 Deletion of an investigation officer post (based in Surrey)
 - 4.9.3 Cut of one third of the food sampling and analysis budget
 - 4.9.4 Remove a specific piece of investigations software
 - 4.9.5 Deletion of officer hours as officers cut hours (e.g. for flexible retirement)
- 4.9 The net impact is a requirement for a budget increase of the estimated cost of pay inflation, i.e. £233,000. This is built into the proposed budget.

6.0 CONSULTATION:

- 6.1 No external consultation has taken place. However, finance teams from both partner Councils have been involved in developing the proposed budget.

7.0 RISK MANAGEMENT AND IMPLICATIONS:

- 7.1 All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).
- 7.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

8.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 8.1 The Service has delivered all elements of the original business case. The budget outturn position for 2022/23 is detailed within section 4 above.

9.0 LEGAL IMPLICATIONS

- 9.1 The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates.
- 9.2 The report makes a number of references to relevant legal processes and proceedings that the Service has been involved in over the last year. There are no other specific legal issues that need to be drawn to the attention of the Committee.

10.0 EQUALITIES & DIVERSITY

- 10.1 The performance being reported will not impact on residents or staff with different protected characteristics, as such an Equality Impact Assessment has not been included.

11.0 WHAT HAPPENS NEXT:

- 11.1 The budget will be monitored and managed by the Service Management team and will be reported back to the Joint Committee at each of its meetings.

REPORT DETAILS

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 07968 834 638

Consulted:

Annexes:

Annex A: [2022-23 Agreed Trading Standards Budget for reference.](#)
Annex B: [Proposed Trading Standards Budget 2023/24](#)

Sources/background papers:

N/A

Annex A - 2022/23 agreed budget for reference

Trading Standards

	Budget 2021/22 £000	Agreed budget 2022/23 £000
<u>Expenditure:</u>		
Staffing	3,053	3,053
Non Staffing	449	316
Total expenditure	3,502	3,369
<hr/>		
Income	-826	-693
<hr/>		
Net budget	2,676	2,676
Surrey County Council Contribution	1,766	1,766
Buckinghamshire Council Contribution	910	910
Joint Budget	2,676	2,676
Identified Pressures (not in agreed budget)		
2022/23 Pay Inflation		75
National Insurance		26
Loss of Income		160
Total Pressures		262

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Trading Standards

	Agreed budget 2022/23 £000	Proposed budget 2023/24 £000
Expenditure:		
Staffing	3,053	3,191
Non Staffing	316	290
Total expenditure	3,369	3,481
Income	-693	-573
Net budget	2,676	2,908
Surrey County Council Contribution	1,766	1,919
Buckinghamshire Council Contribution	910	989
Joint Budget	2,676	2,908

Included Changes for 23/34

Pay inflation 22/23 and 23/24	233
Apprentice	30
Loss of income (recovering)	120
Seconded police officer post	-62
Investigator post	-43
Food sampling budget	-15
Chorus system	-11
Deletion of marginal officer hours	-20
Total changes:	232

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BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 18 MAY 2023

LEAD OFFICER: DAVID PICKERING

SUBJECT: TRADING STANDARDS TOBACCO WORK

SUMMARY OF ISSUE:

The Children and Young Person's (Protection from Tobacco) Act 1991 requires Local Authorities to consider, at least once in every period of twelve months, the extent to which it is appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons Act 1933, are effected. This seeks to prohibit the sale of cigarettes and associated items, such as nicotine delivery systems, to persons under the age of 18. This duty relates to tobacco enforcement only.

The Service undertakes work in this area supporting the delivery of the Public Health improvement outcomes and responsibilities that relate to the use of tobacco in order to help people to live healthy lifestyles; make healthy choices and reduce health inequalities.

This report considers the Service's work in relation to tobacco and associated products and is not restricted to the potential sale to children and young people.

RECOMMENDATIONS:

It is recommended that the Joint Committee notes and considers the report as a reflection of activity over the financial year 2022–2023 and endorses continued enforcement activities which will be undertaken in 2023– 2024.

REASON FOR RECOMMENDATION:

The Children and Young Person's (Protection from Tobacco) Act 1991 requires Local Authorities to consider, at least once in every period of twelve months, the extent to which it is appropriate to carry out enforcement action to ensure that the provisions of the Children and Young Persons 1933 Act, are effected.

