



Appendix 1

Trading Standards Annual Report 2017-2018

1. Supporting and maintaining confidence in the economy

1.1 Primary Authority – helping businesses to get things right

The Service has embraced the 'Primary Authority' initiative whereby businesses can enter into a formal partnership with a local authority and thereafter can seek chargeable business advice on a range of regulatory topics such as food labelling or product safety. The Service now manages over 90 such agreements, with customers ranging from some of the largest in the UK and beyond including Aldi, Wayfair, Decathlon, British Sugar, Thomas Cook and B&M Home Stores, to the smallest start-up businesses based in the county. The management of the Shared Service by Peterborough City has meant that we have been able to bolt on Peterborough City Council's Environmental Health advice services to the advice we are able to provide to our Primary Authority customers

Such has been our success that the Service is now recognised by the Office of Product Safety and Standards (OPSS) as one of the top 10 providers of Primary Authority advice in the UK.

1.2 Better Business for All agenda

A 'Better Business for All' collaboration has been established in Cambridgeshire, this being a model backed by the Department for Business, Energy and Industrial Strategy (BEIS). The model aligns well with Cambridgeshire and Peterborough Combined Authority aspirations, and includes representatives from each District Council, Trading Standards, Signpost 2 Grow, and BEIS. The purpose is to look at how we can better support businesses in terms of regulatory compliance e.g. through the availability and ease of access to advice online or in person, through increasing their understanding of the roles of each regulator, through improving the image of regulation etc. The collaboration is at an early stage but we hope to be able to report on some positive improvements in next year's report. We recognise that many Councillors come from business and enterprise backgrounds so your input into this collaboration would be very welcome.

1.3 28% of Public Weighbridges fail Trading Standards test

Cambridgeshire and Peterborough Trading Standards checked all public weighbridges in Cambridgeshire, Peterborough and Rutland and found nearly a third were inaccurate. All weighing equipment has permitted limits of error; small percentages they have to be within in order to be considered accurate. Of the 25 bridges tested, 7 were found to be outside these tolerances so failed. Some had to be taken out of service immediately, and those with lesser issues were given 28 days to have equipment repaired and re-verified. All issues were caused by insufficient maintenance and cleaning.

Weighbridges can be critical to business operations and profits. Industries such as sand and gravel quarries, logistics companies, food factories, grain merchants and landfill rely on them measuring quantities accurately. Such

inaccuracies can mean significant losses for such businesses or their customers depending on whether the scales are measuring over or under the actual weight.

1.4 Bourn Bank Holiday Market

The sale of counterfeit and unsafe products at Bourn Bank Holiday markets continues to be a challenge for the Service. Last year we prosecuted yet another trader, who pleaded guilty and was given a sentence of 16 months prison suspended for 2 years with 200 hours community service. The Service has commenced proceedings to recover the proceeds of his crimes. These crimes cause tremendous damage to the businesses and livelihoods of legitimate traders, and the thanks and praise we receive from the honest traders at Bourn market is testament to this.

1.5 Op Boarma

Op Boarma is a national initiative being led by National Trading Standards to tackle counterfeits and unsafe products on markets nationwide. The proposal was first put forward by Cambridgeshire and Peterborough Trading Standards and puts the onus on major market organisers operating at a national level to ensure traders at their markets are operating within the law. Failure to do so will lead to prosecution. The traders dealing in counterfeits are part of large scale organised crime gangs and therefore prosecuting the individual sellers will not address the problem long term. It is only if we remove the platform through which they sell these counterfeits that we will be able to make an impact on this criminal activity. Officers are attending each Bank Holiday market at Bourn to carry out market surveillance and enforcement disruption activities, with the Intelligence being fed into the national data to support Op Boarma.

2. Protecting the health and wellbeing of people

2.1 Trading Standards has a statutory duty to enforce over 100 pieces of legislation, and a large number of these statutes are there to protect the health and wellbeing of consumers. Below are a number of examples of work carried out last year that demonstrate the breadth of these interventions which help to keep residents safe on a daily basis.

2.2 Tackling Illicit and unsafe tobacco

The Service has been working closely with HMRC to tackle the supply of cheap non-duty paid tobacco in Fenland. As part of this work, at the end of September simultaneous raids took place at retail premises in March and Wisbech in conjunction with HMRC and their sniffer dogs. These raids resulted in seizures from 3 shops, as well as the removal of 2 cars used for the storage and concealment of illicit tobacco. This was part of a larger joint Trading Standards/HMRC operation across Cambridgeshire and Peterborough, which in 2 days uncovered 240,000 illicit cigarettes and 34.85kilos of hand-rolling tobacco from 12 premises and 3 vehicles. In addition to the loss of an estimated

£72K in tax on this specific haul (with annual national losses resulting from illicit tobacco estimated to be in the region of £2.4bn), many of these illicit cigarettes don't self-extinguish as is the requirement for legitimate cigarettes, leading to a high risk of house fires.

