

## Notice of Meeting

# Buckinghamshire Council and Surrey County Council Joint Trading Standards Service Committee

**Date & time**

Thursday, 9  
November 2023 at  
10.30 am

**Place**

Paralympic Room,  
Gateway Offices,  
Gatehouse Road,  
Aylesbury,  
Buckinghamshire,  
HP19 8FF

**Contact**

Angela Guest  
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**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Angela Guest at [angela.guest@surreycc.gov.uk](mailto:angela.guest@surreycc.gov.uk).**

**Members of the Committee**

Mark Winn (Co-Chairman) and Kevin Deanus (Co-Chairman)

**Advisory Members:**

Scott Lewis and Carl Jackson

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

To receive any apologies for absence and substitutions.

### **2 MINUTES OF THE PREVIOUS MEETING [18 MAY 2023]**

(Pages 5  
- 10)

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 (03/11/2023).

#### **b Public Questions**

The deadline for public questions is seven days before the meeting (02/11/2023).

#### **c Petitions**

The deadline for petitions was 14 days before the meeting and none have been received.

### **5 ACTION TRACKER AND FORWARD PLAN**

(Pages  
11 - 16)

To review the Action Tracker and Forward Plan.

- 6      2023/24 FIRST SIX MONTHS PERFORMANCE** (Pages  
17 - 78)
- The committee is asked to note the performance of the service for the first six months of 2023-24 (April to September) (Annex A).
- 7      TRADING STANDARDS VAPES ENFORCEMENT UPDATE** (Pages  
79 - 88)
- This report follows up the report brought to the Joint Committee in May 2023.
- 8      JOINT SERVICE BUDGET** (Pages  
89 - 92)
- The Committee is asked to note the forecast outturn for the joint service budget for 2023/24.
- 9      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 10 April 2024.

**Joanna Killian**  
**Chief Executive**  
Published: Wednesday, 1 November 2023

### **MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE**

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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 2.00 pm on 18 May 2023 at Woodhatch Place, 11 Cockshot Hill, REIGATE.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 9 November 2023.

**Elected Members:**

(\*present)

- \* Denise Turner-Stewart (Co-Chairman)
- \* Mark Winn (Co-Chairman)
- Beville Stanier
- Scott Lewis – attended online

**In attendance**

Steve Ruddy, Head of Trading Standards, Buckinghamshire and Surrey Trading Standards Service  
Amanda Poole, Assistant Head of Trading Standards, Buckinghamshire and Surrey Trading Standards Service  
David Pickering, Team Manager – Regulation, Buckinghamshire and Surrey Trading Standards Service

**1/23 APOLOGIES FOR ABSENCE [Item 1]**

Apologies were received from Beville Stanier and Scott Lewis attended remotely.

**2/23 MINUTES OF THE PREVIOUS MEETING - 22 NOVEMBER 2022 [Item 2]**

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

**3/23 DECLARATIONS OF INTEREST [Item 3]**

There were none.

**4/23 PROCEDURAL ITEMS [Item 4]**

**a MEMBERS' QUESTIONS [Item 4a]**

There were none.

**b PUBLIC QUESTIONS [Item 4b]**

There were none.

**c PETITIONS [Item 4c]**

There were none.

**5/23 ACTION TRACKER AND FORWARD PLAN [Item 5]**

**RESOLVED:**

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

**6/23 2022/23 SERVICE REVIEW INCLUDING KEY PERFORMANCE INDICATORS [Item 6]**

**Key points from the discussion:**

1. The Head of Trading Standards presented the annual report for 2022/23 and highlighted the following aspects:
  - a) Using case studies detailed some of the Scam work undertaken using a range of investigative work.
  - b) Technology used for door cameras, for example there was not a need for wi-fi. Door cameras were good for the elderly and were funded from income from enforcement work.
  - c) Call blockers were explained
  - d) Scam marshals volunteer programme was explained, and the work undertaken by them.
  - e) There had been a high level of sentencing which was an acknowledgement of the seriousness of the crime by the courts.
  - f) 71,000 unsafe products had been stopped from entering via Heathrow.
  - g) In response to a member query, work to stop the selling of unsafe products on Ebay and Amazon was explained. This work was particularly difficult because as soon as one product was taken down another one popped up. Members were encouraged to lobby Government about legislation.
  - h) There had also been much work around ensuring the avian influenza outbreak was contained. Members recognised the diverse range of services provided by trading standards.
2. A Member asked about managing budgets and prioritisation given the breadth of services provided. The Head of Trading Standards explained that the scale of demand was limitless and the need for an appropriate balance was key. Priorities were based around statutory duties and corporate priorities.
3. The Assistant Head of Trading Standards explained:
  - a) how external sources of funding were being sought
  - b) the service tries to get involved in legislation as it is being written
  - c) where there was significant legislation it may mean that there was additional Government funding for the first few years
  - d) there was an ability to give monetary penalties rather than prosecution in some cases.

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

None.

**RESOLVED:**

The Trading Standards Joint Committee noted the Service's performance.

**7/23 WORK TO SUPPORT COMMUNITIES AND INDIVIDUALS DURING PRESSURES CAUSED BY COST-OF-LIVING PRESSURES [Item 7]**

**Key points from the discussion:**

1. The Assistant Head of Trading Standards introduced a report that set out activities undertaken to support communities through significant increases in the cost of living. This had become a priority mid-year, causing the service to undertake activities that weren't planned at the start of the year. The following were highlighted:

### **Product Safety**

- a) Products were identified where financial stretched residents may be tempted to buy unsafe products. These included heaters and electric blankets. There was an 80% failure rate in electric blankets brought in. These were then exchanged for free with brand new blankets donated by one of our Primary Authority partners. Work was undertaken with libraries and the fire service and would take place again in the autumn.
- b) In response to Member questions officers reported that they tried to use a range of different venues for this activity and would do so again in the autumn.
- c) Members gave several ideas for consideration which included community centres and supermarkets. They also suggested that officers could explain to residents what to look out for with electric blankets.

### **Scammers**

- e) The Service has aimed to raise awareness of potential scams as widely as possible and held monthly webinars.

### **Fair Trading**

- f) The Service aimed to ensure Fair Trading and to ensure people get what they pay for. This could include at petrol pumps ensuring the correct quantity, with letting agents ensuring charges were legal and terms were fair, and that illegal goods weren't sold. It was reported that compliance with some legal requirements in the letting industry had been low but after interventions compliance was improving. A variety of illegal and unsafe goods were available for Members to view and to see how it would be very difficult for the consumer to spot that they were not genuine.
- g) In response to Member questions officers reported that intelligence was being developed around illegal goods to target interventions.

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

None.

### **RESOLVED:**

That the Trading Standards Joint Committee noted the Service's work outlined in the submitted report.

## **8/23 TRADING STANDARDS VAPES ENFORCEMENT [Item 8]**

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

- 1. The Team Manager explained that there had been an unexpected large uptake of vaping from younger people. Some areas of the world including the USA had banned products, some of which end up in the UK. The Service were liaising with public health to get the message out to schools and ask schools to share information where they know they are being sold. There was also to be some government funding, announced recently, but it was not known how it would make its way to local authorities.
- 2. Members advocated as much work as possible in this field and likened the situation to that of alcopops in the 1980's. They also spoke of the difficulty in recycling vape equipment and the potential harm to the environment.

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

That this be a standing item on future agendas.

**RESOLVED:**

That the Trading Standards Joint Committee noted how the new funding may be used and considered any local approach it wished the Service to take.

**9/23 TRADING STANDARDS COMMUNICATIONS [Item 9]**

**Key points from the discussion:**

1. The Head of Trading Standards gave a precis of the submitted report that outlined the different channels and methods used to communicate the work and advice for residents and businesses, as well as giving examples of the Services communications.
2. There was a discussion on communications and their effectiveness. It was noted that public awareness of trading standards had waned as some consumer advice is now provided by Citizen's Advice. Officers also explained that in terms of consumer education, there wasn't an effective consumer education policy programme strategy nationally to ensure that people were as informed as they could be about their rights and what to do when things go wrong as well.
3. The Committee discussed the possible resources for a dedicated communications officer. Officers reported that the coverage of press releases was high.

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

None.

**RESOLVED:**

1. That the Service's work to communicate its' activity was noted.
2. The Committee considered ways in which the reach and impact of the Service could be extended further.

**10/23 JOINT SERVICE BUDGET [Item 10]**

**Key points from the discussion:**

1. The Assistant Head of Trading Standards gave a precis of the submitted report and highlighted:
  - a) That the outturn budget for 2022/23 was overspent by £150k or 5.6% of the budget and the reasons for that were outlined
  - b) The new burdens grant money from central government helped reduce the overspend.
  - c) The proposed budget for 2023/24 was £2.9m which the Committee were asked to approve.
2. In response to Member questions about the impact of savings and budget changes the Assistant Head of Trading Standards explained that the impacts had been discussed throughout the process and believed that the service was set up to manage any impact.

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

None.



**RESOLVED:**

1. That the outturn for the joint service budget for 2022/23 was noted
2. That the budget for 2023/24 as set out in Annex B of the submitted report was agreed.

**11/23 TRADING STANDARDS TOBACCO WORK [Item 11]**

**Key points from the discussion:**

1. The Team Manager presented a statutory report on underage sales which had been extended to cover the wider work on tobacco. He highlighted that:
  - a) There had been increased activity around illicit tobacco
  - b) This was a regional and national problem
  - c) Various methods of DIY sophisticated storage was making detection more difficult and easier to get illicit goods out.
  - d) The service was using user intelligence to target shops and there had been three prosecutions over the last year.
  - e) Different methods of disruption were being considered.
2. Members recognised that the criminals were very organised and sophisticated.
3. In response to a Member query about joint operations officer described a national joint operation with HMRC. However, it was recognised that sufficient resources were not there nationally to deal effectively with this problem.
4. Officers also explained that there was likely to be pilots around greater use of administrative fixed penalties where that was possible which would free up resources to tackle significant cases.
5. There was some discussion around communications and social media and Members encouraged officers to put information into digestible format and get it out without necessarily waiting for communications approval.

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

That some of the examples of fake or illegal products provided be shared with Scott Lewis.

**RESOLVED:**

That the report be noted as a reflection of activity over the financial year 2022–2023 and that enforcement activities which will be undertaken in 2023–2024 be endorsed.

**12/23 DATE OF THE NEXT MEETING [Item 12]**

The date of the next meeting was scheduled for Thursday 22 September 2022 but was likely to be changed. It would be hosted by Buckinghamshire Council.

Meeting ended at: 3.34 pm

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**Chairman**

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Buckinghamshire CC and Surrey CC  
Trading Standards Joint Committee

9 November 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.

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**Report contact:** Angela Guest, Committee Manager

**Contact details:** 07929 724773, [angela.guest@surreycc.gov.uk](mailto: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
1/23	May 2023	That Vapes Enforcement be a standing item for future agendas.	Steve Ruddy	Ongoing. Vapes Enforcement is on the agenda for 9 November and will be on future agendas until the Joint Committee agree for its removal	<b>Complete</b>
2/23	May 2023	That some of the examples of fake or illegal products provided be shared with Scott Lewis.	Steve Ruddy	Examples of fake and illegal products will be brought to the 9 November meeting and future ones for all Members to look at	<b>Complete</b>

### 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

## 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
Item title:	Trading Standards Vapes Enforcement Activity
The Committee will be asked to:	Consider the latest situation with vapes policy and the local enforcement activity being undertaken in this area

## September 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 Vapes Enforcement Activity
The Committee will be asked to:	Consider the latest situation with vapes policy and the local enforcement activity being undertaken in this area

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

**DATE: 9 NOVEMBER 2023**

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

**SUBJECT: 2023/24 FIRST SIX MONTHS PERFORMANCE**

<b>1.0 <u>SUMMARY OF ISSUE:</u></b>
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- 1.1 The Buckinghamshire Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the service for the first six months of 2023-24 (April to September) (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.

<b>2.0 <u>RECOMMENDATIONS:</u></b>
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- 2.1 It is recommended that the Trading Standards Joint Committee notes the Service's performance.

<b>3.0 <u>REASON FOR RECOMMENDATIONS:</u></b>
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- 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.

<b>4.0 <u>PERFORMANCE DETAILS:</u></b>
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- 4.1 The performance of the joint service is measured through key performance indicators agreed by the Joint Committee. The Joint Committee reviews performance at all their meetings.
- 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, with performance against each indicator varying depending on where the focus is required to be. This year we have continued the focus started last year on



activities to support communities and individuals through the impacts of inflation and the cost-of-living crisis – are residents getting what they are paying for, and are they being kept safe from potential harm of products they might particularly use in times where household finances are deeply stretched?

- 4.3 There are currently no statutory performance indicators for Trading Standards and there is no performance benchmarking data available for comparison of the key performance indicators. Previous attempts to create national performance indicators for Trading Standards have not been successful so the Service sometimes looks to similar services in local government for comparisons (for example on engagement through social media) or at other proxy data.
- 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 for the 22-23 year is attached as Annex B.
- 4.5 The Joint Committee will note that some 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 **A key Service priority is to protect individuals, communities and businesses from harm and financial loss.** For the first half of 23-24 the financial impact of our interventions related to scams and frauds was **£1,607,901**. This indicator varies month to month but is slightly ahead of the £2,878,557 for the whole of 22-23.
- 4.7 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. Working with the Communications Teams of both Council’s we have been

encouraging take up of call blockers to protect vulnerable residents from phone fraud. As a result of this we have installed 71 call blocking units so far this year, compared to 110 in the whole of last year.

- 4.8 No defendants have been convicted of offences so far in 23/24, with two trials being delayed again, compared to 17 for last year. The Service currently has 11 cases going through the legal process, and despite the significant increase in the number of convictions last year (many related to guilty pleas) we are still seeing concerning delays in the court process for trials of more than a day in length affecting vulnerable witnesses, defendants and leading to an increased cost to the Service. No defendants have been found not-guilty (also none for the same time period last year).
- 4.9 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.
- 4.10 **Our second key priority is to help businesses to thrive by maintaining a fair trading environment.** 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.<sup>1</sup> 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.
- 4.11 In the first few months of 2023 we began to see some turbulence in the business arena, with businesses whom we have partnerships with being acquired by other businesses, acquiring others, reevaluating their finances or going out of business. In April this caused our number of Primary Authority Partnerships to drop, causing this indicator to currently be amber. However since then we have seen a very gradual increase in numbers, such that we are optimistic that by the end of the year we will meet our target to increase the number compared to last year.
- 4.12 A fairly new indicator in relation to advice we provide to businesses who we do not have established Primary Authority Partnerships with, looks at the percentage of business enquiries we fully respond to within 10 working days. This has a target of 60% and the indicator is currently green, consistently exceeding the target since April.
- 4.13 **Improving the health and wellbeing of people and communities is the third key priority for the Service;** this includes 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.
- 4.14 Work tackling illegal supplies of tobacco remains 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

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

lower socio economic groups that cheap illegal tobacco has – further exacerbating the impacts on them. Investigations have been continuing in this year following finds of illegal tobacco last year. In some cases these are complex, and the Service is working with other Services to explore whether closure orders can appropriately be used.

- 4.15 Demand has continued to be high to tackle the import of unsafe products through transit sites for Heathrow. Over 53,000 unsafe and non-compliant products destined for people's homes have been prevented from entering the country through our work, including toys unsafe because a child could easily access and choke on their stuffing, electrical items posing the risk of electric shocks, and toys with small loose magnets that could easily be swallowed presenting serious harm to a child. This compares to just over 71,000 in the whole of last year.

## **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.

<b>10.0    <u>WHAT HAPPENS NEXT:</u></b>
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- 10.1    Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

<b>REPORT DETAILS</b>
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**Contact Officer(s):**

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

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**Consulted:**

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**Annexes:**

Annex A: Performance Report April – September 23/24  
Annex B – ACTSO Impacts and Outcomes Report 22/23  
Annex C - ACTSO Impacts and Outcomes Infographic 22/23

**Sources/background papers:**

**ENDS**

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# Half Year Report

## 2023-24

**Buckinghamshire&Surrey**  
trading standards



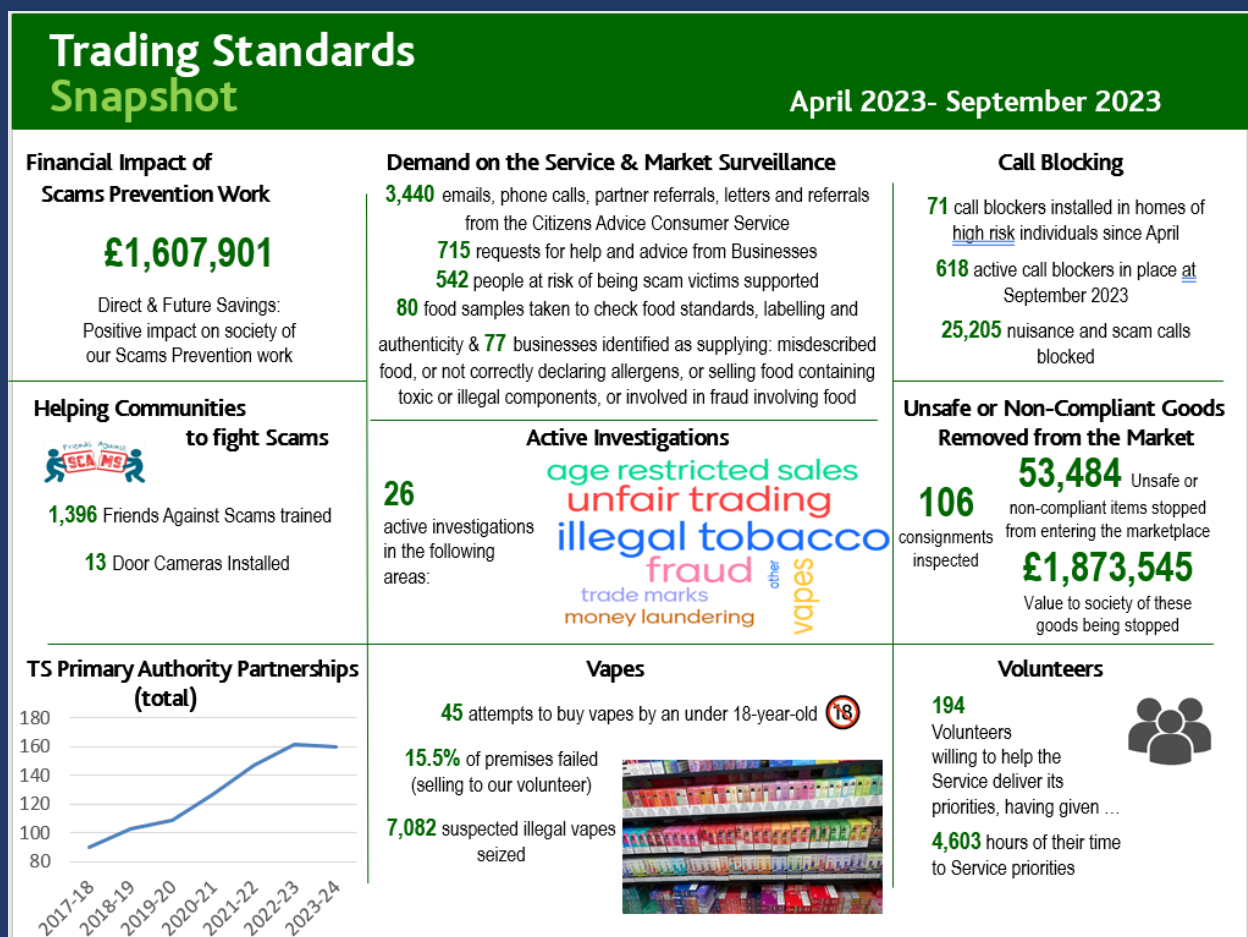


# Summary

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 in the middle of last year and has remained a priority into this year, alongside vapes enforcement which remains a concern and is subject to a separate paper. Highlights of the first half of the year include an increasing impact of our prevention work, reaching over £1.6m money saved for residents. The Service worked with the Communications Teams of both Councils to encourage the take up of call blockers as a tool for vulnerable residents to avoid phone fraud, and we have installed 71 so far this year.





