

MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.00 am on 1 October 2015 at Room 8, 2nd Floor, Judges Lodgings, Walton Street, Aylesbury, Bucks, HP20 1US.

These minutes are subject to confirmation by the Committee at its next meeting.

Elected Members:

- * Councillor Martin Phillips
- * Mr Richard Walsh

In attendance

Councillor Margaret Aston, Deputy Cabinet Member for Community Engagement and Public Health, Buckinghamshire County Council

Kay Hammond, Cabinet Associate for Community Safety Services, Surrey County Council

Yvonne Rees, Customer and Communities Strategic Director, Surrey County Council

Steve Ruddy, Head of Trading Standards

Amanda Poole, Assistant Head of Trading Standards

Phil Dart, Service Director for Communities, Buckinghamshire County Council

11/15 APOLOGIES FOR ABSENCE [Item 1]

No apologies or substitutions were received.

12/15 MINUTES OF THE PREVIOUS MEETING: 1 APRIL 2015 [Item 2]

Declarations of Interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards

Amanda Poole, Assistant Head of Trading Standards

Phil Dart, Service Director, Buckinghamshire County Council

Yvonne Rees, Customer and Communities Strategic Director, Surrey County Council

Key points raised during the discussion:

1. In relation to Item 9, Enforcement Policy and Service Criteria – updated Framework, the Head of Trading Standards reported that the issue of whether the Care Act had any implications for carers in the submitted Equality Impact Assessment had been discussed with the Legal and Governance Manager. The advice given was that the Care Act introduced significant changes and helped demonstrate the importance of why carers need to be supported as well as vulnerable people. The Committee heard that Officer training on the Care Act would take place in all Service Areas this autumn and that protecting vulnerable residents and carers was high priority for Trading Standards.

The minutes of the meeting held on the 1 April 2015, were agreed as a correct record, subsequent to the following minor amendment:

The attendance was to be revised to include Helen Clack and Margaret Aston.

13/15 DECLARATIONS OF INTEREST [Item 3]

No Declarations of Interest were received.

**14/15 PROCEDURAL ITEMS [Item 4]
15**

MEMBERS' QUESTIONS [Item 4a]

No Member questions were received.

PUBLIC QUESTIONS [Item 4b]

No public questions were received.

15/15 PETITIONS [Item 5]

No petitions were received.

16/15 THE NEW JOINT TRADING STANDARDS SERVICE UPDATE ON PROGRESS [Item 6]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards

Amanda Poole, Assistant Head of Trading Standards

Phil Dart, Service Director, Buckinghamshire County Council

Yvonne Rees, Customer and Communities Strategic Director, Surrey County Council

Key points raised during the discussion:

1. The Head of Trading Standards introduced the report. Members were referred to the report which summarised the progress made during the first six months of the new joint Trading Standards Service. The report included an update on the background of the Joint Trading Standards Service and summarised progress against the key service priorities of Economic Prosperity, Improving Health and Wellbeing, Innovation, and Customer Focus/Resident Wellbeing. It also provided details of the range of national reviews currently underway looking at the future of the Trading Standards Service.
2. An Advisory Member referred to paragraph 5.6 of the report and asked for examples of what coverage had been generated and how this had been achieved. The Officer informed the Committee that during the initial phases of the Joint Trading Standards Service, one finding was that the two Communications teams (Surrey County Council and Buckinghamshire County Council) were both involved in producing separate press releases which often generated local coverage. The two communications teams were working well together and as a result Trading Standards messages and stories were reaching a much wider audience. The actions of the joint service were being covered in both local authorities and significant National and International coverage is also being generated. Both authorities have benefited from the increased publicity resulting from the Joint Trading Standards Service.
3. An Advisory Member explained that a monthly pamphlet used to be produced and sent to all parish councils in Buckinghamshire highlighting any Trading Standards issues and asked whether, as the pamphlet was no longer produced, there was a means of sending each parish clerk a monthly update. The Officer explained the Joint Trading Standards Service produced a weekly newsletter called TS Alert sent out to over two thousand email contacts including residents, businesses, community groups, charities, enforcement partners and local Councillors. It was agreed that the service would ensure that local Parish Councils in Buckinghamshire would be included in the circulation of TS Alert.
4. A Member of the Committee said that the Trading Standards update should be sent to all voluntary organisations and those connected with the vulnerable in the community.

5. An Advisory Member asked how each Trading Standards service fed back information to the Health and Wellbeing Board for their respective council? The Officer explained that in Surrey County Council, there was good engagement with Helen Atkinson, the Director of Public Health and the wider Public Health team. Members heard that meetings also took place with David Pickering, Team Leader, Buckinghamshire to ensure that there was a consistent approach across both authorities and that Martin Phillips was the Cabinet Member for Public Health in Buckinghamshire. The service plans to continue to build on positive relationships with both Public health teams. Examples of joint working to date included tackling Novel Psychoactive Substances (“legal highs”) and in promoting healthy options in initiatives such as Eat Out Eat Well.
6. A Member of the Committee said he was in favour of partnership working with organisations such as Checktrade but governance and assurance needed to be in place. The Officer explained that a lot of discussion had taken place about this partnership and it had taken 6-9 months to agree the framework.
7. A Member of the Committee said the de-criminalisation of the TV license would have quite a big effect on some individuals such as single parents and vulnerable. Where does Trading Standards stand in the sense of supporting the de-criminalisation of the TV license based on this fact? The Officer advised that the de-criminalisation of the TV license didn’t directly affect Trading Standards, although it could free up some court time.
8. A Member of the Committee asked if the Joint Trading Standards Service Committee could become more involved with crosscutting issues such as the recent Volkswagen emissions scandal or whether this was beyond the remit of the Committee. The Officer explained that Trading Standards was not the regulatory body for emissions testing. However the service was involved in cases where it was challenging the legality and fairness of trading practices of major businesses.
9. A Member of the Committee asked how Trading Standards were advised of any suspicious activity in organisations such as banks and how this was directed to the appropriate body. The Officer advised that as part of an investigation Trading Standards sometimes worked closely with banks and that in several cases banks had referred suspicious activity to the service. In those cases the service had intervened to protect the customer. However it was recognized that more needed to be done to ensure that more referrals were made. An Advisory Member said it was felt to be over bureaucratic to have so many reviews of Trading Standards (BIS, LGA and the National Audit Office).
10. An Advisory Member referred to the devolution agenda and asked if conversations needed to take place about opportunities for potential joint working and the impact and benefits for local services.