DETAILS:

1. To ensure coherence and to maximise the impact of our work, Trading Standards link closely to Public Health led strategies to reduce tobacco consumption. The Trading Standards role is mainly in relation to tackling supply. However, increasing levels of innovation in the alternatives to tobacco, such as vapes, continue to provide constant challenges to us when assessing how the

legislation applies to them. We link into the regional tobacco groups and HMRC national initiatives.

2. Trading Standards are members of the Tobacco Control Alliance group in Buckinghamshire and Surrey. These groups of partners oversee the delivery of the Public Health Tobacco Control Strategies in both authorities and report back to the Health & Wellbeing Boards. With the ambition for Surrey to have the lowest smoking prevalence in England, the priorities include, among others; “helping young people to be tobacco free”; “tackling illicit tobacco” and “raising the profile of tobacco control”.

In partnership with our Public Health colleagues in Surrey the remit of the group has been extended recently to include alcohol issues as there are common areas of concern and the group will become a sub group of the combatting Drugs Partnership which we anticipate will raise the profile and encourage involvement from a wider range of partners.

The Surrey strategy for 2023-2026 is being developed and will reflect the priorities in the new national strategy (when released) as well as local ones.

The Buckinghamshire Tobacco Control Strategy “Towards a smoke free generation” was launched in June 2019 and we are supporting this by tackling the supply of illicit tobacco and supporting the Alliance group:

[Buckinghamshire-Tobacco-Control-Strategy-2019-2024.pdf](https://www.healthandwellbeingbucks.org/Buckinghamshire-Tobacco-Control-Strategy-2019-2024.pdf)
([healthandwellbeingbucks.org](https://www.healthandwellbeingbucks.org))

The four main themes of the Buckinghamshire Strategy are Prevention First, Supporting smokers to quit, Eliminating variations in smoking rates and effective enforcement, with an overall focus on key groups.

3. Tobacco use among young people is considered as risk-taking behaviour (by themselves as much as anyone else) and may be seen therefore as gateway-behaviour for other risk taking activities. These would include experimenting with alcohol and other illicit substances when this is combined with carrying offensive weapons and misuse of fireworks the resulting anti-social behaviour adversely affects how safe people feel in their own communities.
4. Sales of illicit tobacco facilitate a cheap way to start or continue smoking and as such needs to be minimised to reduce this impact. In addition, legitimate businesses are disadvantaged threatening small businesses in the local economy.

<https://www.illicit-tobacco.co.uk/problem/illicit-tobacco/>

5. There is evidence that the supply of illicit can be linked to organised crime and we work in partnership with the police to ensure appropriate dissemination of intelligence. We also populate the national IDB intelligence database which is accessed by HMRC and other relevant partners. We have seen in the past year evidence that OCGs are operating in our area and we are liaising with colleagues in other authorities to ensure joint action is more effective

https://www.eesc.europa.eu/sites/default/files/files/mr_arndt_sinn_speech.pdf

6. The programme for the financial year 2022/2023 was as follows:-

6.1. Contribute to the Surrey and Buckinghamshire Tobacco Control Strategies by taking action to reduce the supply of illicit tobacco through intelligence and enforcement.

We gathered local intelligence and used appropriate enforcement action against suppliers. Intelligence was shared across relevant enforcement agencies to tackle organised distribution networks,

17 visits resulting in 4,284 packets of 20 cigarettes, 11,340g of hand rolling tobacco and 414 packages of shisha of various sizes being seized. Using tobacco detection dogs for these operations is vital because the illicit tobacco is usually hidden from view. Hiding places vary and are becoming more sophisticated in some instances. These include mechanisms which can be triggered to access the tobacco products.

We have taken 3 prosecutions, against 5 entities, one of which resulted in a suspended prison sentence for the business owner. We also issued 12 written warnings to businesses, mainly relating to the sale of vapes where there were no additional aggravating factors.

6.2. Promote the education message about the harm illicit tobacco causes and the smoking cessation message and gather any intelligence about sales of illicit tobacco to identify sources.

We worked with Public Health to achieve the best outcome we can from an educational perspective in particular identifying the best use of social media to target messaging.

We continued to liaise with both Councils communications teams to publicise our work about tobacco issues.