# Service Priority Area 1

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

**Key Performance Indicator:**

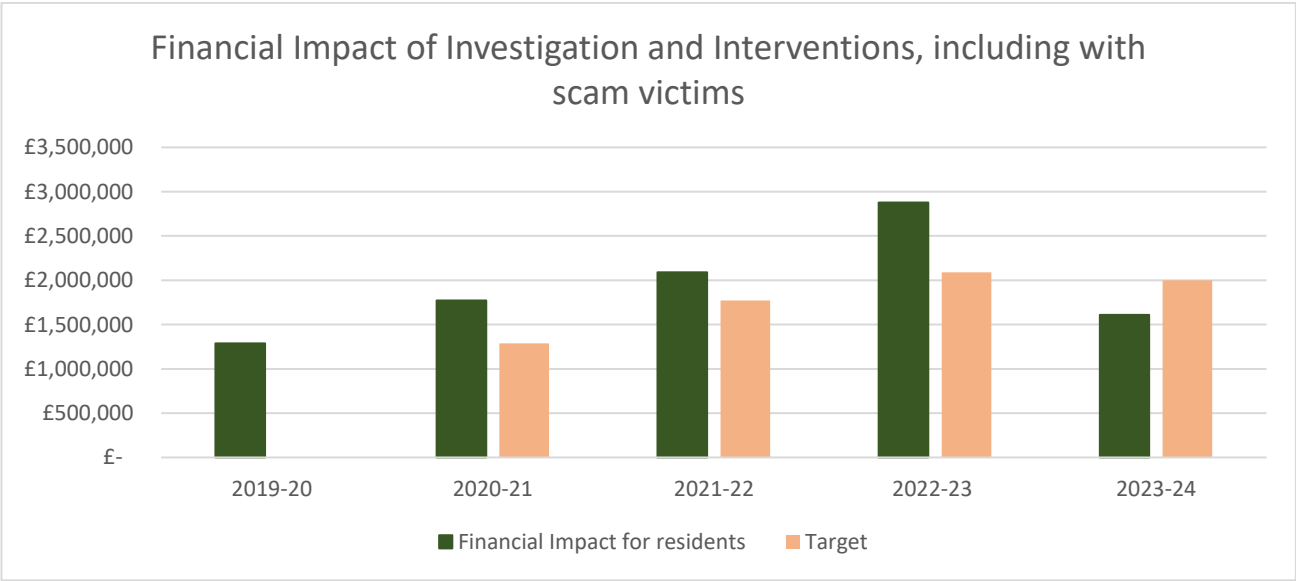
To increase the financial impact of our investigations and interventions including with scam victims.

Status Green



**Comments:**

Work to prevent and tackle scams and consumer frauds is a high priority for the Service. In the first half of 2023-24 **£1,607,901** has been saved for residents as a results of Service interventions compared to £2,878,557 in the full year 22/23.



Some examples of our financial impact in the first half of the year include:

- An investigation and subsequent prosecution for unfair trading offences and fraud. The two victims received compensation of their direct losses voluntarily paid by the defendant mid way through the court process, totalling just over £80,000. The defendant has pleaded guilty to the unfair trading offences but has pleaded not guilty to fraud and is awaiting trial.
- Installing call blockers in the homes of 71 people particularly vulnerable to phone fraud this year (compared to 110 installed last year). Call blockers installed by the Service have stopped over 25,000 nuisance and fraudulent calls (compared to over 50,000 last year). 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 13 people particularly vulnerable to doorstep fraud (compared to 31 last year). 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](mailto: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

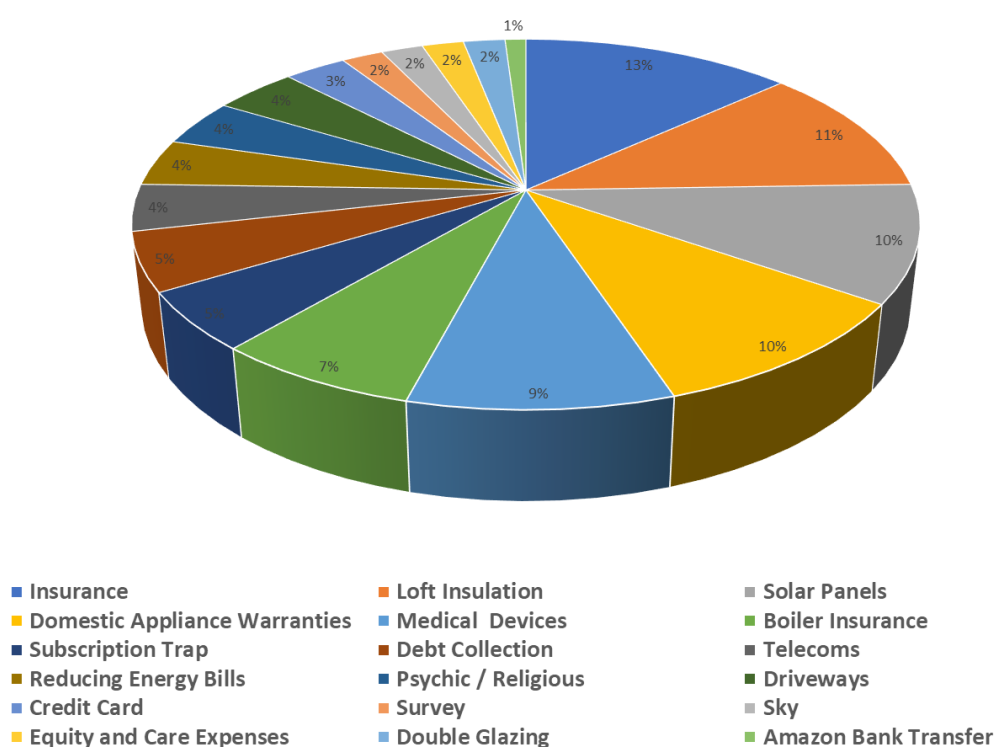
form will be completed, and the fitting of the call blocker arranged. In urgent cases our officers are trained to install the units there and then.

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 such a difference to my elderly mother (98) and my disabled sister (70) as they can now answer the phone with confidence. As their carer I have peace of mind knowing that nobody can get through who they don't know. They were victims of a scam and the phone is now one thing I do not have to worry about. Thank you”
- “This ... device is one of the best pieces of equipment we have ever had. We are most grateful for this device and it has solved the problem with nuisance callers - virtually overnight!”
- “I am grateful you are checking on my mum, thank you”
- “My husband & I are much happier now that we have the ... device. We don't feel threatened now when we answer the phone.”
- “I am no longer worried when the phone rings since the device has been installed.”
- “The device has eliminated nuisance calls completely. I feel much safer having it”

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:

Call Blocker Nuisance/Scam Calls Data 2022/23



Working with the Communications team, we are planning this years Christsmas campaign to be encouraging suitable residents to have a call blocker installed, by reaching out to their friends and families through the campaign. The materials will be released in the coming weeks.

## 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.



The use of door cameras is now part of our standard practice with suitable households, although we have (and continue to try) a range of products as each is slightly different and meets different residents needs. One of the more used products we use is a camera that moves with the door, enabling interactions when the door is open to be recorded as well

as when the door is shut. Feedback from residents who have had the cameras installed this year includes:

- It's been really useful for dealing with pest door interactions as mum is so frail.
- I find it useful although I sometimes have difficulty finding my phone to see who is there.
- Thank you for doing such a good job and providing valuable information.
- Extremely grateful and were not expecting that level of service.
- 'Nottingham Knockers' and other undesirable types have been deterred by the ring doorbell.

## 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. 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>. Those who are willing can become Scam Champions where they run Friends Against Scams training sessions themselves. In May, to tie in with Deaf Awareness Week the Friends Against Scams webinar was run with British Sign Language and subtitles and recorded for future use. Thames Valley Police supported the webinar by providing additional advice on protecting yourself from cyber-crime. This webinar was particularly popular, with over 100 attendees, and as a result we will be running similarly signed sessions from time to time in the future.



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 1,396 new Friends Against Scams recruited in the first half of this year, adding to the 25,000 already trained in our areas.

The Prevention Team have been nominated for two Council awards: STARS in Surrey and Proud of You in Buckinghamshire, recognising the great range of preventative work they undertake.

**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 K is a socially isolated widower residing in the Marlow area of Buckinghamshire. He received an unsolicited email from his Bank requiring him to click on a hyperlink. Unfortunately, this was a bogus email which enabled the fraudsters to access his personal and financial information.

Mr K first became aware of the scam when he discovered his Nat West account had been locked. The criminals had attempted to steal £100,000 but thanks to the quick actions of the Nat West fraud team they were able to quickly identify the fraudulent activity and put a hold on all transactions. Unfortunately, three other institutions where Mr K had investments were not so diligent. From these three separate institutions Mr K lost £99,868, £40,000 and £132,000 respectively, a total of almost £272,000.

Mr K did the right thing by reporting the incident to Action Fraud and Trading Standards are now working closely with Thames Valley Police to safeguard this gentleman and increase his resilience to future targeting (his details will have been shared with other criminals making him at serious risk of additional victimisation). The three financial institutions are currently conducting a review of the incidents and we are hopeful of securing a refund.

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## Case Study 2

Mr B, an Epsom resident in his early 80's with several chronic health conditions was cold called on the doorstep by four burly men. They told Mr B that they had been doing some work for a neighbour and noticed that he had some problems with his guttering and fascia. Before he could respond the men had pushed past him and put their ladders against his house. Mr B, feeling very intimidated allowed them to proceed. The men subsequently demanded £9,000.

Following unsuccessful attempts to transfer the money electronically, Mr B, whose anxiety was increasing, phoned his bank. At this point the men disappeared leaving their ladders behind and failing to obtain the £9,000 they had wanted.

It is believed the rogue traders targeted Mr B after they spotted him struggling to put his rubbish out and noticed that he was frail and walked with a stick.

His daughter reported the incident and a safeguarding intervention was undertaken. As part of the suite of preventative measures put into place by Trading Standards, Mr B agreed to have a door camera installed. This would provide piece of mind to Mr B and his daughter and also act as a deterrent to future unwanted cold callers.

Although the door camera is monitored by his daughter, Mr B wanted the ability to monitor his own front door independently, but unfortunately without access to his own a smart phone this was not possible. The TS Prevention Officer dealing with this case was aware of an initiative run by the SCC Tech Angels which aimed to address social isolation through the safe use of technology. Having worked closely with the Tech Angels previously, and following an explanation of the circumstance, they agreed to supply Mr B with an iPad from which he can access the door camera. In addition, Mr B is receiving ongoing training, support and advice from the Tech Angels to ensure he is able to make the most of his iPad and access online resources in a safe and secure manner.

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## Case Study 3

Following a complaint about an energy company cold calling a vulnerable resident which was followed up with the company by the team, the company investigated and came back stating that they would enhance the training given to specifically cover how vulnerable residents are to be interacted with, to include things such as:

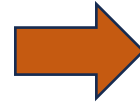
- How to approach members of the public
- Avoiding doors with a clear no cold calling sign/no doorstep selling
- Being careful when speaking with the elderly and vulnerable members of the community - and if any signs of dementia or such to politely walk away.



## Key Performance Indicator:

Status Amber

Actions to stop rogue traders operating in Buckinghamshire and Surrey.



## Comments:

Following further trials being delayed due to a lack of available court time, **no** defendants prosecuted by us have been convicted this year (equally no defendants have been acquitted either). This compares to 11 convictions (and no acquittals) last year. Delays in the court system are continuing to cause significant disruption to the Service and are having a detrimental effect to witnesses and defendants waiting to give evidence or for their trial to be heard.

The Service has 11 cases awaiting trial. These include cases relating to fraud, money laundering, illegal tobacco and unfair trading. In most cases the original trial date has been delayed because of a lack of court time. In one case the offending occurred in 2018, the decision was made to prosecute in 2019 with a first trial date of 2020. Each year the trial has been delayed into the following year and the trial is now scheduled for 2024. The Service remains deeply concerned about the impact on justice of the problems in the court system.

In May, a defendant who had pleaded guilty to fraud relating to home improvements earlier in the year was sentenced to **30** months immediate imprisonment. This sentence was covered in the local media (see example below). This compares to total sentences of 352 months last year.

The Service has an enforcement policy and in line with this not all investigations will lead to a prosecution. **8** people/businesses have received **formal advice and/or warnings** following an investigation by the service into an alleged infringement.

An alternative approach to investigation and a disposal such as prosecution is to consider disruption of criminal activity instead. This is often undertaken by working with partner agencies. For example, we are currently working with the anti-social behaviour teams to explore whether it would be appropriate to request closure orders for our worst, and repeat, offending sellers of illegal tobacco.

Another disruptive approach was taken with a large market where it was identified that there were ongoing problems with counterfeit and illegal goods being sold. A multi-agency operation was undertaken alongside several local and regional partners. It is estimated that the operation prevented sales of around £400,000 illegal goods on the day. Follow up work is being undertaken with the market operator and venue to ensure ongoing compliance is maintained.



## Case Study: Coverage of the sentencing of Thomas Sweeney: [Rogue trader who preyed on vulnerable residents sentenced to 30 months in prison](#) | [Buckinghamshire Council](#)

B News ▸ Buckinghamshire News ▸ Buckinghamshire Council

# Aylesbury builder who preyed on elderly residents jailed for more than two years

Victims reported "severe stress and worry" caused by on-going problems, and led to some having to pay further to put it right

NEWS By **Luke Donnelly** Multimedia Journalist  
15:51, 12 MAY 2023 | UPDATED 15:53, 12 MAY 2023

Bookmark



An Aylesbury builder who preyed on vulnerable elderly residents has been jailed for two-and-a-half years. Thomas Patrick Sweeney, from Marsh Lane in Bishopstone, conned his victims out of more than £93,500.

The 43-year-old pleaded guilty to home improvement fraud at [Aylesbury](#) Crown Court on 21 March 2023. The Judge observed that the unnecessary work was not only overcharged, but the work done was 'abysmal' and priced extortionately.

During the sentencing hearing, the court heard how Sweeney, who initially cold-called at his victims' property, conned them out of large amounts of money by targeting them and making them believe – wrongly – that they needed extensive roof and chimney improvement works to their [High Wycombe](#) home.

The defendant was sentenced for fraud, including grossly overcharging for work. In total, the victims paid a total of £93,500 in cheque payments towards the amounts sought by the defendant, which totalled £110,600.

Following a complaint by the victims' family, the case against Sweeney was brought by Buckinghamshire & Surrey Trading Standards, in relation to the company, TPS Property Care Ltd of Aylesbury. The defendant was the sole director and shareholder of the company.

Sweeney had direct contact with the victims in discussing the works and payments. A Trading Standards inspector confirmed that whilst there was a need for some repairs to the property, there were many other works that were unnecessary and other works that hadn't even been completed.

The expert considered the standard of work abysmal and to such an extremely poor standard that extensive repairs are now required to rectify this. The victims have reported "severe stress and worry" caused by the ongoing problems with leaks and the cost of remedial work.

They also reported "considerable worry and annoyance caused by work not being done correctly and the further financial expense to put it right". Mark Winn, [Buckinghamshire Council's](#) Cabinet Member for Homelessness & Regulatory Services, said: "This is a shocking case, with vulnerable, elderly residents ruthlessly targeted as easy prey by this fraudster.

"It's not a case of a genuine builder making a few mistakes, but of a criminal who deliberately defrauded vulnerable residents out of significant sums of money. My thoughts are with the residents and the council will be pressing to ensure money is recovered from Proceeds Of Crime Act proceedings and that compensation is paid to the victims.