RESOLVED:

That;

- a. The Committee considered and noted the update on the progress of the Shared Service and identified any issues they would like to consider in more detail at future meetings.

- b. The Committee considered and endorsed the draft response to the reviews of the delivery of Trading Standards.

Action/further information to be provided:

The Head of Trading Standards agreed to look at the potential of adding the impact of devolution to the draft response. The draft document would be updated and circulated for sign off.

17/15 PERFORMANCE UPDATE [Item 7]

Declarations of interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards

Amanda Poole, Assistant Head of Trading Standards

Phil Dart, Service Director, Buckinghamshire County Council

Yvonne Rees, Customer and Communities Strategic Director, Surrey County Council

Key points raised during the discussion:

1. The Assistant Head of Trading Standards introduced the report which gave details of the performance of the Service since its inception in April 2015. The information covered performance against the six high level agreed indicators, delivery of the benefits anticipated in the business case and in relation to the service budget. It was noted that:
 - Paragraph 2 should read 'In future years the high level PIs would be agreed by the Joint Committee at its spring meetings';
 - In Quarter 1 approximately £28,000 Proceeds of Crime (POCA) income had been received;
 - The minimum income currently projected from PAPs in 15-16 was £100,000. Latest information indicates that this is likely to rise to £140,000 before the end of the year.
2. A Member of the Committee asked about how the service ensured that criminals couldn't hide assets, or claim that assets were worth less than their true value, to protect them from Proceeds of Crime action. The Officer advised that a valuation process was in place and that any revaluation went to the court for agreement. A Member of the Committee asked if there was a timeline for sale of assets. The Officer explained that there was a timeline for sale of assets but the timeline was about to change from 12 months from when the order was made to 6 months. The Committee was told that if assets were released and the defendant didn't pay, a confiscation order could be made and the defendant could go to prison. The Officer confirmed that the defendant would be responsible for the debt for the rest of their life and there were some cases where there were no assets that could be used and times when unfortunately victims did not get their money back.
3. The Service Director referred to the Proceeds from Crime, and asked if there was the potential for the Joint Service to set up a compensation fund using money retained from other cases? The Officer explained that

- was possible in appropriate cases where the victim could not afford to put right any damage caused by a rogue trader.
4. A Member of the Committee said that banks have alerted Trading Standards to of incidents of suspicious activity such as individuals withdrawing large cash sums and asked how close the relationship was between Trading Standards and bank managers in the local area. The Officer advised that various projects had previously taken place to establish links with bank managers but there was the issue of bank managers moving to a different branch. It was acknowledged that ways of reestablishing links needed to be revisited and the Committee was told that the National Trading Standards Scams team work with banks to try to develop a national approach to ensure banks recognised the problem.
 5. A Member of the Committee said that ways of better publicising/utilising staff for volunteer days was highlighted at a recent management meeting at Surrey County Council. Increasing the number of volunteers, especially in Surrey where numbers of trading Standards volunteers was low, was a high priority for the service. The Service Director asked what happened to the extra income from PAPs as the figure reported was markedly different from expected. The Officer advised that the updated figure had only been received this week and would be reflected in future budget projections.
 6. An Advisory Member said that at a recent Community Safety Board meeting, the issue was raised that there were no national statistics that could be shared about psychoactive substances. The Officer explained that the DAAT team in Buckinghamshire had been developing statistics and work had taken place on a strategy to deal with new psychoactive substances (NPS).
 7. A Member of the Committee said the way banks reported any suspicious activity needed to be a priority.
 8. A Member of the Committee asked how the Joint Trading Standards Service would report back to Council/Cabinet i.e. a yearly report. The Officer advised that Surrey County Council had recently agreed that the 6 high level indicators would go on their performance system and that at Buckinghamshire County Council the Indicators were currently reported via the Corporate Team. It was acknowledged that the indicators were from 2014 and needed to be updated.
 9. The Service Director said that providing bank tellers with an onscreen alert of any suspicious account activity was a national issue and asked how this issue could be approached through the joint service.

RESOLVED:

The Committee noted the Service's performance and considered any corrective actions it felt necessary.

Action/further information to be provided:

The Head of Trading Standards agreed:

- i. To investigate the potential for the Joint Service to set up a compensation fund using money retained from other cases;
- ii. To contact Rachel Crossley to follow up ways of better promoting volunteering.
- iii. To follow up the issue of ensuring that banks reported suspicious activity to better protect customers, including scope for an onscreen

alert for bank tellers.

18/15 DATE OF NEXT MEETING [Item 8]

The date and venue of the next Trading Standards Joint Committee was to be confirmed.

Meeting ended at: 1.00pm

Chairman

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