2.3 Protecting consumers from allergens in food

It is estimated that 1-2% of adults have a food allergy and 5-8% of children, equating to around 2 million individuals in the UK. In March we commenced an investigation into a Cambridge hotel following a complaint from a customer who had ordered a meal described as 'nut free' but which was found to contain nuts, an error which could have proved fatal. The investigation is continuing, corrective action is taking place at the hotel and we have begun a series of inspections at similar premises to assess compliance.

2.4 Ensuring banned food colourings do not make it onto our plates

The Service carried out a sampling programme investigating the presence of restricted food colourings in foods served by takeaways in Cambridgeshire. Every sample taken was found to include or exceed the limits set in the legislation. The legislation was introduced to protect public health as the restricted colours can cause hyperactivity, asthma and, with long term consumption, even cancer. Every participating takeaway was brought into compliance but we suspected there would be continuing issues with those we hadn't been able to inspect. As a result a press campaign was initiated, and as well as achieving comprehensive coverage in the local press we were delighted to be invited onto BBC Radio Cambridgeshire's breakfast show to raise the profile of the issue.

2.5 Fireworks seized from a van parked in a residential area

Due to the serious risk of harm, both to persons and property, from fireworks there are strict requirements in place in relation to the types of containers that fireworks can be stored in as they have to be strong enough to withhold the fireworks if they were to ignite. In addition, premises storing fireworks have to be licensed by us to ensure appropriate safety practices are in place. Nevertheless, weeks ahead of bonfire night, officers seized approximately £2000 worth of fireworks being stored illegally in a van near March, they were being offered for sale on social media. Large rockets and multi-shot 'cakes' were being stored in close proximity to the fuel tank in a vehicle in a residential area, thereby posing a tremendous risk to the public and properties in the vicinity. In this instance none of the fire safety provisions were being adhered to.

2.6 Protecting children from dangerous and toxic toys

Toy safety continues to be a high priority for the Service, with unprecedented numbers of unsafe or untested products entering the UK market from China. With sudden 'crazes' for certain toys and child-appealing products, regulators find it challenging to ensure products are safe before they take a hold, particularly as so many are sold through mediums such as eBay. Hover boards

and slime are prime examples of this. As part of a toy safety test purchasing project, a number of counterfeit toys were purchased from an eBay seller which led officers to search a property in Cambridge. There they uncovered over 5000 toys ready to be sold. The toys were examined by experts and were confirmed as counterfeit and unsafe. For example a Big Hero 6 figure was found to contain more than 200 times the legal limit of phthalate - industrial chemicals known to be toxic if ingested. The trader denied having any other storage facility for the toys but one was found and it was clear from CCTV it was emptied soon after the house was searched. The trader was sentenced to 6 months in prison, suspended for 2 years, 250 hours unpaid work and disqualified as a director for 2 years by Cambridge Crown Court on 16th January. Trading Standards are now pursuing him under the Proceeds of Crime Act. In addition to the alarming safety aspect of this case, this criminal behaviour impacts on legitimate businesses who pay their taxes and work hard to ensure they are selling safe and legitimate toys.

2.7 Ensuring public safety at petrol filling stations

Petrol stations pose a risk not only to public safety as a result of the flammable nature of fuel and the fumes it emits, but also to the environment through the risk of fuel seepage. As a result Trading Standards is responsible for the licensing of petrol stations.

Last year officers uncovered seepage from the petrol tanks at the Sainsbury's Coldhams Lane. The seepage had been taking place for a considerable time, but the secondary core had managed to contain the fuel up to that point. Consequently Sainsburys were required to carry out extensive work to remedy the fault.

Weeks later, following consultation on plans for a new Morrisons site in St Ives officers raised concerns about the proposed use of overground fuel tanks rather than the more conventional underground ones. Whilst overground tanks are permitted, there are additional public safety concerns which, when challenged, had not been correctly considered. As a result of extensive negotiation, the plans were changed and underground tanks installed.