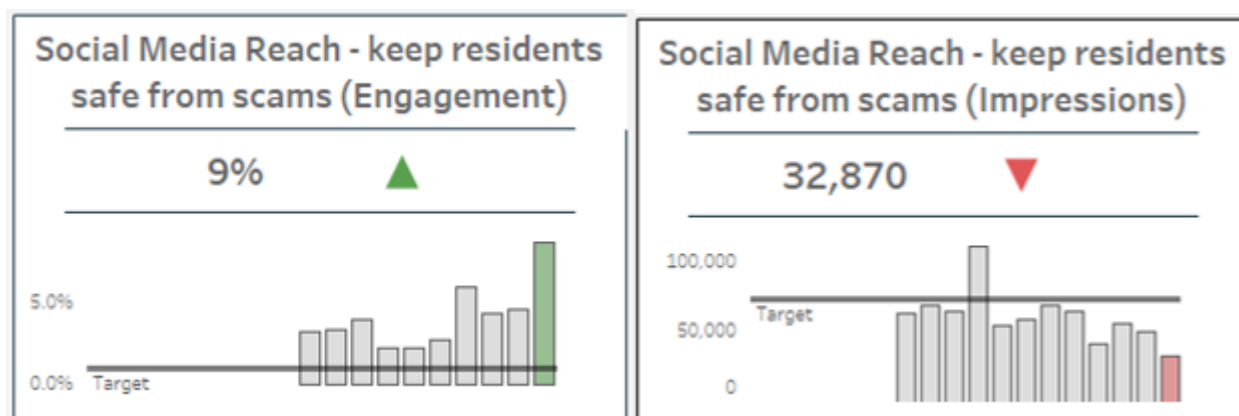


## Key Performance Indicator:

Status: Balanced

Communications activity:

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



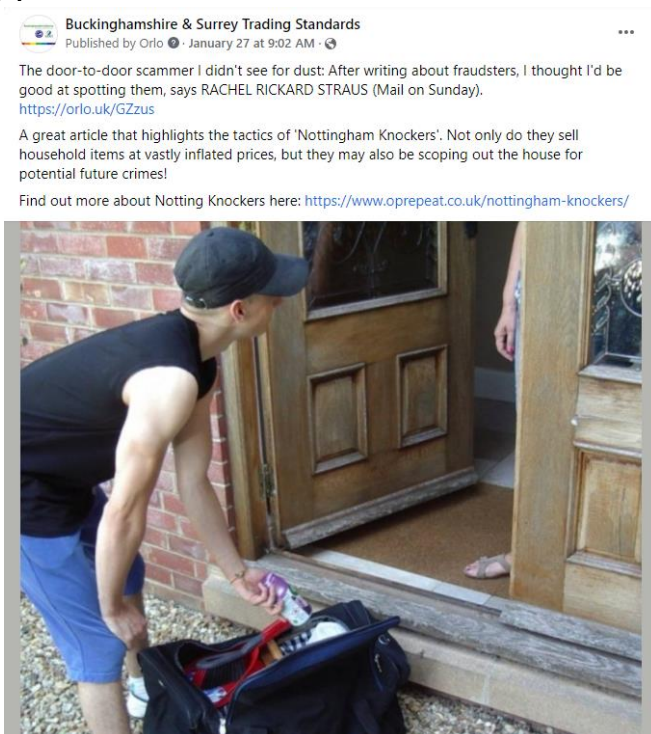
## Comments:

These graphs demonstrate that engagement and impressions do not follow the same pattern, which is why the Joint Committee look at both pieces of information.

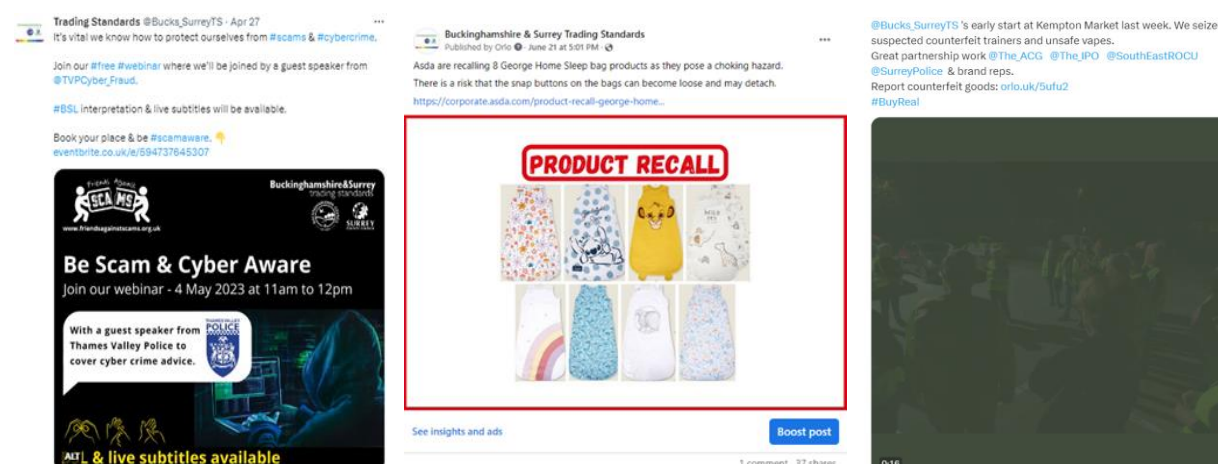
For the first six months of the year social media engagement (such as liking, sharing or commenting on the post) across all of our channels had averaged **5%** well above the local government 'good' standard of 1-2% and comparing to 3.34% during the calendar year 2022 and 2.37% in the calendar year 2021. The increased engagement since June is likely to be linked to more than one factor. With the help of the communications team, we ran a sustained campaign to raise awareness of call blockers, asking vulnerable residents or their friends/family to get in touch with us to get a free call blocker. As part of this we used a video with members of the team talking about call blockers : [Get a call blocker from Trading Standards - YouTube](#), and another video informing people how to report scams [Report a scam - YouTube](#) both of which generated good engagement:



Social media impressions (i.e. the number of times the post/tweet is seen on a readers screen) generated by Trading Standards totalled **317,481** for the first half of the year, which is a reduction compared to 1,100,000 in the calendar year 2022 and 888,000 in the calendar year 2021. The reasons for this are not entirely clear because some posts gain unexpected interest. It is possible that changes to the platform previously known as Twitter, now X, may have impacted these numbers. Looking back, the large spike in numbers back in January related to a post highlighting a newspaper article about “Nottingham Knockers”:



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 on product safety recalls, information from the Animal Health and Plant Agency about Avian Flu restrictions, information from the Food Standards Agency with an allergen alert, Action Fraud messages on the latest scams etc). In addition to the video above, some of the posts generating the most engagement or most impressions so far this year include:

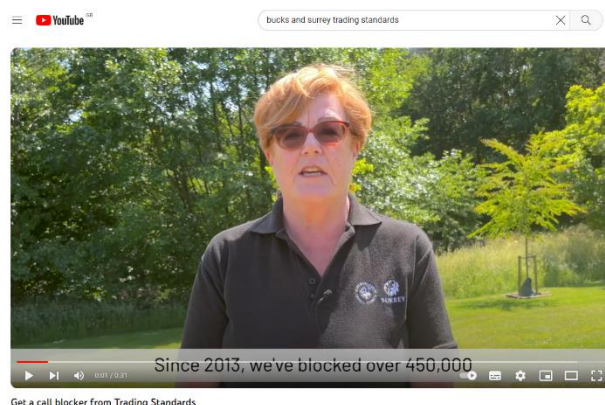


At the end of September, the followers stood at:

- Twitter/X – **4,171** (4,189 at the end of March 2023)
- Facebook – **2,171** (2,056 at the end of March 2023)
- TS Alert! Signed up to receive newsletter – **1,322** (1,244 at the end of March 2023)
- Neighbourhood Watch Alerts – **3,447** (3,127 at the end of March 2023)
- LinkedIn – **127** (122 at the end of March 2023)

### Other communications activities in the first half of the year:

At the start of the year, we undertook a significant push to raise awareness of the usefulness of call blockers, encouraging local people who were particularly vulnerable to scams (or their family/friends on their behalf) to apply for a call blocker for free. This ran for several months with messages going out via both Councils' communications teams, on Twitter/X, Facebook and via Friends Against Scams webinars. Two examples include: [Be Scam Aware - Surrey County Council \(surreycc.gov.uk\)](#) and [Call blocker programme shields vulnerable Buckinghamshire residents against scammers | Buckinghamshire Council](#). As part of this we also produced a video informing residents about call blockers: [Get a call blocker from Trading Standards - YouTube](#)



The messages will be repeated from time to time in the future, including as part of a Christmas campaign, to try to ensure ongoing awareness of this key tool in the fight against phone fraud.

We continue to publish a fortnightly newsletter, TS Alert! This gives all the latest Trading Standards news, including the latest scams, product and food recalls to help residents stay safe. The newsletter can be found here: [Trading Standards Newsletter \(surreycc.info\)](#)

27 October 2023

**Buckinghamshire & Surrey trading standards**

**TS Alert!**  
Newsletter from Trading Standards

**Do you have an electric blanket?**

Last year a shocking (literally) 86% of blankets we safety checked last year were a potential fire hazard!  
Bring your blanket to us next week and we can check it for you - if it fails we will replace it free of charge (courtesy of Dreams).

**Where and when we are testing**

**Scary mask!**  
During a recent investigation, the

**Firework safety**  
Injury figures support the advice



#### Sharks in disguise

Loan sharks can often pose as a friend or a credible lender - but if you fall for their tricks, you may



#### No Blame No Shame

The phrase 'fall for a scam' is often used, but you don't hear 'fall for a burglary'. This kind of language



#### Scary mask!

During a recent investigation, the



#### Firework safety

Injury figures support the advice



Over the summer we've taken the opportunity to engage directly with residents at a range of events happening across both Counties targeting different audiences, including:

- Buckinghamshire County Show to engage people in the issues of illegal vapes and how to protect themselves from scams.
- Buckinghamshire Illegal Tobacco Roadshows alongside Bucks Public Health.
- Surrey Fire and Rescue Open Day
- Surrey Pride to talk with people about how to protect themselves from Scams
- The Prevention Team have provided preventative measures at Surrey Cost of Living event, Access all areas, Neighbourhood Watch, Epilepsy Centre
- Surrey Youth Voice Summer Party talking to young people and their carers about scams and how to avoid loan sharks – our shark mascot (using a costume borrowed from the national Loan Shark Team) was particularly popular with the younger attendees and great at drawing in their carers for a conversation
- Our volunteers have led scam surgeries in libraries, Veteran Hubs and have held slots on radio including Chiltern Sound, Suzy Radio, Radio Redhill and East Surrey Hospital.



### Communications campaigns currently being planned or very recently include:

- Supporting the national Loan Sharking week 24 Oct -31 Oct. This included social media content directing people to safe sources of help with debt including using the national Loan Shark England content and tailoring this to direct people towards local support. This was further supported by Buckinghamshire Council pointing residents to <https://www.buckinghamshire.gov.uk/cost-of-living/benefits-help-with-debt-and-money-problems/>
- Reminding residents to take care with Halloween costumes, using the video we made with Surrey Fire and Rescue two years ago: [Scare safely this Halloween! - YouTube](#)



- A campaign to raise awareness of the Electric Blanket Testing being carried out at the start of November: [Do you know how safe your electric blanket is? - Surrey County Council \(surreycc.gov.uk\)](#)

- A Christmas campaign to encourage friends and family to have conversations about scams with people who might be particularly vulnerable to fraud and to request call blockers for those whom it might be particularly relevant for.
- Linking to the Adults Safeguarding Week starting on the 20<sup>th</sup> November we will be running a Friends Against Scams webinar with an additional section on Powers of Attorney provided by Age UK, to be signed in British Sign Language on the Tuesday of that week. On the Friday, there will be several face-to-face engagement points with the public to talk about Scams. In Surrey, the Squires Garden Centre chain have agreed to use using their garden centres for this, and in Buckinghamshire the Dobbies chain have agreed to us using their garden centres. The sessions will largely be run by our volunteer network and Thames Valley Police may also be involved at some of the Buckinghamshire based events.



## Be #scamaware

Learn how to protect yourself from scams, and hear from our guest speaker, from Age UK, on why you should have a Power of Attorney.

**BSL & live subtitles available**



# 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:**

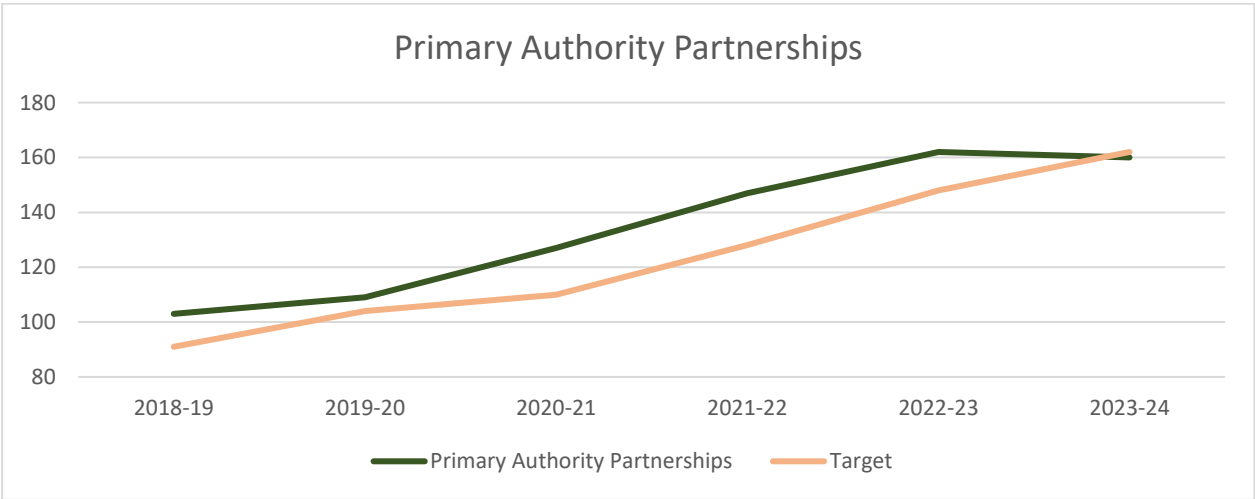
To increase the number of Primary Authority Partnerships (PAPs)

**Status: Amber**



**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 160 partnerships by the end of the September. There is significant turbulence in the business world and in April there was a notable drop in number of partnerships, with businesses being acquired by others some folding and others re-evaluating finances. Since then, there has continued to be a smaller degree of turbulence, with the number of partnerships gradually moving back towards the 162 partnerships that were in place at the end of last year.



This total 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 33,500 members, with 6,600 in the regulated group (approx. 95 in Surrey and 76 in Bucks) but who also make all primary authority advice publicly available on their website.

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:

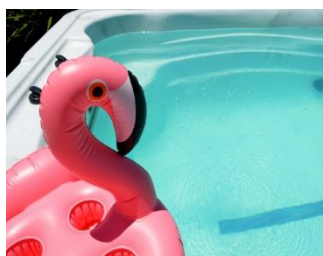
### Case Study 1



In August 23 we welcomed the National Society of Allied and Independent Funeral Directors (SAIF) as new partners. SAIF were established in 1989 and represent 766 privately owned, independent funeral homes and independent funeral directors across the whole UK.

In October officers attended an onsite meeting to deliver bespoke training for auditors who assess member compliance. The feedback from the day was very positive *“Today, the QA training was the best training I have experienced in my tenure. We really appreciate the depth and breadth of your contribution as well as your engaging style. Thank you for serving us so well and we’re looking forward to planning for 2024.”*

### Case Study 2



The British and Irish Hot tub and Spa Association (BISHTA) hold an Annual Information and networking day for their 178 members. This year officers from the team returned to deliver a presentation and Q&A session for the group to help upskill their consumer protection knowledge.

Feedback from the session was very positive with plans beginning for further webinars, *“a huge thank you for the excellent presentation on Wednesday, it was very helpful for members to navigate their way through some of the topics that have cropped up during the year!”*

### Case Study 3



A visit conducted by another authority resulted in them contacting us. On inspecting a retail outlet of a Primary Authority business, they had identified an issue with Calorie labelling (out of Home sector) (England) Regulations 2021. Officers worked with the business to resolve the matter and apply changes across all nationwide premises. Other matters discussed this year included how to present allergen information, weekday promotion of desserts, and cleansing of coffee machines.

A voluntary business feedback form was received stating the most useful part of the service was *“A quick and clear interpretation of the relevant piece of labelling legislation I was enquiring about. The team made sure that they understood our business and are able to give very clear and focused advice.”*

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### Case study 4



Each business enquiry is unique. For one business, in a single month we responded to a technical enquiry about the suitability of best before or use by dates on yoghurt-based drinks, the intended changes to UK address requirements from 2024, and labelling and compliance for a product under development aimed at small children.

A voluntary business feedback form was received stating the most useful part of the service was *“the response to our enquiry. The officers are always professional and give very understandable and applicable answers for our business. As a business we value our relationship with them very highly”*.