[Trading Standards cracks down on illegal tobacco sales in Buckinghamshire | Buckinghamshire Council](#)

[Two fined over illegal tobacco sales after counterfeit cigarettes found at Aylesbury shop | Bucks Herald](#)



[Trading Standards cracks down on illegal tobacco sales in Buckinghamshire - Bucks Radio](#)

[Aylesbury shopkeepers who hid stash of cigarettes in wall are fined | Bucks Free Press](#)

[Illegal tobacco campaign - Surrey County Council \(surreycc.gov.uk\)](http://surreycc.gov.uk)

6.3. We continued to support the Tobacco Alliance groups in both authorities

We continued to be members of the Surrey Tobacco Control Alliance and Buckinghamshire Tobacco Control Alliance groups and participated in meetings organised for both authorities. We are participating in producing the new tobacco control strategy in Surrey We continued to work with partners on the groups to deliver the agreed strategies to reduce smoking prevalence rates in both counties.

6.4. We continued to use local, regional and national intelligence to ensure we target our interventions and resources appropriately.

We monitored regional and national intelligence by actively participating in regional and national groups and used it when appropriate. By using intelligence we targeted our interventions on identified higher risk businesses. This was reflected in a significant success rate in finding illicit tobacco.

6.5. Seek licence reviews through the relevant District/Unitary Council when appropriate.

We sought two licence reviews this year and continue to liaise with licensing colleagues in both authorities to support a compliant marketplace. Both reviews resulted in suspension of the licences.

6.6. We continued to monitor the market for alternatives to tobacco products, such as vaping products, to assess potential risks and look for solutions to ensure any risks to consumer safety is minimised

The supply of vaping products continues to be a dynamic and increasing market in terms of both quantity and variety of products. This is the subject of a separate paper for the Joint Committee

Working with UKVIA in a Primary Authority Partnerships we continue to support them to educate their member businesses through advice and webinars with the aim of reducing the risk of underage sales from both physical premises and internet sales.

Working with the Association of Convenience Stores (ACS) in a Primary Authority Partnership we have produced advice guides for members to educate regarding the sale of age restricted products which can be found on this link: [acs advice - age restricted sales 2023.pdf](#) (and see images below). Being present at their annual conference enabled us to demonstrate the difference between compliant and non-compliant vapes to help businesses understand what they can sell and why.

ACS advice
PREVENTING UNDERAGE SALES

Understanding how to manage underage sales is probably the main compliance challenge a convenience store retailer faces. This guide explains what you are legally obligated to do, what you should consider doing as best practice, and how you put in place the policies and procedures that will help you to manage this difficult area successfully.

ASSURED
Alcohol
Lighter fuel / Butane
Tobacco and cigarette papers
Firearms
Anti-air paint
Christmas crackers
DVD and video games
Lottery and promotional
Psychoactive substances
E-cigarettes
Pistol

BEST PRACTICE
Knives/Razors
High caffeine energy drinks
CBD products
Tobacco associated products
Bespoke food trolleys
Medicines
Acids / Corrosive substances

ACS the voice of local shops

An ACS advice guide for retailers
www.acs.org.uk

1. WHAT IS AGE RESTRICTED?

Legally age restricted products

ALCOHOL (18)
Selling alcohol to someone under 18 can lead to an on the spot fine of £250, a caution that appears on your criminal record or formal prosecution including an unlimited fine. If you are found to have persistently sold alcohol to someone under 18 you could face an immediate closure order for between 48 hours and 28 hours (14 days), or an unlimited fine. You need to have a licence from the local authority in order to sell alcohol and failing to prevent underage sales will end that licence of sale.

LIGHTER FUEL/BUTANE (18)
Selling either of these products to a under 18 is illegal and can lead to an unlimited fine and up to six months in prison.

ACIDS/CORROSIVE SUBSTANCES (18)
The Offences Against the Person Act 1969 prohibits a sale of any acid or corrosive substance to anyone under 18 and places new restrictions on online sales of corrosive products, including restrictions on deliveries to residential premises.

TOBACCO AND CIGARETTE PAPERS (18)
Selling cigarettes, rolling tobacco or cigarette papers to an under 18 can lead to a caution - resulting in a criminal record - or a formal prosecution including a fine of up to £2,500. It can also cause a tobacco licence order, banning either the store or the individual from selling tobacco.