2.8 Tackling traders who put customer safety in jeopardy

The installation of gas appliances is now a heavily regulated area due to the extreme risk to public safety if such work is not carried out to a high standard. Nevertheless the service received allegations relating to unsafe gas boiler installations across Cambridgeshire by a trader called Gareth Redford. Investigations found that in his spare time he had ordered and fitted gas boilers which he was not 'Gas Safe' registered to do despite his claims. In a prosecution brought by Trading Standards and the Health and Safety Executive, Redford, who was described by the Judge as a 'classic cowboy plumber', was sentenced to 16 months in prison.

2.9 Nicotine Inhaling Products (NIPs)

As a result of rapid growth in the NIPs market, the Department of Health funded a series of inspections to check legal compliance across the market as a whole, with funding made available for sampling in Cambridgeshire. Approximately 10 products were sampled from each premises comprising E liquids or vaping merchandise, with each product being inspected for compliance. Every issue identified was referred to the local Trading Standards Service and to the manufacturer/importer as appropriate, with numerous issues found in relation to labelling. In addition to the funded work, samples of e liquids were taken and analysed for the presence of undesirable substances and nicotine strength. Of the 16 samples taken one had high levels of acetyl propionyl and acetoin, which are both flavour ingredients that the Medicines and Healthcare products Regulatory Agency (MHRA) have advised against.

2.10 Keeping the UK Rabies-free

Trading Standards are responsible for enforcing animal disease prevention and control measures. One of these diseases is Rabies, a potentially fatal disease transmissible from animals (such as cats, dogs and bats) to humans.

We have seen a rise in puppies and 'rescue' dogs coming to the UK from Eastern European countries where Rabies is endemic. To prevent the incursion of the disease into the UK we have taken time to educate our vets about fake pet passports, and to contact us if they have suspicions on any non-compliances with the rules.

One example of this effective working arrangement was when a vet advised us of a puppy she had seen in the surgery for which she believed the passport was not compliant. Puppies are required to be micro-chipped then vaccinated for rabies at no younger than 12 weeks of age. The puppy has to remain in the originating country for 3 weeks before travelling to the UK. This Shiba Inu was from Romania and had been vaccinated at 10 weeks old, so would not have been effectively protected against Rabies. Officers went out to the owner's house where it was explained to her that the puppy was in the UK illegally and would need to be re-vaccinated and put into an authorised quarantine kennel for 3 weeks, costing the new owner in the region of £1000 (on top of the £850 she had already paid for the puppy), and a great deal of upset. The quarantine kennel was contacted and an authorised carrier came and removed the puppy under the officers' supervision.

2.11 Safety at Sports Grounds

There are national safety provisions in place to regulate sports grounds and stands above certain capacities and size. Modern sports grounds are often multi-use with a mix of sporting events, and other types of entertainment such as music events taking place at venues. Trading Standards inspect both grounds and standards to ensure compliance with safety standards.

3. Supporting and protecting vulnerable people

3.1 Tackling rogue traders in Cambridgeshire continues to be a priority for the service. They deliberately prey on the vulnerable, and once a victim has been scammed, the rogue trader invariably visit them time and time again, trying to illicit further money from them. They also share the details of victims with acquaintances who will also then target a victim. Tragically each year we come across cases where victims have lost their life savings to these criminals, and the mental harm can be more damaging still.

3.2 Rogue trader prosecutions

A Cambridgeshire resident had arranged for Jazz Beach from Meldreth to build an extension to her home ahead of her knee surgery. What he built was of such poor quality it left her house inaccessible and had to be demolished. She had to use a significant proportion of her pension to have the work re-done and the ordeal had left her terribly distressed. The Service successfully prosecuted him and he was sentenced to 26 weeks in prison, suspended for 18 months, and ordered to pay £10,000 in compensation and £600 in costs. In addition, he was ordered to complete 200 hours of unpaid community work and was issued with a rehabilitation activity requirement.

3.3 In a separate case, an elderly Cambridge victim had employed JKJ Property Services (Jobie Newland) of Sandy Park, Fen Road, Cambridge) to fix her gutters. Newland convinced her that she also needed urgent repairs to her flat roof and quoted £6,000. After the work was completed, the lady noticed water leaking and damage. Newland and his labourer returned twice to fix the roof and when she couldn't get hold of him for a third time she called in another roofer who alerted Trading Standards. The Service commissioned a surveyor who reported the work was not carried out in accordance to the invoice as 'torch on' rubberoid had not been used, only 25mm insulation was put in place rather than 100mm and he said it would cost £14,500 to repair. He also noted that gaffer tape had been used to repair the leaks. Newland pleaded guilty to a fraud offence at Peterborough Magistrates court. The bench took a very serious view of the offending due the significant financial loss and the age of the victim. Newland was sentenced to nine weeks imprisonment suspended for one year, 120 hours unpaid work and ordered to pay £2,000 compensation.