## Logos of all current partnerships

### Primary Authority Partnerships in Surrey



### New Partnerships since 1 April 2023



### Primary Authority Partnerships In Buckinghamshire



### New Partnerships since 1 April 2023

## National Primary Authority Partnerships



## New Partnerships since 1 April 2023



Supporting another  
regulator:

**COSTA**  
COFFEE

### Key Performance Indicator:

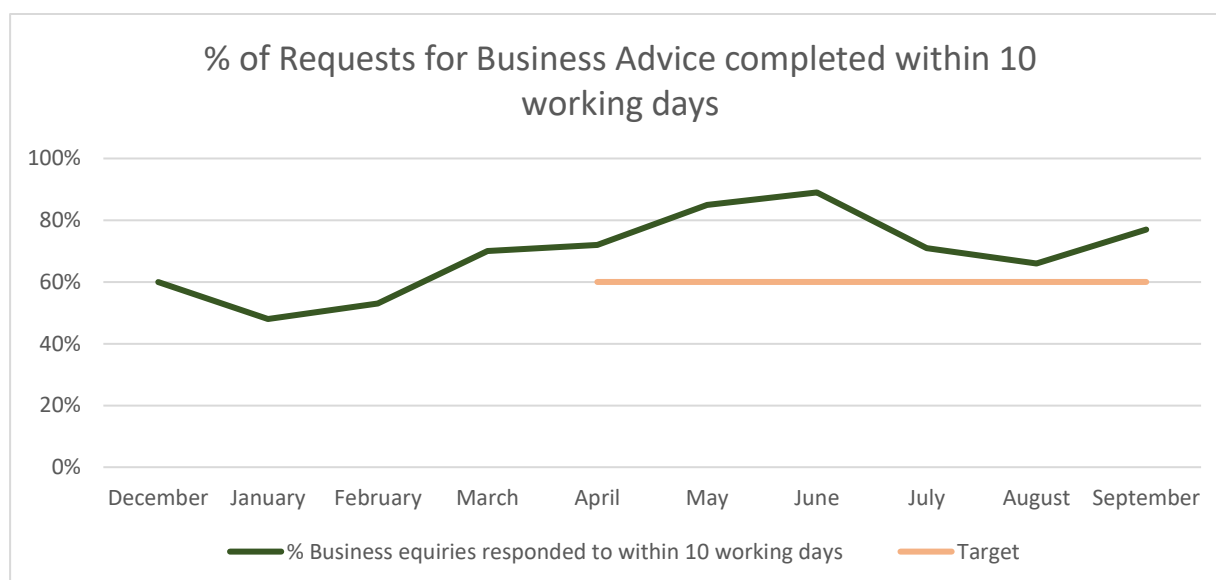
% of requests for business advice completed within 10 working days

Status: Green



### Comments:

This indicator was trialled last year and is now fully embedded. The primary aim for business advice is to give accurate and relevant advice. However, the speed is also important, which is reflected here. The target is 60% because a proportion of advice requests will always be much more complex and unable to be appropriately completed within 10 working days. Since the start of the year the indicator has stayed consistently above target.



**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

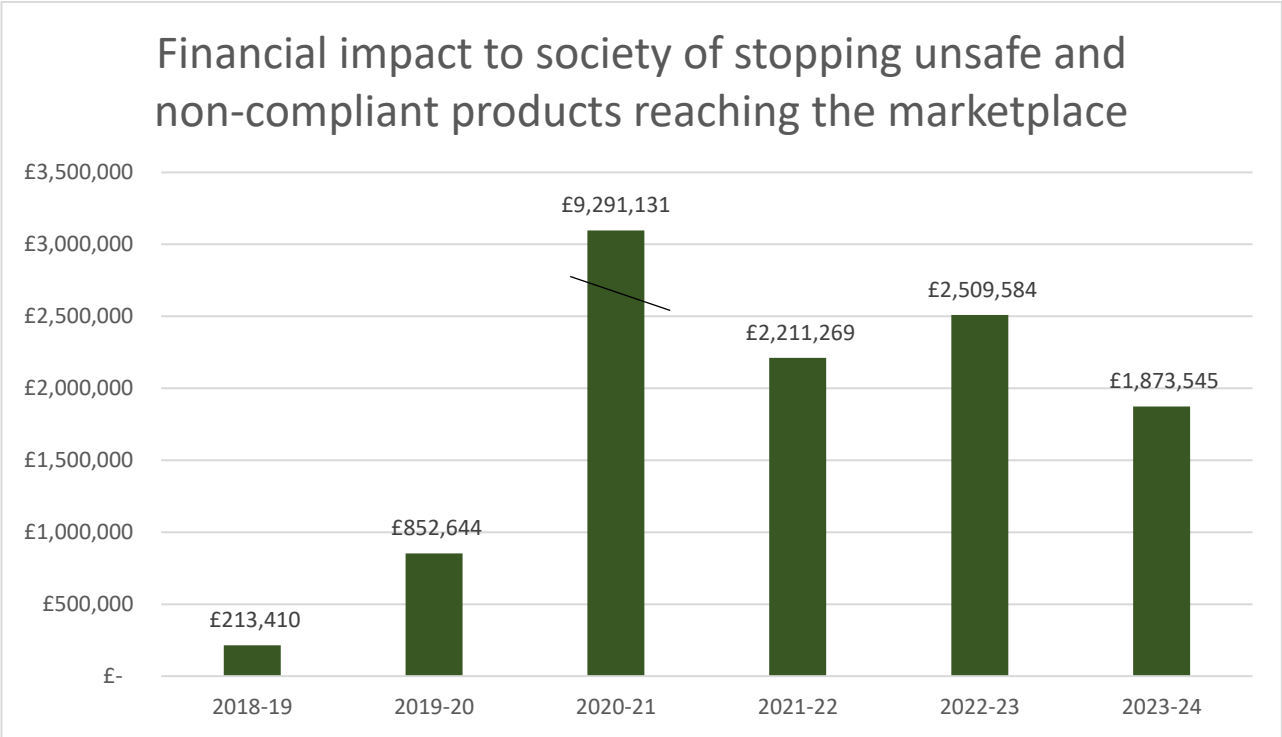
Status Green



**Comments:**

Using funding from the Office for Product Safety and Standards (OPSS) who are part of the Department for Business and Trade, over **53,000** unsafe or non-compliant products were stopped from entering the country by our officers at Heathrow during the first half of the year. This represents a positive financial impact of over **£1.8m** to society of preventing unsafe goods reaching communities where they can cause damage to people and property.

This compares to just over 71,000 unsafe or non-compliant products stopped in the whole of the previous year.





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. A frequent issue is the failure to provide testing or compliance documentation for toys, jewellery, cosmetics and electrical items to show the products have been correctly tested to ensure compliance with safety standards. We work with the businesses to inform them of their obligations to stop recurring issues such as this and are looking at ways to make this message more effective. Some examples of other unsafe products prevented from entering the country during the year include:

### Case study 1

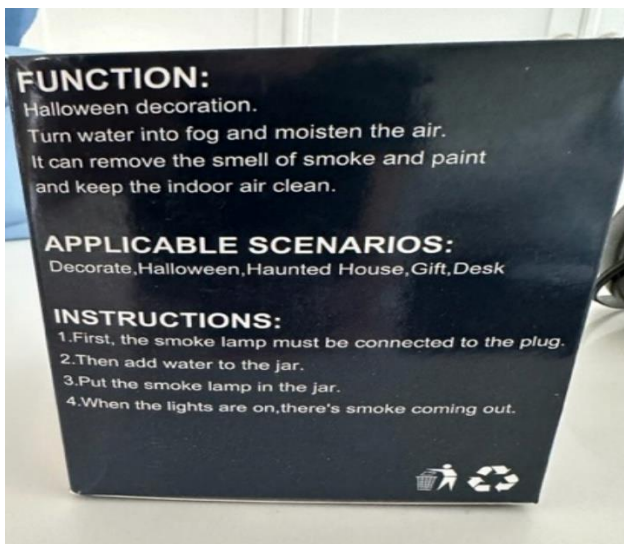
Unsafe plush toys where the stuffing could be easily accessed presenting a choking hazard and there was no labelling in English:



## Case study 2

A Halloween Humidifier with a non-complaint plug; no CE or UKCA mark to show they have been tested to the UK standard and are safe; and which presented a risk of electrocution because of the mix of water and poor wiring and construction.

In this item the cauldron is filled with water and the bubbler is submerged in it. When it is switched on water splashed out of the top. The product was considered unsafe, was denied entry and was destroyed.





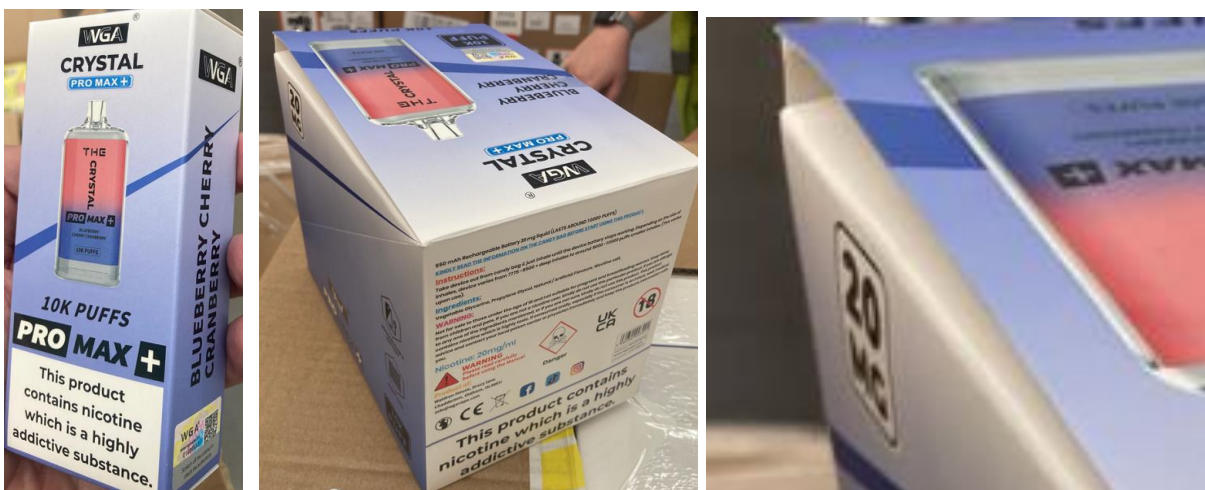
### Case study 3

**Magnetic sticks** containing small parts and magnets that could pose a choking hazard and without adequate documentation to show that the product had undergone the correct safety checks.



### Case Study 4

Illegal vapes – oversized (they state 10k puffs, whereas the maximum legal size would only give around 600 puffs) and containing excessive nicotine. Legal vapes are allowed a maximum of 2mg nicotine, whereas this states they contain 20mg. These vapes were identified by Border Force who then sought our advice about whether they were legal or not. We have seen examples on import document of vapes being described as dishwasher parts, atomisers and 0% nicotine when they contained nicotine.



### Example 5

Illegal vapes – These ones are illegally using a brand name and look that is currently very appealing to teenagers “Prime” but is counterfeit because the owners of Prime drinks do not make or sell vapes with their brand on them:



### Example 6

Illegal vapes – oversized (they state 8,000 puffs, whereas the maximum legal size would only give around 600 puffs). Whilst not currently illegal this product also demonstrates the child appealing flavours being offered “Blue razz cherry”





### 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

55 test purchases by underage volunteers were carried out for age restricted products to the end of September. The volunteers made 10 attempts to buy alcohol (no sales), 1 attempt to buy nitrous oxide (no sale) and 45 attempts to buy vapes with a failure (sale) rate of 15.5%. The higher number of attempts to buy vapes is because we are receiving a very high level of complaints and information about illegal vapes or the under sale of vapes, with 154 in the first half this year (compared to 214 last year).

The Service is alert to the risks of age restricted products being sold to under 18's from nitrous oxide for psychoactive purposes, to knives, alcohol, tobacco and vapes. With some of these products the situation around them can be complex and we may be very unlikely to receive complaints directly. Therefore, particularly with knives, nitrous oxide and alcohol we work with partners in the Police and Licensing teams who often have more knowledge about the crime and antisocial behaviour occurring as a later consequence of what could be underage selling.

Last year the government made an announcement that nitrous oxide will be banned and this is due to come into force imminently, which we assume will change the current legislation regarding sales to under 18s.

There is also significant discussion whether disposable vapes will be banned, discussed in a separate vapes report, which would have an impact on the need for this work in relation to vapes.

### 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 society<sup>1</sup>. Because smoking is so harmful, differences in smoking prevalence across the population translate to health inequalities, and differing smoking prevalence

<sup>1</sup> 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 million<sup>1</sup> 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).

rates in different groups<sup>2</sup> 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.

With 9 ongoing investigations into the supply of illegal tobacco, in the first half of this year we have been focusing on follow up work to these rather than checking the marketplace for further issues. Several of these are unusually complex and so this includes working with the Anti-Social Behaviour (ASB) Teams to explore closure orders for premises known to be selling illegal tobacco and not responding to repeated seizures and in some cases prosecutions. Trading Standards do not have powers to seek the closure orders but can provide the ASB teams with the necessary evidence and intelligence so that they can.

A joint visit with a colleague from the district council licensing team to advise about underage sales on the basis of intelligence that they were selling to children resulted the seizure of 3900 illegal cigarettes, 620 illegal vapes and 1600g of shisha. The investigation is ongoing

There is currently one case awaiting trial for illegal tobacco in February 2024. In this case the illegal tobacco was hidden and secured with the use of electromagnets to seal a storage space in the top of a walk-in chiller cupboard, which was found with the assistance of a tobacco detection dog. The company have pleaded guilty to all the alleged offences, but the Director has pleaded not guilty, hence the trial.

In the first half of the year 4 premises have been warned and given written advice regarding illegal tobacco. These will all be revisited at a future point. This compares to 16 investigations into the supply of illicit tobacco concluded during 22/23 with 4 people and 1 company convicted for tobacco related offences and 12 written warnings being issued. The lower numbers this year are due to the complexity of some of the ongoing investigations and the need to prioritise other work.

Alongside the Public Health Team in Buckinghamshire, we ran two Illegal Tobacco Roadshows in the markets of Aylesbury and High Wycombe. These were an opportunity for Public Health to share messages around quitting smoking and how people could get support, for us to show people what illegal vapes look like so they can avoid them and for our dog handlers to show the skills of the tobacco detection dogs that we use to find hidden tobacco. Pippa the detection dog continues to be a great draw and an excellent way to start a conversation about the issues with local people. We also took the opportunity to also talk to people about protecting themselves from scams more broadly.

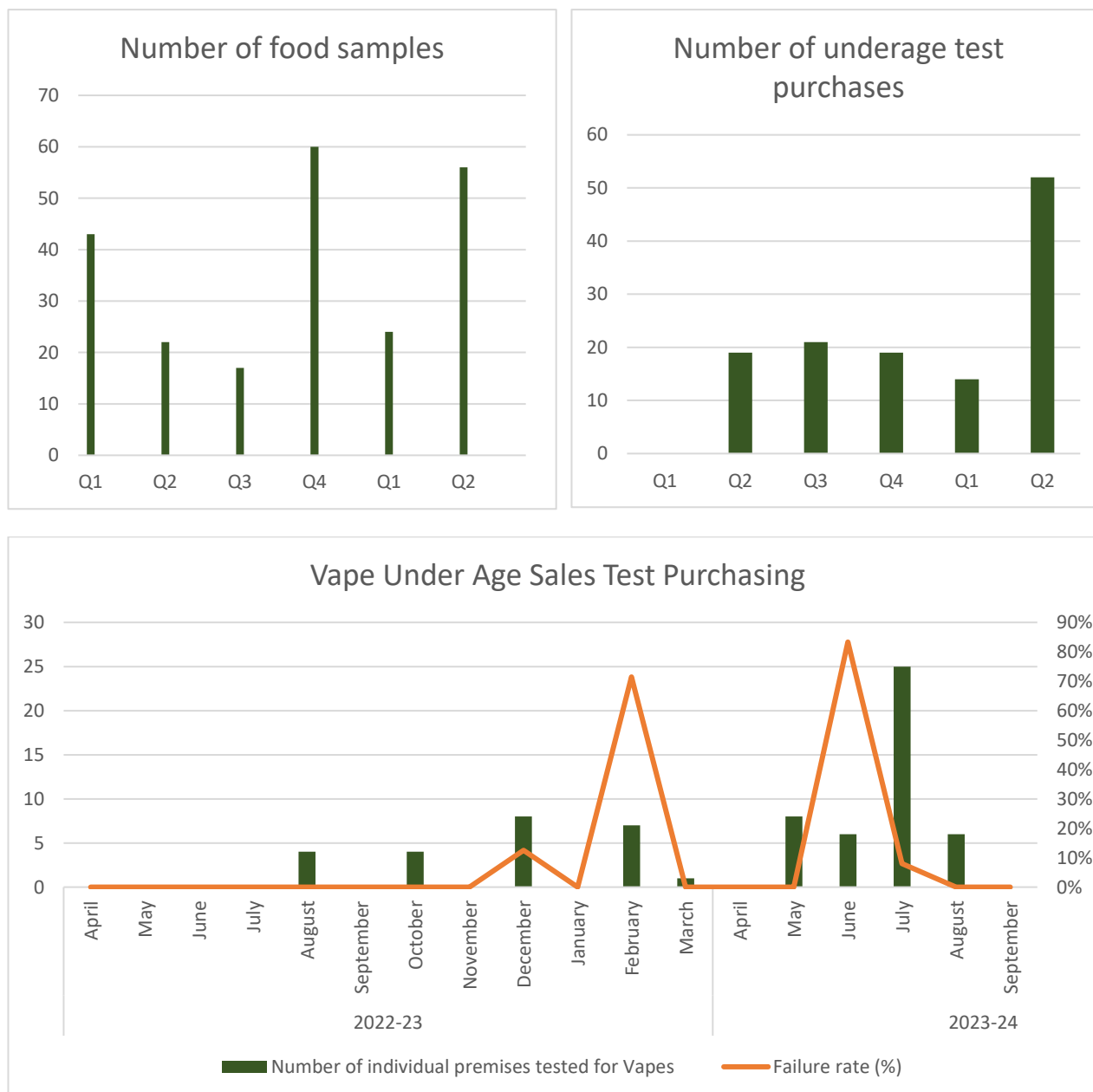


<sup>2</sup> In 2019 Surrey smoking prevalence in routine and manual workers was 24.4% compared to 7.5% for those in managerial and professional occupations

### Key Performance Indicator:

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

Status Green



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

**77** 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

With increased mortgage costs and a shortage of properties more people are looking to rent: [Renters chasing each home jumps from 20 to 25 in five months - BBC News](#) Around 20% of households are in the private rentals, spending<sup>3</sup> 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.

After a particular focus late last year, we have been continuing our work to bring lettings agents into compliance and are pleased to report all 50 of those identified as non-compliant have now been brought into compliance through advice. The lack of compliance largely appeared to be caused by lack of knowledge about the legal requirements.

## Weights and Measures



Cost of living pressures raising the importance of residents needing to know that they are getting what they have paid for and so following up on cost-of-living projects started last year, we have been doing further **petrol pump accuracy testing**.

Last year the failure rate averaged 5% of nozzles tested with consumers losing £1 per fill up on the inaccurate pumps. This year we targeted rural petrol stations where there may be less choice for consumers and are pleased to report that none of the 161 nozzles tested failed.