E-CIGARETTES (18)
A person who sells a nicotine containing product to someone under the age of 18 commits an offence. This is a strict liability offence, the owner of the business can be held responsible as well as the member of staff who made the sale. The penalty for selling these products is a fine of up to £2,500.

LOTTERY (18)
It is illegal to sell National Lottery products (including scratchcards) to anyone under the age of 18. The penalty is a fine of up to £5,000. Retailers must ensure that persons under 18 are not allowed to sell these products. There are strict rules for the authorisation of 16 and 17 year olds to sell (see page 71 and 80). It is also a breach of your National Lottery Retailer Agreement for prizes to be paid out to someone under 18. Underage sales can lead to a termination of your retailer agreement with the lottery terminal and to the removal of your lottery terminal.

KNIVES (18)
Selling a knife (including a utility knife) or blade to an under 18 is illegal and can lead to an unlimited fine and up to six months in prison. The Offences Against the Person Act 1969 makes it a criminal offence to sell and dispose of knives, sold online without verifying the buyer is over 18 both in order of sale and of delivery. Packaging must be clearly labelled to indicate their contents and that they must be handed to a person over the age of 18. Bladed products that a products that can cut a persons skin must not be delivered to a residential address. Home Office guidance on the sale of knives is available at: www.ho.gov.uk

UNDER 25?
Restrictions on age restricted products

No legal age restriction in place

TOBACCO ASSOCIATED PRODUCTS (18)
There is no legal prohibition on smoking related products such as lighters and pipes (except cigarette papers and lighter refills) however you may choose not to sell them to anyone under the age of 18.

CBD PRODUCTS (18)
CBD is often used as a food or food supplement, e-cigarettes or cosmetic. CBD products must contain no THC. Businesses must ensure that any claims about medical or health benefits are being made. Foods or food supplements which contain CBD are considered novel foods. The FSA has produced a list of CBD food products which are linked to a credible application for authorisation going through the novel foods process. Any products not on the list marked as 'novel' should not be sold. CBD products which are not a food or food supplement and does not need authorisation. The FSA has issued advice on the consumption of CBD for healthy adults and vulnerable groups, which is available at <https://www.food.gov.uk/business-guidance/consumption-cbd>. Currently there is no age restriction on the sale of CBD, though it is recommended products are not sold to under 18s. E-cigarettes containing both nicotine and CBD are unlawful.

ADULT MAGAZINES (18)
Adult (pornographic) magazines are not legally age restricted. However, it is commonly accepted and recommended that you do not sell pornographic magazines to anyone under the age of 18. There are also strict laws on display magazines that breach the Obscene Publications Act, and you should be careful about products obtained from less established trade channels.

FIREWORKS (16, 18)
Fireworks have different age restrictions based on what category they are. It is illegal to sell category F1 (indoor use, low hazard and low noise) fireworks such as party poppers to anyone under 16. It is illegal to sell category F2 (for outdoor use in confined areas) and F3 (for outdoor use in large open areas) fireworks to anyone under 18. In both cases an underage sale can lead to an unlimited fine and up to three months in prison.

PETROL (16)
It is generally against the law to supply petrol to anyone under the age of 16. This is imposed by the terms of a fuel retailers licence to sell petrol. The penalty is an unlimited fine and up to twelve months in prison.

ANTI-AIR PAINT (16)
Selling these products to an under 16 is against the law and can lead to a fine of up to £2,500.

CHRISTMAS CRACKERS (12)
Selling Christmas crackers to a person under the age of 12 is illegal and can lead to an unlimited fine and up to three months in prison.

DVDS AND VIDEO GAMES (12, 15, 18)
All DVDs carry a British Board of Film Classification (BBFC) certificate. All video games carry a PEGI European Game Information (PEGI) Certificate. There are no legal age restrictions. It is illegal to sell or rent that product to someone who is under that certified age. The penalty is an unlimited fine and up to six months in prison.

ONLINE VERIFICATION
Age verification cards and e-vouchers may be sold specifically for customers who need to prove their age online. The most common age verification is 18, where the same rules apply for checking to buyers using the card/voucher as with other age restricted products.