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



## Product safety

**Personal Protective Equipment (PPE):** The Service has had a number of motorcycle jacket and trousers with hard points tested for safety, and some of these have failed due to inadequate stitching that holds the armour. A business in Bucks was found to be selling these PPE items and the team are working to ensure that no further sales of the unsafe items are made.

Following last years' focus on testing products that are more appealing to people during more intense cost of living pressures, and the high failure rates, the early part of this year was taken up with **follow up** work on the products claiming to save energy and electricity costs that failed. This 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. This is all now complete.

**Vapes:** Just over 7,000 illegal vapes have been removed from the open marketplace so far this year (compared to 7,965 last year) in addition to others stopped from being imported via Heathrow.

This year the focus has moved to disrupting the supply of illegal and unsafe goods (including vapes) being sold through car boots and markets. As part of a large multi-agency operation at a market in Surrey some illegal vapes were seized, and work has been undertaken to gather intelligence about sales at car boots so that we can plan a suitable approach to work with car boot organisers prior to the season starting next year.



## Electric Blanket Testing

**Buckinghamshire & Surrey**  
trading standards

**Do you have an electric blanket?**

**Bring it to be safety tested for free and get a new one if yours fails**

<b>1 November</b> St Martin's Church, Camberley 10-11.30am & Camberley Library 1-4pm	<b>2 November</b> The Lighthouse, Woking 10-2pm  <b>3 November</b> Horley Community Centre 10-4pm
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**86% of blankets we tested recently were a fire risk!**

Following an 80% failure rate in the safety of electric blankets in use by local residents, and the ongoing pressures of high energy costs, the Service is planning on repeating electric blanket testing this autumn.

Fortunately, one of our Primary Authority Partners, Dreams, have donated more brand-new electric blankets that will be used to replace unsafe blankets so that no one will be left without or left with a fire risk.

**Buckinghamshire & Surrey**  
trading standards

**Do you have an electric blanket?**

**Bring it to be safety tested for free and get a new one if yours fails**

<b>30 Oct</b> Chesham library
<b>31 Oct</b> Burnham library 10am-4pm

**86% of blankets we tested recently were a fire risk!**

We are working with partners both to find venues and to ensure the days are as useful as possible to residents, this includes the Fire Services and libraries teams of both authorities

and Surrey's Fuel Poverty team. Our volunteers will also be attending to provide advice about scams for residents.

Early feedback shows the failure rate during this testing remains worryingly high.

### 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.

This year we received some intelligence from Bucks Fire and Rescue of antisocial behaviour being committed by under 18's with fireworks in a particular town. Therefore, we have very recently undertaken some targeted underage test purchasing of fireworks at three premises in that area. No sales were made.

### Animal Health & Welfare

One of our officers has been liaising with a care farm for vulnerable children and children who are neurodiverse regarding animal welfare issues. Working with the Animal Plant and Health Agency (APHA) Environmental Health, the RSPCA and World Horse Welfare Society our officer has provided advice to the farm about what improvements they need to make to the premises, so they are suitable. Whilst there were no immediate threats to animal health the conditions if left as they were would have become an issue. The work is a good example of what can be achieved if we become aware of such issues at an early stage.



**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.

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. The most up to date situation, including outbreaks and the latest risk level can be found here: [Avian influenza \(bird flu\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/avian-flu)

**Bovine Tuberculosis:** Our activity to ensure the health and welfare of farmed animals and the security of the food chain has identified **75** 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.

Since the beginning of April **2** investigations have been carried out into illegal puppy imports (compared to 4 last year).

## Food Surveillance Projects

In a time where people remain under significant financial pressure and are concerned about getting what they have paid for and expect, we continued to carry out food market surveillance projects, with **80** samples taken. These samples are sent to the Public Analyst for testing to verify what is in the product. We will then act on the results of the analysis. If the food is non-compliant, we may work with the business, giving them advice to improve or in more serious case we may investigate the offences and may issue Food Improvement Notices. In many of the projects started in the first half of the year we await results. In the meantime we are continue to work with, or investigate, businesses identified as selling misdescribed food in last years food surveys.

**77** 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.

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## Examples of Food Market Surveillance Projects:

### Alcohol levels of beer from smaller brewers

In the 21st century there is a demand for good quality products with known provenance, locally sourced ingredients and production and distribution which minimises carbon footprint. There is a worldwide need to change to reduce global warming but also an increasing call for sustainable production which minimises its impact on the environment. Craft beers, by their definition, meet these criteria and the economics reflect this:



- In 2022 the value of the beer market was £19 billion
- Craft beers accounted for £1.5 billion, approximately 8%

A craft beer is unique, and each batch is unique, and they are marketed as such. This is what the consumer wants but they are still controlled by legislation. The alcohol level should be in the range 4% – 7% but the label on the bottle states the actual % alcohol. There is a tolerance in the regulations of  $\pm 0.5\%$  for beers with a declared % alcohol up to 5.5% and  $\pm 1\%$  for beers with a higher declared % alcohol. The brewer must be able to satisfy this criterion, bearing in mind fermentation can continue once the beer is bottled so this is not necessarily easy.

Artisan ciders are also included in this survey. The market is smaller, but they account for 0.5% of the market with a value of £19.5 million.

Our samples revealed common issues relating to alcohol strengths being declared incorrectly, incorrectly formatted/illegible durability dates and proper names of the food not being indicated. The businesses concerned have been advised so that they can improve their systems and ensure accurate labelling in the future.

All of these pieces of information are needed to be accurate to enable consumers to make informed choices when buying their beer.

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### Nutrition and health claims on canned fruit and vegetables

Ensuring the accuracy of nutrition and health claims made on food enables consumers to rely on labels when making choices about the food they eat, whether that is for specific dietary needs or for overall health and balance. Canned fruit and vegetables are usually cheaper than fresh alternatives and therefore may be particularly appealing in the current cost of living squeeze. We are awaiting results.



## **Levels of lead in milk**

Lead can find its way into milk and milk powder through contaminated animal feed or environmental contamination of soil or pasture grasses. Lead is a highly poisonous metal affecting almost every organ in the body. Of all the organs, the brain and nervous systems are the mostly affected target in lead toxicity, both in children and adults, although the metal can also accumulate in bones. The toxicity in children is however of a greater impact than in adults and therefore there is legislation which states a maximum permissible level of lead in milk and milk products.

No significant lead was found in the liquid milk samples we submitted. Lead was found in the dried powder milk samples but not at concentrations that would be above the limits where harm might be caused. (90%) had unsatisfactory labelling, the majority of these (92% of the samples with labelling failures) being associated with the nutritional information provided with the other issue relating to incorrect formatting of use by dates which have been discussed with the businesses involved so that they could improve their labelling.

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## **Colourings and Additives in Imported Foods**

We also carried out a targeted sampling programme on imported foods, such as highly coloured sweets from the USA and snack foods from Asia, funded by the Food Standards Agency. The tests are mainly to look at levels of food colours and additives which can have a harmful effect especially on children. We are awaiting the results.

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## **Mycotoxin levels in cereals**

Lead and mycotoxins are toxic substances harmful to human health but low levels are permitted so testing is important to ensure these levels are not being exceeded. Mycotoxin contamination can occur when crops are of poor quality and have been badly stored. They are toxins produced by certain moulds and are a significant health hazard; aflatoxin is carcinogenic.

In the United Kingdom the breakfast cereal market is worth around £2.76 billion with an additional market for cereal-based snack products.

The combination of poor weather conditions in the USA, enforced storage of damp crops and delayed export of stored crops in Ukraine is the "Perfect Storm". There is the potential for the development of mycotoxins on the crops either during growth or on storage. There is a likelihood of shortages and with this an increased likelihood of a poorer quality of raw material being used to produce cereal products.

Again, we are currently awaiting results.

## **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. We also come across food issues when visiting premises for another reason, and officers will check to ensure compliance.

In all scenarios, where a business fails to comply after advice, further enforcement, including the use of Food Improvement Notices, is considered.

# Continuing to Protect the Public and Support Businesses in the Cost of Living Crisis

The Impacts and Outcomes of  
Local Trading Standards Services  
in England and Wales in 2022/23



## FOREWORD

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The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. This is its fourth report.

During 2022/23, the cost-of-living crisis continued to impact both consumers and businesses. Businesses require easily accessible and reliable advice and support, and a level playing field with competitors. Consumers looking for bargains remain at risk from unsafe, illicit, and fake goods as well as false claims relating to prices and energy costs, in particular. Trading Standards are vital to addressing all those risks whilst also having a key role in local authority net zero programmes.

As well as the usual three themes of Tackling Detriment and Preventing Harm, Supporting the Local Economy, and Promoting Health and Wellbeing, we have devoted specific sections to environmental regulation and work to support consumers and businesses with the cost-of-living crisis.

While Local Trading Standards Services remain stretched in terms of funding and staffing, they continue to have a big impact in protecting consumers and helping businesses. The headlines from this year's report are:

- Almost £1.03 billion of detriment was prevented by Trading Standards' actions. This equates to £9.60 saved for every £1 spent.
- Revenue budgets were £107 million, a 5.6% increase from last year. This increase is most likely a result of the local government pay settlement for 2022/23.
- Overall staff numbers were the same as in 2021/22 at 2,127.
- The demand on the service, measured by the number of referrals from Citizens Advice, decreased by 18% from 2021/22. However, this is now similar to pre-pandemic levels.
- This year 708 people or businesses were convicted of offences. This is similar to last year but still significantly lower than pre-pandemic. This is likely to be caused by resource constraints at local authority level, a focus on more serious cases, and delays and complexity within the justice system.

- Trading Standards obtained almost £12.2 million in non-scams related redress for consumers. This has increased by 3% since 2021/22 and is 8% higher than 2019/20. This is likely to be local authorities looking at alternatives to formal Court actions, and this often results in agreements to pay redress.
- The amount of money saved for scam victims was almost £70 million. This is a significant increase of 49% on last year which shows the prevalence of scams with high financial losses to vulnerable individuals.
- Trading Standards provided over 21,500 hours of advice to businesses through primary authority partnerships. This was a decrease of 18% from last year and 36% lower than pre-pandemic levels. The total number of primary authority partnerships also dropped by 30% from last year. However, advice to businesses outside Primary Authority Partnerships remained similar to pre-pandemic levels. The reasons for the reduction in primary authority support provided to businesses are not clear.
- Over 65,000 compliance checks were carried out to ensure businesses meet their legal responsibilities and to provide them with advice on site. This is returning to pre-pandemic levels.

In summary, most activity levels are recovering to pre-pandemic levels. Trading Standards continued to demonstrate its huge value in protecting consumers, legitimate businesses, public health, and the environment.

The impact of this work, alongside that which is delivered via National Trading Standards, highlights the results that Trading Standard achieves. Trading Standards is unique in having an infrastructure that can operate at local, regional, and national levels in this way and this is key to its success.

We want this report to inform Government's policy development, including funding for services, and to raise the profile of Trading Standards' work within local authorities.

Special thanks go to the 100 services covering 112 local authorities that submitted their data return.



Richard Webb  
Chair of the Association of Chief Trading  
Standards Officers





## BACKGROUND AND METHODOLOGY

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Local authorities in England and Wales were asked to submit data for the financial year 2022/23. The indicators measure demand and resourcing alongside key outputs and outcomes from Trading Standards' activity.

One hundred services contributed, covering 112 out of 173 of local authorities in England and Wales. The responses cover an area with a population of 42.9 million, or 72% of the population of England and Wales.

To illustrate the estimated national impact of Trading Standards, figures have been adjusted to account for both population and the response rate for each question. The resultant figures estimate impact and activity levels for the whole of England and Wales.

## DEMAND AND RESOURCING

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The approximate revenue budget allocated to Trading Standards was almost £107 million. This has increased by 5.6% from 2021/22. ACTSO believes that this is likely to reflect the local government pay award for 2022/23.

Trading Standards received over £18.1 million in income from a variety of sources including metrology, National Trading Standards grants and Primary Authority income.

Approximately 2,127 full time employees are employed on Trading Standards' work. This was similar to last year. Of those, 82% are "operational" staff.

Trading Standards received almost 690,000 referrals and notifications to their services. While this was an 18% decrease from 2021/22, it represents a 4% increase on pre-pandemic levels. Throughout the pandemic, there were a whole range of issues that affected consumers, such as travel refunds, which no longer feature in the statistics. This shows how many members of the public are seeking advice and support from Trading Standards on consumer related problems and issues.

## SECTION ONE: TACKLING DETRIMENT AND PREVENTING HARM

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The Government's 2022 Consumer Protection Study estimated that there was £54 billion in unaddressed detriment across Great Britain. One of the key functions of Trading Standards is to prevent consumer and business detriment and tackle the criminal behaviour that leads to it and support victims.

Trading Standards' work can include providing advice and support to the public on how to avoid being ripped off, as well as disrupting and taking enforcement action against criminal behaviour, to prevent harm and financial detriment. The former may be limited due to the financial constraints faced by local services and the need to focus on statutory activity.

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### 1.1 Stopping Fraudulent, Illegal and Unfair Trading

Trading Standards Services have to take formal enforcement action sometimes, usually where people deliberately break the law, have caused serious harm, or repeatedly ignore advice from officers. Trading Standards legislation carries a variety of penalties including prison; fines; forfeiture of assets; fixed penalties; and undertakings to stop future non-compliance. Serious investigations are complex, lengthy and can take several years to bring to trial. This is being exacerbated by ongoing serious backlogs in the Court system. Government is now legislating for more use of improvement and compliance notices by Trading Standards, although this currently only applies to limited elements of the regulatory framework enforced.

Last year,

- Approximately **708 defendants** were prosecuted.
- **Prison sentences** of over **326 years** were handed down.
- Defendants were ordered to pay almost **£980,000** in fines and over **£1.9 million** in costs.
- Defendants were ordered to pay almost **£6.8 million** in **Proceeds of Crime**.
- Over **270 penalty notices** were issued for Trading Standards related breaches.

The use of Enterprise Act undertakings, which can only be used for a narrow set of Trading Standards work, remains very low with only 34 being implemented. This was the same level as 2021/22.

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### 1.2 Detriment and Redress

Trading Standards can ask for the Court to issue a compensation order for victims as part of a prosecution process or get redress for victims through a variety of other means. In 2022/23, it is estimated that the actions of Trading Standards Services resulted in:

- Over **£3.7 million** compensation being awarded to victims by the courts.
- Over **£5.4 million** prevented from being handed over to criminals.
- Over **£3 million** was gained for victims through advice and intervention.

The compensation via other processes increased by 17%. Other levels were similar to last year.

**Overall Trading Standards actions prevented almost £1.03 billion of detriment to consumers and businesses.**

The overall detriment figure has almost doubled. This shows that Trading Standards continues to provide a low cost but very important service for local communities and individuals, and demonstrates the seriousness of the offending being tackled by the service.

## 1.3 Supporting Scam Victims

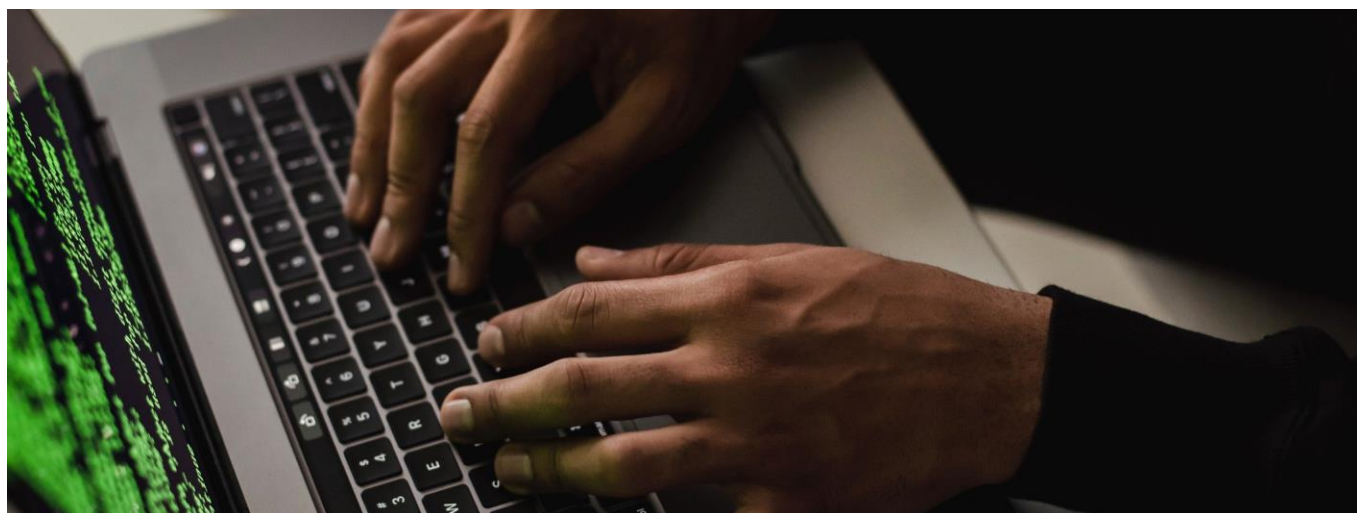
Recent reports show that fraud remains one of the most widespread crimes in the UK. Trading Standards identify and support victims of scams, especially the most vulnerable and often elderly victims of fraud. With so many pressures on household budgets, it has been increasingly vital that hard pressed consumers do not lose any of their money to scammers and fraudsters.

Trading Standards help victims get the support they need to stop them responding to scams. This includes the installation of call blocking devices, work with other safeguarding agencies, and making referrals to the National Trading Standards Scam and E Crime Teams to undertake disruption work such as getting payment systems removed or taking down content from the internet. However, it must be recognised that most scams emanate from overseas and thus, in practice, are out of reach of Trading Standards enforcement

In 2022/23, it is estimated that across England and Wales:

- Local authority Trading Standards provided support to almost **14,500 scam victims**.
- Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc saved consumers almost **£70 million**.

While the number of scam victims supported has reduced this year, the savings have increased. This shows that the disruption work to prevent people becoming victims in the first place is crucial.



### London Boroughs of Brent & Harrow: Removal of unsafe eBay listings

Brent and Harrow Trading Standards worked in collaboration with eBay's Primary Authority to successfully remove unsafe/non-compliant goods from eBay listings. Examples include mothballs containing Naphthalene, skin lightening cosmetics, unlicensed medicines, unsafe electrical adaptors, cords and heaters, and foodstuffs (tonics) that made a variety of invalid claims. Typically, each listing contained up to 200 products meaning in total over 1,300 unsafe/non-compliant goods were removed.

### Staffordshire County Council: Installation of call blockers for vulnerable consumers

As part of an ongoing commitment to protect consumers, Staffordshire Trading Standards installed 84 call blocking devices in homes of vulnerable residents to add to the existing portfolio of devices in place across the county. Vulnerable adults were carefully selected based on their needs and vulnerability, through building links with care organisations throughout the county. Over the course of the year, 8,732 nuisance calls and 2,502 scam calls were blocked. It is estimated these call blockers prevented in excess of £108,000 detriment: including estimated savings of £68,000 for individuals and over £40,000 in social care, NHS, and policing costs.



### **Stoke on Trent City Council: Home improvement doorstep crime**

Stoke on Trent Trading Standards received a doorstep crime complaint from an elderly resident who had contracted with a home improvements company. Initially this was for a new garage, but he subsequently agreed to have a replacement roof at a cost of £12,000. An officer attended the property and examined the roof. The elderly consumer had only recently purchased the property; the presale inspection report stated that the roof required general maintenance rather than replacement. Trading Standards contacted the business and got the contract cancelled. The business was also issued with a notice not to contact the consumer ever again.

### **Buckinghamshire and Surrey: Prosecutions of home improvement fraud**

Three offenders were sentenced for home improvement fraud. The main perpetrator would attend the properties of the consumers (all older adults) and allege that work was required when it was not and then used threatening behaviour to extort the consumers into parting with large sums of money. The known victims' losses were around £200,000. Buckinghamshire and Surrey Trading Standards obtained £198,000 from the company, which was distributed between the consumers as compensation. The main offender was sentenced to a further two years to be added to the 17-year sentence he is currently serving for unrelated offences. Proceeds of Crime proceedings are ongoing.

### **Heart of the South West: Financial fraud by clone company**

A Bridgwater consumer was referred to the Heart of the South West Trading Standards Service regarding a £110,000 finance scam. The individual was defrauded out of his life savings by fraudsters using a clone of a fully regulated investment company. Conmen used fake phone numbers, email addresses and bank accounts to set up a two-year fixed bond account. The consumer's daughter even worked for the investment company that was being cloned and was able to confirm the names of the Account Managers, Risk Managers, and Internal Audit Managers used by the fraudster were those of the real officers of the business. Following an intervention by Trading Standards, the bank issued a full refund.

### **Pembrokeshire County Council: Prosecution of rogue used car dealer**

Pembrokeshire Trading Standards took a successful prosecution against a used car dealer, resulting in a suspended sentence. The dealer advertised vehicles on the roadside and via social media whilst claiming to be a private seller; at times also advertising via friends' Facebook profiles. Over a two-year period 43 adverts were collected as evidence by Trading Standards. Cars were often bought for scrap value and sold soon after without necessary repair work being carried out. One car was bought for £330 and sold the next day in the same condition for £950. Two vehicles were in a dangerous and unsafe condition. Victims included an elderly man and a teenager. Fraudulent claims were made about the condition and length of remaining MOTs.

## SECTION TWO: SUPPORTING THE LOCAL ECONOMY

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Trading Standards help businesses to comply with the laws that ensure they trade fairly, and their products are safe. This year, as businesses have faced significant inflationary impacts and some sectors are still feeling the aftermath of the pandemic, the ability to access the correct advice and have confidence that they are not being undercut by competitors who break the law, has never been more important.

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### 2.1 Businesses Get the Help and Support they need to Thrive and Grow

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Having a thriving local business community is a key priority for all local authorities. Trading Standards role in providing advice and support to businesses has never been more important.

Trading Standards Services provided over 21,500 hours of advice to businesses via Primary Authority Partnerships. Whilst these partnerships enable assured advice to be given to a business with multiple shops or sites via a single local authority, there was a decrease in activity of 18% from 2021/22 and a significant decrease of 36% from pre-pandemic levels. This may be reflective of a more difficult business environment especially for

small and medium sized businesses. Over 146,000 businesses are covered by primary Authority Partnerships.

In 2022/23, it is estimated that across England and Wales:

- **Over 21,500 hours** were provided by Trading Standards advising **Primary Authority businesses**
- Trading Standards responded to **almost 21,000 requests for advice** from businesses that were not part of the Primary Authority scheme. This is similar to pre-pandemic levels.

### 2.2 Creating and Maintaining a Level Playing Field for Safe and Fair Competition

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In any economy, fair competition is crucial for businesses. Being undercut by those who do not meet proper standards and regulations will cause legitimate businesses to fail, putting people out of work and causing risks for workers and consumers.

Trading Standards Services follow an intelligence-led model where action is taken according to risk. This can include providing advice, seizing counterfeit, illicit, and unsafe products, or taking formal enforcement action.

Compliance visits have increased from 2021/22 and are moving back towards pre-pandemic levels.

In 2022/23, it is estimated that across England and Wales:

- **Over 65,000 visits were carried out to businesses to ensure they comply with the law and provide advice to help them fix any non-compliance.**
- **Almost 27,000 businesses were subject to an intervention**, such as advice, investigation, or referral.

- **58% of Trading Standards services operate an assured trader scheme to help increase consumer confidence.** These tend to be targeted at specific trade sectors.
- **Over 10 million counterfeit products with a market value of over £362 million**, which breach the intellectual property of legitimate businesses, were seized.

Seizures of counterfeit goods increased by over 150% from 2021/22 and were four times higher than pre-pandemic levels. We believe that much of the increase in the last year may relate to the seizure of counterfeit vapes. In other areas, the cost-of-living crisis may well have had an impact on the supply of counterfeit goods.

The trade in counterfeit goods damages legitimate businesses who manufacture, distribute, and buy licences to sell legitimate products. Often counterfeiting is run by international organised criminal gangs who use the profits from sales to fund other criminal activity. It should not be regarded as a victimless crime.



### **Kent County Council: Tackling illicit and unsafe vapes**

Kent has been at the forefront of dealing with a range of issues resulting from the emergence of single use disposable vapes, including underage sales, non-compliant products, and the involvement of serious organised crime groups. Kent Trading Standards has employed a three-pronged approach. Between November 2022 and January 2023, the ports team, covering all entry points into the county, seized over 350,000 illegal vapes. The Product Safety team has carried out several operations targeting businesses which has had a significant impact on the illicit market while assisting legitimate vape businesses. The Service works closely with Industry and are in a Primary Authority partnership with the Independent British Vape Trade Association (IBVTA). An example of this partnership working at its best was when it was found that a leading manufacturer's disposable vape was non-compliant with the regulations. Trading Standards worked with IBVTA, the Medicines and Healthcare Products Regulatory Agency and other local authorities and partners to resolve this nationwide non-compliance issue.

### **Norfolk County Council: Response Avian Influenza outbreaks**

For Norfolk Trading Standards, 2022/23 was dominated by the unprecedented number of avian influenza outbreaks in the county. Between August 2022 and March 2023, there were 65 outbreaks. Norfolk became the epicentre of the disease in October 2022, with 46 cases that month. Trading Standards expended 185 officer days on foot patrols, contacting residents within protection zones around affected

premises to carry out checks, provide advice and collate details of other captive birds being kept in the zones. During October, these were completed with support from colleagues from Breckland and Broadland Councils, Cambridgeshire and Lincolnshire Trading Standards, and volunteers from Norfolk County Council.

Over the course of the winter, foot patrols were replaced with mailshots. To date, 29,806 letters have been sent to residents in protection zones. The letters provide website links to capture the required information directly from residents or enables them to contact the customer service centre. In addition, officers have worked with the Animal and Plant Health Agency, the council's corporate communications, customer service centre and web teams to develop and disseminate public information on how to reduce the risk of disease spread.

Mandatory housing of poultry in the county was in place from October 2022 to April 2023. In response to commercial poultry keepers' concerns about poor biosecurity of backyard flocks, Trading Standards followed up 118 reports of unhoused poultry, providing advice or taking enforcement action where necessary.

### **Durham County Council: Support for local Better Business for All partnership**

“Better Business for All” is a voluntary partnership providing help and support to businesses to help them comply with the law and get it right first time. Trading Standards support businesses and link in with a range of North East business support bodies. Partners include UMI, British Business Bank, Sunderland and Newcastle Universities, NE Local Enterprise Partnership, NE Enterprise Agency, and Gateshead Council. Officers have attended, and provided advice at, several business-focussed events, including Durham Ambitious Start Ups (DABS) Festival of Enterprise, and Northeast Start Up Awards launch.

### **Dorset Council: Support for local farmers and producers**

Defra’s current Future Farming Resilience programme has been designed to help farmers and land managers understand and plan for the changes the Agricultural Transition will bring. The programme aims to support 25% of eligible businesses within Dorset and will offer the vital support needed for farmers to build resilience and profitability in their businesses as they navigate through the transition. Dorset Trading Standards is supporting their delivery partner, Business Information Point, with the delivery of local events throughout Dorset. In addition, the service supports local growers by verifying that watercress production is in accordance with the new ‘traditional speciality guaranteed’ protected food name that was registered in late 2021. Seven of the largest watercress growers in the UK have been audited and issued with certificates. As a result of this work, the NFU Watercress Association have now asked to enter into a Primary Authority Partnership with Dorset Council.

### **North Yorkshire Council: Promoting healthy choices**

North Yorkshire Trading Standards works closely with Public Health colleagues on alcohol and tobacco, and healthy eating. Work on healthier eating involves a certification award for those businesses selling healthier choices; 100 businesses are currently on the scheme. The scheme also delivers a host of proactive activities, including working with local schools to improve the nutritional content of the food on offer in the canteen, to improve vending options and to remove single use plastic bottles from the premises.

### **Derbyshire County Council: Working with APHA to implement national Bovine TB Strategy**

Derbyshire Trading Standards has worked closely with the Animal and Plant Health Agency (APHA), the government agency responsible for the operational implementation of the Bovine TB Strategy. In 2022/23, the service dealt with 42 referrals from APHA relating to 18 different premises, holding a total of 600 animals, which were overdue TB tests. This work led to all these farmers implementing the testing of their herds. This work is vital in preventing the potential widespread damage to the rural economy should TB outbreak(s) take hold. The potential value of these herds alone could be up to £1 million.

## SECTION THREE: PROMOTING HEALTH AND WELLBEING

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Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities. This includes ensuring consumer products meet safety standards, food is correctly labelled and animal health and welfare standards are maintained.

Stopping the supply of age restricted products, such as vaping products, tobacco, alcohol, and knives, are a key priority in many local authorities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

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### 3.1 Ensuring the Safety of Consumer Products

Legislation and product standards are designed to ensure that products are safe and do not cause injuries or fires. Unsafe toys, electrical goods, make-up, and other products can cause serious problems and even risk lives. Trading Standards use intelligence to detect and seize unsafe products at both ports of entry and on sale within England and Wales.

This year the number of items removed from the market has increased by 16% and, as such, is returning to pre-pandemic levels.

In 2022/23, it is estimated that across England and Wales:

- **Nearly 4.9 million unsafe or non-compliant products were seized or removed from the market place following Trading Standards' interventions.**
- **The savings to society, in terms of product value and injuries and fires prevented, is over £180 million.**

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### 3.2 Protecting the food chain

Food inflation has been at record levels. This can result in adulterated or falsely labelled food where unscrupulous businesses seek to get an unfair competitive advantage. Consumers need to be able to trust what they eat and get good value for money. The substitution of cheap, sub-standard ingredients, undeclared allergens and misdescribed food, all damage health and cause consumer detriment.

In 2022/23, it is estimated that across England and Wales:

- **Over 9000 businesses were identified as supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components, or was involved in food fraud. This was a 31% increase on last year. It is believed that this increase is a reflection of local authorities carrying out more compliance checks post-pandemic and there was additional funding in some areas for allergens related work.**

Ensuring animal health and welfare has a key role in protecting the rural economy and helps protect the quality of the food chain.

In 2022/23, it is estimated that across England and Wales:

- **Over 6,300 businesses were found to be in breach of animal health and welfare legislation.**

This has remained relatively constant in the last four years.

This year saw unprecedented levels of Avian Influenza. While the main spread was via wild birds, Trading Standards had a crucial role in stopping the spread in kept birds, from backyard flocks to industrial poultry farms. There were 196 confirmed avian influenza cases and a further 203 suspect cases which were negated.

Trading Standards also enforce restrictions and controls to deal with other animal disease outbreaks. This year there were seven suspect Foot and Mouth Disease cases and one Swine Fever case, all of which were negated.

This highlights the ongoing threat to the rural economy of animal diseases. It should be remembered that the Foot and Mouth Outbreak of 2001 cost the UK economy £8 billion, and caused longer term problems affecting tourism, farming, rural wages, and food production for many years after.



### 3.3 Reducing the risk of children accessing age restricted products

Trading Standards Services provide training and advice to businesses and conduct test purchases to ensure businesses do not sell age-restricted goods to children. Rules that prevent children from buying age-restricted products, such as vaping products, alcohol, tobacco, knives, and fireworks are designed to protect them and their local communities from both immediate and long-term harm. This year there has been a significant national focus on the problems caused by the sale of vaping products to children.

In 2022/23, it is estimated that across England and Wales:

- **Over 2,100 premises** were tested for alcohol sales.
- The average failure rate for alcohol test purchases was **22%**.

- **Over 775 premises** were tested for tobacco sales.
- The average failure rate for tobacco test purchases was **18%**.
- **Over 3200 premises** were tested for other products, including vaping products.
- The average failure rate for other products was **27%**.

There has been a significant increase in the test-purchasing of “other” products. It is very likely that this is due to purchasing of vaping products. Initial data suggests there were at least 2 million vaping products seized and over 1,200 underage test purchases, but specific national vaping data will be available in 2023/24 from the NTS Operation Joseph project.

### 3.4 Reducing the availability of illicit products

Illicit tobacco, vaping products and alcohol can contain undeclared contaminants.

The presence of illicit tobacco in local shops undermines Government’s attempts to help people to cut down and quit smoking altogether as price is a critical factor in pushing people to give up. Illicit tobacco is significantly cheaper to buy, with packs of cigarettes being between half and a third of the price of legitimate products.

The amount of tobacco seized is similar to last year and much of the work is due to the investment HMRC has made into National Trading Standards, who commission local authorities to carry out activities to disrupt the local supply of illicit tobacco. Much of this activity is focussed on using detection dogs and can result in large scale seizures.

In 2022/23, across England and Wales:

- **Almost 14.3 million illicit cigarettes** were seized, worth an estimated **£6.3 million**.
- **Over 3.2 tonnes of illicit hand-rolling tobacco** were seized, worth almost **£1.3 million**.
- **Over 180 kg shisha tobacco products** were seized, worth over **£31,000**.

The Licensing Act 2003 allows for a review, and potential removal of a licence, by a local authority Licensing Committee, where failures to comply with any of the four licensing objectives occur. These objectives are preventing crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Activities by Trading Standards have resulted in 148 Licence Reviews being carried out.





### **London Boroughs of Brent and Harrow: Educating consumers on skin lightening product risks**

Brent and Harrow Trading Standards participated in a London wide project to promote consumer safety involving skin lightening creams. Officers provided educational content on the dangers of prohibited substances such as steroids, mercury, and hydroquinone. These have been circulated via social media and the London Trading Standards' website and will be used in presentations for schools and consumer workshops during 2023.

### **Leicestershire County Council: Disrupting the supply of illicit vapes**

A high volume of complaints has been received regarding underage sales of vapes; and illicit vapes, which are thought to contain dangerous chemicals such as lead and nickel. Leicestershire Trading Standards seized and destroyed large numbers of vapes: 5,957 from East Midlands Airport and 20,589 from 14 retailers in the county.

### **West Sussex County Council: Zero tolerance approach to sale of alcohol to children**

In January 2022, a "Zero Tolerance Approach" to the sale of alcohol to children was instigated. A licence review is initiated whenever a sale of alcohol is made during an underage test purchase visit; this was exemplified by a case in Littlehampton. West Sussex Trading Standards visited a premises to give advice after receiving reports that disposable e-cigarettes were being sold to children. But, just two days later, a staff member at the shop sold two bottles of cider to a 16-year-old child volunteer during a test purchase exercise. A licence review was held

and consequently the shop owner's alcohol licence was suspended. Feedback on the approach from the Police, licencing officers, and councillors has been positive, and Public Health have supported with additional funds.

### **East Riding of Yorkshire: Face masks – prosecution of false claims**

During 2022/23, East Riding Trading Standards successfully prosecuted an individual for supplying face coverings during the pandemic that claimed to protect from covid but were no better than other face coverings. The defendant, a builder, had attempted to cash-in on consumers' fears during the first lockdown. He sourced the face coverings from an illegitimate source in China, imported them and sold them through flyers. He was visited by officers with the intention of getting a voluntary surrender but became extremely evasive and uncooperative, leaving prosecution as the only option. Magistrates decided they did not have sufficient sentencing powers to fit the crime, so the case was sent to Crown Court where the defendant was sentenced to 9 months imprisonment and fined £5,000 with £5,000 costs.

### **Nottinghamshire County Council: Unsafe labelling leads to acid ingestion**

Nottinghamshire Trading Standards responded to an incident involving a partially sighted consumer, who had purchased and sipped from a bottle of acetic acid believing it to be a soft drink. The consumer suffered internal burns. Following intervention from officers, 797 bottles of the product were swiftly recalled from the market due to labelling failures and, in particular, the appearance of the bottle being potentially mistaken for a small fizzy drink bottle.





### **Hertfordshire County Council: Animal product allergen testing project**

Hertfordshire Trading Standards conducted a sampling project to look for animal product allergens in food that was pre-packed for direct sale and loose foods described as “suitable for vegans.” The premise was that people with animal product allergens are asking for vegan products assuming those ingredients will not be present, rather than advising of their allergy. Of 47 samples taken, 24 were unsatisfactory due to the presence of animal product allergens. Milk was present in 15 samples and egg in five. Fish and crustaceans were also found in some samples.