NO LEGAL AGE RESTRICTION IN PLACE

PSYCHOACTIVE SUBSTANCES
There is no legal restriction on the sale of psychoactive substances such as solvent based glues, correction fluid, anti-freeze and others. However, it is recommended that retailers voluntarily age restrict these substances for those under 18, to prevent those at highest risk from gaining access to these products. It is an offence to supply where the retailer knows, or where the psychoactive substance is likely to be consumed for its psychoactive effects. There is no expectation for a retailer to do above and beyond what is reasonable and the offences only apply where there is a likelihood of consumption. A retailer should take reasonable steps to make sure they are aware of the potential uses of such products. The penalty is 12 months imprisonment and an unlimited fine.

EGGS, FLOUR AND TOILET PAPER
There is no legal prohibition on energy drinks. However, you should be aware that all major UK manufacturers advise that their products are not suitable for children which they define as under 16 years old. You may decide to impose a restricted sale policy on your own initiative, or you may be asked to do so by the local school or parents group. You should listen to such requests constructively and accommodate them if you can.

SAFETY RAZOR BLADES (UNDER 2mm)
The Criminal Justice Act 1988 makes it an offence to sell to a person under 18 years any razor blade but does not apply to replacement cartridges for safety razors where less than 2mm of the blade is exposed. Businesses should ensure staff are aware of which blades are considered safety blades and so legal to sell to under 18s.

LADS' MAGAZINES (16)
Men's lifestyle magazines (Lads' Maggs) do not have an age restriction, but you may choose to implement a policy to prevent their sale to under 16s.

See page 12 for the information taken contained in 11 and 12 of the Standard Application or additional information available.

educational perspective in particular identifying the best use of social media to target messaging.

We will continue to liaise with both Councils communications teams to publicise our work about tobacco issues.

7.3. We will continue to support the Tobacco Alliance groups in both authorities

We will continue to support both the Surrey Tobacco Control Alliance and Buckinghamshire Tobacco Control Alliance groups and will participate in meetings organised for both authorities. We will work with partners on the groups to deliver the agreed strategies to reduce smoking prevalence rates in both authorities.

7.4. Continue to use local, regional and national intelligence to ensure we target our interventions and resources appropriately

We will continue to explore ways to:

- improve intelligence sharing between relevant partners;
- upgrade intelligence from all viable sources; and
- explore alternative means of detecting sales (other than by test purchases)

7.5. Seek licence reviews through the relevant District/Unitary Council when appropriate.

Prosecutions for illicit tobacco can be used to add additional conditions onto the premises licence including the installation of CCTV at the premises, price labels on the alcohol to include the name of the shop, or the imposition of clear and stringent stock control measures.

7.6. Continue to monitor the market for alternatives to tobacco products, such as vaping products, to assess potential risks and look for solutions to ensure any risks to consumer safety is minimised

Following highly variable results from under age test purchasing of vapes in 22/23 (on the worst day of test purchasing 71% of premises sold, on another day no premises sold to the under 18 volunteer) we will utilise intelligence and information to target businesses identified as supplying vaping products to under 18 year olds and attempt test purchases from them.

CONSULTATION:

8. Public Health teams in Surrey and Buckinghamshire have been consulted.

RISK MANAGEMENT AND IMPLICATIONS:

9. We are supporting an important strand of tobacco reduction strategies by seeking to reduce the supply of tobacco products. If we are unable to carry out this work the effectiveness of this will be reduced and it is more likely that such products will be available to children and young people.

Financial and Value for Money Implications

10. The work in this area is carried out by a number of officers as a small part of their wider role. At times work in this area, such as advice to businesses, is combined with other visits that officers are carrying out to the same premises or area to maximise efficiency. This report is suggesting that the Service broadly maintains its approach to this work and therefore there is no additional financial implication beyond that which is already committed.

Legal Implications

11. As outlined in the report, there is a requirement for Local Authorities to consider carryout enforcement actions at least once in every twelve month period, to ensure that the provisions of the Children and Young Persons Act 1933, are effected. The report outlines the enforcement action taken and the legal consequence to such action.

Equalities and Diversity

12. Tobacco consumption is disproportionately prevalent in particular socio-economic groups; tackling tobacco consumption has a positive impact in helping tackle health inequalities. There is no likely negative disproportionate impact arising from the work described in this report on people with protected characteristics.

WHAT HAPPENS NEXT:

13. This is set out in section 8 above.

Contact Officer:

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Consulted:

Annexes: None