Levels of allergens varied from relatively low (thought to be cross contamination) to much higher (considered that an incorrect allergen-containing ingredient has been supplied by mistake). Officers worked with the businesses to address these issues and ensure legal requirements were met going forward and that customers would no longer be at risk.

## SECTION FOUR: SUPPORT FOR ENVIRONMENT AND NET ZERO

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The Net Zero and Climate Change agenda continues to be important to local authorities. Many have this issue as a key corporate priority.

The cost-of-living crisis has also meant that claims associated with energy efficiency and costs are attractive to consumers as they look to save money.

While there is no specific data collected on this issue, figures will be included within the totals for compliance checks, business advice and prosecution figures in previous chapters. For example Trading Standards carry out work in relation to:

- Misleading claims on green energy products such as heat pumps and solar panels.
- Ensuring compliance with Energy Performance Certificates and Minimum Energy Efficient Standards.
- Misleading “greenwashing” claims.
- Enforcement of single use plastics bans.

### **Hertfordshire County Council: Green claims project**

Hertfordshire has corporate objectives of 'a cleaner, greener environment' and 'a safe and just trading environment'. Trading Standards assessed compliance with the Competition and Market Authority's "Green Claims Code" by Hertfordshire based businesses and those where a Primary Authority partnership existed. This work focussed on the prevalence and veracity of claims ('environmentally friendly', 'green', 'eco-friendly', or 'carbon neutral'), and their impact on consumer decision-making. Whether environmentally beneficial qualities of a business's goods and services covered their lifespan was also considered. It was found that claims regarding recycling of clothing, hangers, and textiles; and those claiming 'carbon neutral production plants by 2020' were supported by evidence. However the evidence for claims relating to gas emissions/renewable electricity/food waste claims was found to be lacking and as a result have now been amended. A business found to be making claims that referred to deforestation, regarding palm oil, agreed to reword some claims and rewrite their deforestation and responsible sourcing statement. To make comparisons of running costs of electricals and determine greatest efficiencies, consumers are directed to Youreko.

### **Bath and North East Somerset Council: Tackling rogue spray foam traders**

BANES Trading Standards was made aware of an 82-year-old resident, who over 5-10 years had been targeted by around 10 different spray foam companies from the Bournemouth area. Spray foam insulation is an alternative to traditional building insulation. When installed correctly, insulation helps reduce heat loss from the home, which in turn will reduce carbon emissions and reduce energy bills. The victim had paid these companies over £50,000 in total. In most instances he was cold called and then agreed a surveyor could visit. The surveyor would then either advise that he needed to put spray foam in or (if the spray foam had already been installed) it needed to be removed. Recently one of these rogue traders was found at the victim's property and was arrested and interviewed for trying to charge the consumer a further £4,000 to remove spray foam. Following Trading Standard's intervention, the victim expressed his gratitude to the officers and was very complimentary about the care and reassurance provided by them.





### **Royal Borough of Kingston Upon Thames: Plastic bag charging**

Kingston and Sutton Trading Standards undertook a project on plastic bag charging. An officer visited 100 premises in the Boroughs to provide guidance on the legislation and record observance of the regulations: 90% of the businesses complied with the legal requirements.

### **Nottinghamshire County Council: Improving air quality with checks on ready to burn fuels.**

Many areas within Nottinghamshire are designated as 'smoke control areas.' As part of a project looking at fuel for domestic wood burning fires and open fires, Trading Standards inspected 17 retailers and four suppliers within the county to ensure that they were aware of their obligations under the Clean Air Act 1993.

In addition, officers checked that wood fuel supplied in volumes of up to two cubic metres was "Ready to Burn Certified". This confirms it has a moisture content of 20% or less and so burns with less smoke than wetter wood and thus reduces pollution and improves air quality. Most businesses that were inspected understood and met the legal requirements. In the small number of cases where businesses were not meeting requirements, officers provided advice to the businesses and the minor issues found were rectified. Officers also worked with the authority's communications team to raise awareness of consumer obligations when burning fuel.

## SECTION FIVE: COST OF LIVING CRISIS

As referenced throughout this report, the cost of living crisis has been a major influence on the work done by Trading Standards this year. Similarly to net zero, there is no specific data collected on this issue as figures will be included within the totals for compliance checks, business advice and prosecution figures. However, the case studies below give examples of the type of work being done.

### **Cheshire East Council: Data analysis to identify compliance trends**

Cheshire East Trading Standards undertook reviews and statistical analysis of data held on non-compliances with Trading Standards related laws. Since 2019/20, the trend appears to be one of increased risks of non-compliance. Following covid restrictions, those businesses who were able to continue trading are falling below compliance standards. There is no clear pattern on any one specific issue, but the main problems found relate to allergen compliance, labelling, scams, rogue traders, underage sales, tobacco products and metrology, some of which carry great risk. Business have struggled to recruit competent and trained staff who can ensure compliance. The cost-of-living crisis has added pressure, with businesses' expenditure and time being prioritised to activities other than compliance work. Data shows the impact on consumer behaviour, with increases in scam and fraud issues as consumers look for bargains and cheap alternatives. This increases risks relating to counterfeit, illicit and unsafe goods, and the associated criminality involved in these illegal markets.

### **London Borough of Southwark: Fuel pump accuracy**

Southwark Trading Standards undertook work to ensure that consumers were getting the volume of fuel they paid for. With the price of fuel reaching record highs in July 2022, petrol at £191.53 per litre and diesel reaching £1.99 per litre (equivalent to £8.67 and £9.04 per gallon). Checks at 14 out of the 15 fuel stations across the Borough tested 347 petrol and diesel pumps checked for accuracy. Compliance was found to be very good with only six pumps requiring corrective action.

### **Caerphilly County Borough Council: Facebook 'friend' grant fraud**

During a visit to a Sheltered Housing complex, Trading Standards officers were approached by a resident who had been contacted by a 'friend' on Facebook and told she was eligible to apply for a grant. Thinking she could secure some money for her family during a difficult time, she applied and was told she needed to pay about £320. The payment was made using the 'friends and family' option on PayPal, as the individual believed she was sending money to a friend. Realising she had been scammed, the victim complained to her bank and PayPal, but neither would help her. This was an incredibly distressing and upsetting situation for the victim, impacting on her confidence and diminishing her trust. Officers intervened and contacted PayPal, who did not properly respond to the complaint. With the victim's permission, it was escalated to the Financial Ombudsman Service, ultimately obtaining full reimbursement.

### **Newport City Council: Operation Cost of Living Action**

Newport Trading Standards has instigated Operation Cost of Living Action. This involves the scrutiny of Citizens Advice referrals on a weekly basis. Historically, many local authorities had dedicated consumer advice staff that would intervene in circumstances where traders appeared to be unreasonably withholding refunds, trying to change their minds using the art of persuasion in the absence of any legal powers to do so. Local authorities never had a duty to do this, but it was seen as the right thing to do and offered the potential to improve business behaviour. In recent years most Trading Standards services have had to stop interventions in civil matters due to resourcing constraints. In this case, Newport Trading Standards identified suitable civil matters where it was considered that a Service intervention may possibly secure a refund or other suitable outcome. So far, 34 referrals have been identified, with a combined detriment of £339,611.





### North Yorkshire Council: Pricing and Value for Money

North Yorkshire Trading Standards secured funding to support consumer education work in relation to value and pricing. Officers staffed and presented a market stall with a variety of products in different sizes/quantities in order to talk to shoppers about using pack weights and measures and unit prices to work out best value products when shopping. The stall has subsequently been repeated at two community events and will be repeated across the county during 2023/24,

Cost-of-living related issues have been given a higher priority. For example, complaints about misleading pricing of food and household products at a corner shop in a deprived area will now be tasked whereas before they may not have been due to the comparative “low value” of the products concerned.

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# Continuing to Protect the Public and Support Businesses in the Cost of Living Crisis

## The Impacts and Outcomes of Local Trading Standards Services in England and Wales in 2022/23

The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. This is the fifth report and this document contains a summary of the of highlights of work done in 2022/23.

This year, across all areas of work, the risks associated with of the cost of living crisis on consumers and businesses is apparent. The need for effective business advice and a level playing field for legitimate businesses is going to be crucial to keep them afloat in difficult times. Risks to consumers around the safety of cheap or illicit goods and false claims relating to prices, costs and energy efficiency are growing and the impact of losing money to scammers is bigger than ever.

### In 2022/23 local Trading Standards Services have:

- Prevented almost **£1.03 billion of detriment**, equating to **£9.60 saved for every £1 spent**
- Saved scam victims almost **£70 million**
- Provided over **21,500 hours of advice to businesses** through primary authority partnerships, a decrease of 18% from last year and 36% lower than pre-pandemic levels
- Seen an increase in demand for the service compared to last year and 22% higher than 2019/20
- Carried out over **65,000 compliance checks** to ensure businesses meet their legal responsibilities and to provide them with advice on site

## TACKLING DETRIMENT AND PREVENTING HARM

One of the key functions of Trading Standards is to prevent consumer and business detriment (financial and non-financial), tackle the criminal behaviour that leads to it and support victims. The Government's 2022 Consumer Protection Study estimated that there was £54 billion in unaddressed detriment across Great Britain.

### Key statistics for 2022/23 included:



Over **708 defendants** were prosecuted



**Prison sentences** of over **326 years** were handed down. This includes both immediate and suspended sentences



Defendants were ordered to pay almost **£6.8 million in Proceeds of Crime**



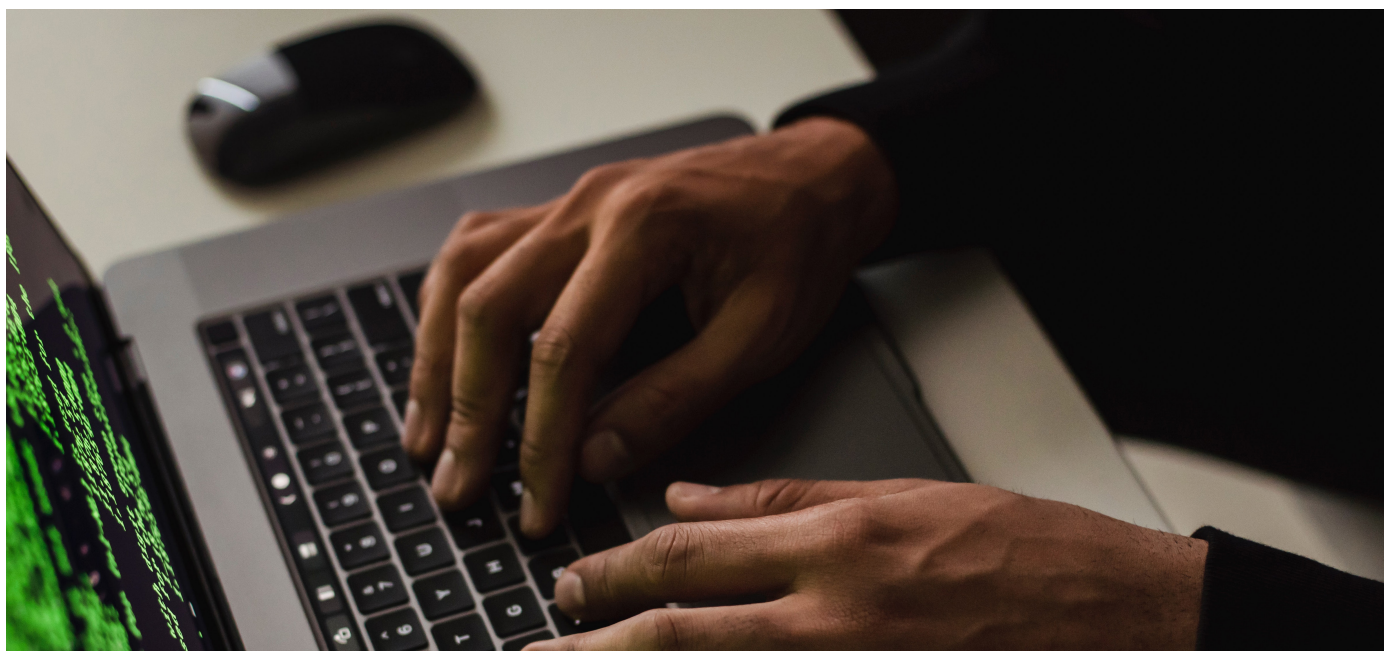
Local authority Trading Standards provided support to almost **14,500 scam victims**



Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc **saved consumers about £70 million**



Over **£3.7 million compensation** being awarded to victims by the courts



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## SUPPORTING THE LOCAL ECONOMY

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Businesses have always needed advice and support from Trading Standards to help them navigate the range of laws that ensure they trade fairly and their products are safe. This year, as businesses continue to recover from the impacts of Covid, and face supply chain and energy cost issues, the ability to access the correct advice and have confidence has never been more important.

### Key statistics for 2022/23 included:



Responded to almost **21,000 requests** for advice from businesses that were not part of the Primary Authority scheme, similar to pre-pandemic levels.



Over 65,000 **visits were carried out to businesses to ensure they comply with the law and provide advice** to help them fix any non-compliance



Almost **27,000 businesses were subject to an intervention**, such as advice, investigation or referral



Over **10 million counterfeit products with a market value of £362 million**, which breach the intellectual property of legitimate businesses, were seized

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## PROMOTING HEALTH AND WELLBEING

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Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities including ensuring that products people buy are safe, that food is correctly labelled, and that the health and welfare of livestock is assured.

Age restricted products, including vaping products, tobacco, alcohol, and knives, are also a significant area of focus for many authorities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

### Key statistics for 2022/23 included:



Nearly **4.9 million unsafe or non-compliant products were seized or removed from the market place** following Trading Standards' interventions.



The **savings to society**, in terms of product value and injuries and fires prevented, is over **£180 million**.



Over **9,000 businesses** were identified as **supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components or was involved in food fraud**. This was a **31% increase** on last year.



Over **6,300 businesses** were found to be in **breach of animal health and welfare legislation**.



Over **2,100 premises** were tested for **alcohol sales**, the average failure rate was **22%**



Over **755 premises** were tested for **tobacco sales**, the average failure rate was **18%**



Over **3,200 premises** were tested for other products, including vaping products, the average failure rate was **27%**



Almost **14.3 million illicit cigarettes** were seized, worth an estimated **£6.3 million**



Over **3.2 tonnes of illicit hand-rolling tobacco** were seized, worth almost **£1.3 million**

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## SUPPORT FOR ENVIRONMENT AND NET ZERO

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The Net Zero and Climate Change agenda are becoming more important each year, with the majority of local authorities seeing this issue as a key corporate priority.

Claims associated with energy usage and energy efficiency are going to be a real marketing point as energy costs rise so quickly and households will be looking to save money. More broadly "greenwashing" and green claims have become a concern and the Competition and Markets Authority issued a report on this.

There is no separate data collected on Trading Standards work to support this agenda, they will be included within the compliance checks, business advice and prosecution figures in the above figures.

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## COST OF LIVING

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The continuing cost of living crisis has been a major influence on all of the work done by Trading Standards. In some localities specific projects have been undertaken to address issues such as pricing on groceries, accuracy of fuel deliveries and extra support to consumers who have been ripped off.

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

**DATE: 9 NOVEMBER 2023**

**LEAD OFFICER: DAVID PICKERING**  
**TRADING STANDARDS MANAGER, REGULATION**

**SUBJECT: TRADING STANDARDS VAPES ENFORCEMENT UPDATE**

<b>1.0 SUMMARY OF ISSUE:</b>
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- 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 as adult smokers seek to quit smoking tobacco. The sale of vapes is a rapidly growing market. However, the introduction of disposable vapes into the market has seen a very significant rise in problems.
  
- 1.2 The report in Annex A follows up the report brought to the Joint Committee in May 2023 covering the two key issues from a Trading Standards enforcement perspective: the problems relating to the safety of the vapes themselves, affecting all users; and the sharp rise in under 18's (who did not previously smoke tobacco) vaping.
  
- 1.3 The report at Annex A covers some of the latest policy suggestions as well as the work the Service has been doing in this area. It also touches on funding recently promised by Government for enforcement of vapes.

<b>2.0 RECOMMENDATIONS:</b>
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- 2.1 It is recommended that the Trading Standards Joint Committee:
  - 2.1.1 notes the latest policy approaches and potential funding from central government and considers any local approach it wishes the Service to take.
  - 2.1.2 considers whether it wishes any views to be fed back into the consultation "creating a smokefree generation and tackling youth vaping" on its' behalf and what these views are.

<b>3.0 REASON FOR RECOMMENDATIONS:</b>
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- 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. Trading Standards is working closely with the Public Health Teams in both partner Councils on this issue.

#### **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 money announced by the Government to support Trading Standards enforcement is being spent and touches on potential new funding that has been broadly announced but is currently unclear on how it will be split between partners working to tackle illegal vapes (including Border Force, HMRC and Local Authorities).

#### **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, there has been a sharp rise in non-smoking children taking up vaping and the long term health impacts on them have not yet been able to be fully studied and understood.

<b>10.0    <u>WHAT HAPPENS NEXT:</u></b>
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- 10.1    The Service is carefully monitoring the national policy developments and will be alert to funding that becomes available so that we can access this where appropriate to undertake a higher level of enforcement in this area. The Service will respond to the current consultation on “creating a smokefree generation and tackling youth vaping”.

<b>REPORT DETAILS</b>
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**Contact Officer(s):**

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**Consulted:**

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**Annexes:**

Annex A: Trading Standards Vapes Enforcement Update Report

**Sources/background papers:**

**ENDS**

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## Trading Standards Vapes Enforcement Update

This paper follows up the paper taken to the Joint Committee in May (at the end of this report, from page 6, as Annex A) and a discussion at the Board. The May paper is attached for reference as it gives the background to the concerns and issues with vapes. This paper is designed to update the Joint Committee on the latest position as there have been a number of developments.

### National Position:

Following an announcement at the Conservative Party Conference, on the 12<sup>th</sup> October 2023 the government released a Consultation titled “Creating a smokefree generation and tackling youth vaping”. The consultation can be found in full here: [Creating a smokefree generation and tackling youth vaping - GOV.UK \(www.gov.uk\)](https://www.gov.uk/consult/consultation/creating-a-smokefree-generation-and-tackling-youth-vaping) There are three areas being consulted on:

1. Creating a smokefree generation: consulting on the smokefree generation policy and its scope.
2. Tackling youth vaping: consulting on several options to ensure we take the most appropriate and impactful steps, building on England’s analysis of the youth vaping call for evidence.
3. Enforcement: consulting on the proposal to introduce new powers for local authorities in England and Wales to issue fixed penalty notices to enforce age of sale legislation of tobacco products and vapes.

The Government consultation acknowledges data from Action on Smoking and Health (ASH) showing that the number of under 18’s vaping has tripled in the last 3 years, with over 20% of children now having tried vapes.

With regard to tackling youth vaping the consultation asks for feedback on numerous proposals, including:

- restricting flavours
- regulating point of sale displays
- regulating packaging and presentation
- considering restricting the supply and sale of disposable vapes
- whether regulations should extend to non-nicotine vapes
- taking action on the affordability of vapes

The balance for the policy makers that needs to be considered is maintaining the downwards trend of tobacco smoking in adults, whilst not introducing nicotine addiction to children through vaping. So for example the challenge in what flavours should be allowed in the future is to maintain flavours which would appeal to an adult more than a traditional cigarette whilst not having flavours that actively appeal to children.



Trading Standards will respond to the consultation and will liaise with colleagues in Public Health who will also be responding. However, if the Joint Committee have any views that they would like us to feed in on their behalf then we could do this, or individuals on the Joint Committee can respond themselves through the link above.

As part of this announcement, the Government announced a further £30m for vape enforcement, which will be split between Border Force, His Majesties Revenue and Customs (HMRC) and Local Authority Trading Standards Services. The split of this money has not been clarified. We believe this is because the enforcement required by the different organisations will depend on the policy decisions made after the consultation responses have been considered. For example if disposable vapes are banned, there is likely to be more enforcement required at the points of import (as vapes are largely an imported product) than if disposable vapes remain a legal product but need to be sold from behind a counter with no display but with a warning notice. As a result of these two scenarios, different levels of funding would be likely to go to Border Force and Trading Standards.

Prior to this recent announcement and issuing of the Consultation there had been several approaches to the Government over the summer on the issue of youth vaping, with the LGA<sup>1</sup> and the Royal College of Paediatrics and Child Health (RCPCH)<sup>2</sup> both calling for a ban on disposable vapes.

Other Countries are also considering banning disposable vapes and there is a concern that if the UK does not act swiftly and is behind other countries, we will see further swamping of vapes into our marketplace as happened when America banned some vapes.

The LGA FAQ's are helpful to understanding the position and make it clear that there is an understanding that banning disposable vapes will not eradicate all the problems associated with the product, with an expectation of the development of a black market that will still require enforcement.

The Chartered Trading Standards Institute (CTSI) and the Action on Smoking and Health (ASH) have also released a paper exploring the Policy options to tackle the issue of disposable (single use) vapes which is circulated alongside this paper.

The UK Vaping Industries Association proposed a licensing scheme for vape sellers: [UKVIA reinforces call for “get tough” measures to stem rising numbers of children vaping - UKVIA](#) although this doesn't seem to have gained any real traction and isn't consulted on as part of the current Government consultation.

Vapes continue to regularly make national media stories and headlines including these recently:

[Never start vaping, says 12-year-old girl with lung damage - BBC News](#)

[Nearly half a billion small tech items thrown away - BBC News](#)

[Vapes '95% safer' than cigarettes messaging backfired - BBC News](#)

[How dangerous is vaping - and why the concern over young vapers? - BBC News;](#)

[Five million vapes thrown away every week - research - BBC News](#)

[Teenage vaping: 'I'll have puffs as I'm falling asleep' - BBC News](#)

[Rise in young women vaping daily in the UK - BBC News](#)

[Disposable vapes: Councils call for total ban by 2024 - BBC News](#)

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<sup>1</sup> [Disposable vapes FAQs | Local Government Association](#)

<sup>2</sup> [Ban disposable vapes to protect children - doctors - BBC News](#)

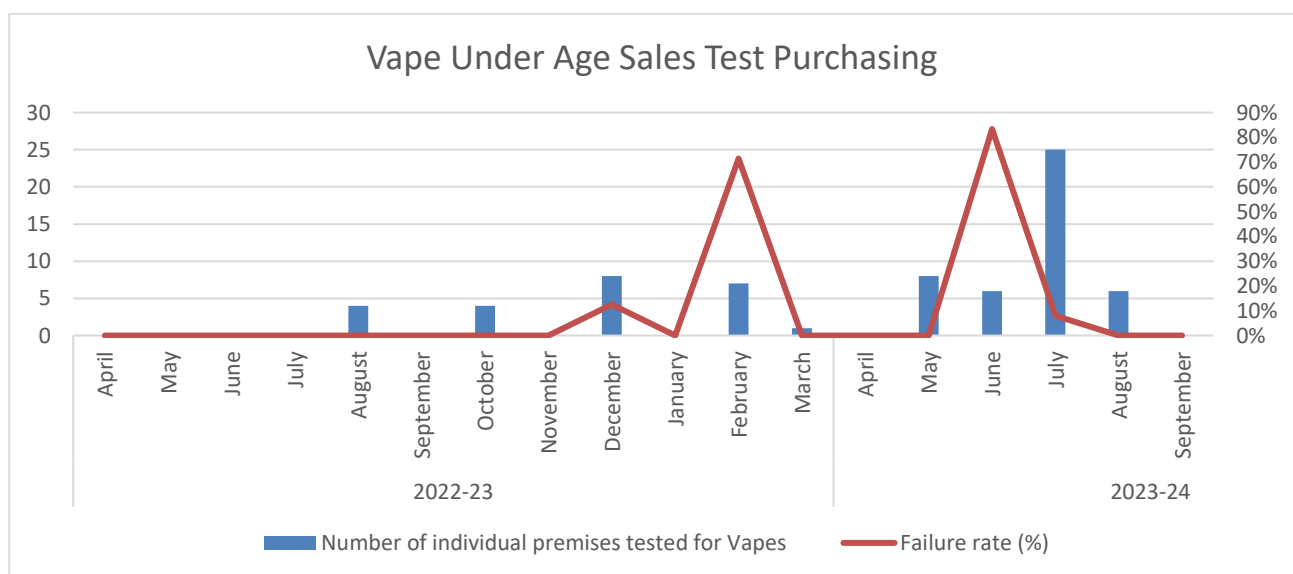
A proportion of a smaller amount of funding announced by central government in April (£3m nationally) is now available to the Service. We are currently making use of this for storage and disposal costs, and this is certainly helpful given the need for care in both areas to avoid fires and health risks of unknown chemical components of illegal vapes. There is a further element of funding that may become available to us, for enforcement related to vapes at the borders (i.e. Heathrow). However, there are significant operational and capacity challenges with this, and National Trading Standards is currently considering whether it is appropriate to set up the systems required whilst changes to policy (including whether to have an outright ban on disposable vapes) are under consultation as such changes in policy could significantly affect what enforcement is needed at the points of import.

### Local Position:

Following the LGA call for disposable vapes to be banned, Buckinghamshire Council supported a similar motion at the end of September to also call for their ban. The detail can be found in the link below<sup>3</sup>.

Locally we received 214 complaints or pieces of information about illegal vapes and alleged underage sales of vapes from April 2022 to the end of March 2023. Since the beginning of April this year to the end of September we have received 154. These reports have been received from a mixture of residents and partner organisations such as the police. These numbers are starkly higher than any other area of our work including other age restricted products.

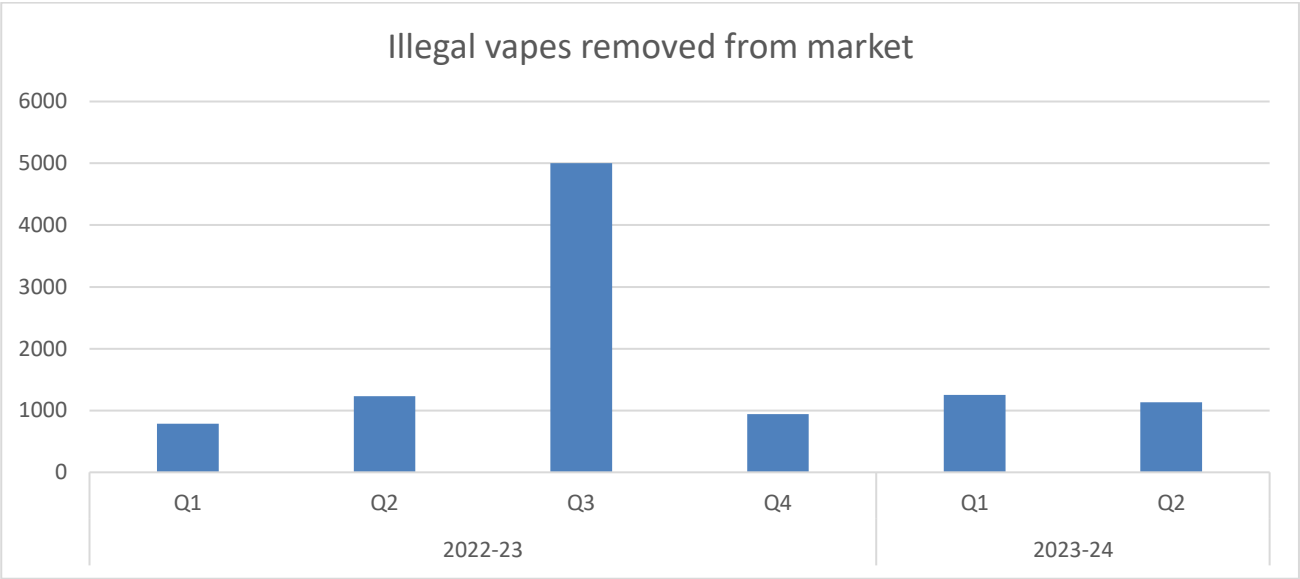
Consequently, the Service has been doing an increased amount of underage test purchasing of vapes. After significant difficulties getting under 18-year-old volunteers in Surrey, we were finally able to do test purchasing in Surrey in July, hence the spike. The failure rates vary quite wildly, but there is some correlation to high failure rates in areas where we also know we have illegal tobacco being sold by organised crime groups.



<sup>3</sup> [Development Control Committee \(moderngov.co.uk\)](https://moderngov.co.uk/development-control-committee)

We are in the process of recruiting an underage sales officer in Buckinghamshire. The role is for a fixed term of two years and is funded by Buckinghamshire Council’s Public Health Team. Public Health colleagues in Surrey have not indicated any available funding for a similar role but we will keep it under discussion. The issues in Buckinghamshire are different in that the presence of organised criminal gangs operating the shops increases the investigation complexity, which is something we are not currently seeing in Surrey.

Due to the extreme levels of non-compliant vapes in the marketplace, difficulties in evidencing some of the non-compliance to a criminal standard and the wide array of different vapes being sold at each premises the Service is not usually proactively looking for illegal vapes. However, when we are in a shop for another purpose if we come across illegal vapes, we seek their removal from the marketplace. This might be the retailer voluntarily withdrawing them and signing them over to us for disposal or it may be that we seize them. During the recent action at Kempton Market, we did proactively look for them because of ongoing concerns about their sale and approximately 200 were seized.



In the last few months, we have sourced suitable storage facilities (the presence of batteries alongside unknown chemicals mean that our usual storage facilities are not appropriate) and are using an approved company to dispose of the vapes. Funding for the disposal (which is expensive due to the combination of batteries, chemicals and plastic) is now coming from the separate government funding. We are also assessing if it is feasible to set up our own volume testing facility to help with evidencing the non-compliance on tank size but because of the costs involved (approx. £4k) we are holding for a few weeks to see if the government moves ahead with the proposed ban which would negate the need for this testing.

We are working with schools in Surrey to get information to them (via the schools platform and Healthy Schools Initiative) and at every opportunity are asking for intelligence e.g. at

the Surrey Tobacco Alliance meetings and other meetings. We are establishing links with Healthy Schools in Buckinghamshire to understand how best to inform them.

We have shared information about issues with vapes and engaged with both local residents and partners at various events over the summer including the Buckinghamshire County Show, Illegal Tobacco Roadshows with Buckinghamshire Public Health which also carried information about vapes and the Surrey Combatting Drugs forum at the University of Surrey.



We continue to work with Primary Authority Partners who sell or produce vapes. Two partners of particular note are the Association of Convenience Stores (ACS) and the UK Vaping Industries Association (UKVIA). With the ACS we have ensured that the advice to their members about selling vapes (both from a safety perspective and considering they are an age restricted product) is up to date. Together we have published [a new guide on the subject](#). Attendance at conferences has also enabled us to physically show businesses how to check they are selling legal versions. With the UKVIA we are working with them to encourage an increase in compliance levels from their retailers, particularly in relation to underage sales. The implementation of third-party retail surveillance by UKVIA enables an assessment of levels of compliance and the development of a targeted response. Recently UKVIA changed their membership model to exclude all vape businesses linked to tobacco companies. We see this as a positive move and allows us a little more freedom in the depth of advice that we are prepared to go into with them. This is because the WHO resolution to stop tobacco companies influencing public policy meant that previously we needed to be very careful and limit our advice not engaging in some discussions or attending any events that could be perceived as linked to local authority policy. Of interest, the UKVIA have also recently(independently) released a new resource to help educate about recycling vapes .[Recycle Vapes \(recycle-vapes.co.uk\)](https://recycle-vapes.co.uk)

Below are some photos of two non-compliant (oversized) vapes (one also breaching Trade Marks legislation linking itself to Prime) a colourful child appealing bottle design with a cartoon character and an example of the array of vapes available in many shops.







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

**DATE: 9 NOVEMBER 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 is forecasting an underspend of 1.8% (£53,000) against the budget for 2023-24 agreed by the Joint Committee in April 2023.
- 1.3 The reasons for the underspend are difficulties in recruitment, followed very recently by a decision to intentionally hold some vacancies in preparation for managing a likely reduction in the 2024-25 budget.
- 1.4 The Medium-Term Financial Planning process for April 2024 onwards is currently being undertaken in both partner local authorities and the Service approach is being developed in consultation with the Trading Standards Board.

**2.0 RECOMMENDATIONS:**

- 2.1 It is recommended that the Trading Standards Joint Committee:
  - 2.1.1 notes the forecast outturn for the joint service budget for 2023/24

**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 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 several factors which introduce volatility to the budget. The service has an income budget of £573k, equivalent to 19.7% 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. We have also had a change of financial system within the year which is causing a higher level of uncertainty than usual as we learn the new system.
- 4.3 In terms of the larger scale economic situation, we have particularly seen the impact of this on businesses with whom we have Primary Authority Partnerships which makes income less certain than in some previous years.
- 4.4 In relation to court outcomes that at times lead to costs being recovered, this remains unpredictable. We are seeing several of the trials for more complex cases be repeatedly adjourned, usually for a year or more at a time causing the outcomes to be delayed. The most notable of these was first due to go to trial in 2020 and is now scheduled for 2024. This issue adds to the difficulty of accurately forecasting both court related costs and affects the recovery of those costs. The Service manages its' budget closely to even out the most volatile factors where it is possible.

#### **2023/24 Forecast Outturn**

- 4.5 The agreed budget for 2023/24 totals £2,908,000.
- 4.6 The current forecast outturn is an underspend of £53,000 (1.8%). The main reason for this underspend is that we currently have vacant posts. Attempts to recruit to qualified officers have not been successful. There is a shortage of qualified officers in the Trading Standards profession at the moment, and the one suitable external candidate who initially applied pulled out just before interview telling us he had secured a similar job on a higher wage at a different Council.
- 4.7 Recently it has become apparent that the financial situation for Local Government generally is significantly constrained and therefore both partner Council's are looking to reduce budgets for 2024 onwards. Therefore, we have recently taken the decision to hold some of our vacant posts whilst it is decided what the budget will be and how savings can be delivered. We believe this approach will allow us to avoid any compulsory redundancies, although does clearly impact our ability to deliver the same level of Service.

Summary by expenditure type	Full Year 23/24 Budget £'000	End of Year Forecast £'000
Employee related spend	3,191	3,152
Non-staffing expenditure	290	307
<b>EXPENDITURE:</b>	<b>3,481</b>	<b>3,458</b>
<b>INCOME:</b>	<b>-573</b>	<b>-609</b>
<b>Total Net Expenditure</b>	<b>2,908</b>	<b>2,849</b>
<b><u>Buckinghamshire Council Contribution</u></b>	<b>989</b>	<b>969</b>
<b><u>Surrey County Council Contribution</u></b>	<b>1,919</b>	<b>1,880</b>

- 4.8 Each Council has a different approach to how it plans on dealing with their proportion of the budget underspend.

#### **2024/25 Planning**

- 4.9 Medium Term Financial Planning is underway in both Councils, but it is too early in the process to have a final proposed budget for the Joint Committee to consider, this will be brought to the spring meeting. However, in the meantime the TS Board have been and will continue to be engaged in developing budget ideas.

#### **6.0 CONSULTATION:**

- 6.1 No external consultation has taken place. However, finance teams from both partner Councils are involved in developing budget proposals as part of the medium term financial planning which will be brought back to this committee at the Spring meeting.

#### **7.0 RISK MANAGEMENT AND IMPLICATIONS:**

- 7.1 All significant risks affecting the service (which include items beyond budget) 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. Reasons for the forecast budget outturn position for 2023/24 are given above.

## **9.0    LEGAL IMPLICATIONS**

- 9.1    The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates.
- 9.2    There are no specific legal issues that need to be drawn to the attention of the Committee.

## **10.0   EQUALITIES & DIVERSITY**

- 10.1   The budget forecast outturn 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 continue to 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):**

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Mr Steve Ruddy, Head of Trading Standards 07968 834 638

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### **Consulted:**

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### **Annexes:**

None

### **Sources/background papers:**

**ENDS**