3.4 Other rogue trader prosecutions included:

- Jack Price who pleaded guilty to rogue trading offences when he appeared at Peterborough Magistrates' Court. He was sentenced to 150 hours of community work and was ordered to pay £662 compensation, £1,500 costs and an £85 victim surcharge.
- Christopher Ferreira t/a CB Property Maintenance who pleaded guilty to 3 offences having failed to complete various building work for customers. He was ordered to pay £1100 in compensation and £700 costs.
- Jimmy Holmes, who was prosecuted for Fraud offences, pleaded guilty and was given a community order.

3.5 In addition to prosecuting those perpetrating these crimes, the Service also endeavours to recover money paid to these criminals on the victim's behalf. In

2017/18 our interventions led to the clawing back of £56,670 for Cambridgeshire and Peterborough victims.

- 3.6** Furthermore the Service strives to reassure victims about their future security by installing memo cams. These help to deter further attempts by rogue traders to extract money from vulnerable victims (a common practice), and also helps us to identify further offenders and share Intelligence with wider enforcement authorities.

3.7 Tackling rogue trading through partnership working

The Service has always worked closely with the Police to tackle rogue trading in the County, and in September 2017 a new Banking alert mechanism was introduced which notifies the police of large cash withdrawals by elderly people where it is suspected a rogue trading offence may be taking place. Trading Standards have had an informal alert arrangement in place with local banks for many years, so the team has been providing advice to the Police and supporting them with their investigations.

The Service has also met with senior members of Adult Social Care as part of the Op Signature work with the Fraud and Cyber Crime Team at Cambs Police. More referrals are being made and received from the Multi-agency Safeguarding Hub (MASH) so those relationships are improving.

3.8 Unlawful selling practices targeting the vulnerable

A company based in Peterborough who mis-sold and pressure-sold furniture to elderly and vulnerable people all over the UK was successfully prosecuted by the Service. This led to the sentencing of the Directors to 12 months and 9 months imprisonment respectively, the sentencing of the Sales Manager to 9 months imprisonment, marketing Manager to 6 months imprisonment, plus suspended sentences and Community Orders for three Sales Demonstrators after guilty pleas. These 7 were all issued with Criminal Behaviour Orders lasting for 5 years each. A number of other canvassers and demonstrators that worked for the company also accepted Cautions and Enterprise Act undertakings as alternative enforcement outcomes.

4. New for this year

4.1 Actively marketing our Financial Investigation services to wider teams

In the first three quarters of 2017-18 over £26,000 in asset recovery incentivisation scheme monies were received, 4 restraint orders were granted by the Crown Court to preserve assets, a cash seizure was made on a rogue trader investigation and a money laundering conviction was secured. In addition £3,500 was received from law enforcement partner agencies for financial investigations services we had provided to support their own investigations. To further develop these income streams in 2017-18 we entered agreements with South Cambs District Council and Huntingdonshire District Council to provide ongoing Financial Investigation support to their Housing teams. In the

forthcoming year we will be looking to roll this out further, offering these services to the other District Councils in Cambridgeshire and also to relevant teams within Peterborough City Council

4.2 Delegating Energy Performance Certificate enforcement powers to the Districts

Following a paper approved by Members, we are in the process of delegating Trading Standards enforcement powers for Energy Performance Certificates to the District Councils, the rationale being that the Districts frequently deal with private landlords and their tenants as a result of their duties so are well placed to identify breaches and take enforcement action where appropriate.

4.3 Matrix for the prioritisation of incoming work streams

As a result of service demand pressures a matrix has been introduced for assessing and prioritising all new cases and alleged legislative infringements reported to the service. The matrix uses a traffic light system to determine whether it requires urgent attention, further investigation or whether it should be logged for Intelligence. Prioritisation of the work we do can be challenging due to the breadth of areas we deal with, we are rarely comparing like for like.

5. Challenges for the forthcoming year

5.1 Recruitment

We are a high performing authority with a strong reputation nationally and that is all due to having a good staffing team. However, such a position has its drawbacks and we have lost two officers to career development opportunities elsewhere in the last financial year, and are due to lose one of our managers imminently as she joins a Government office. Recruitment to one post was successful, but recruitment to another has proved challenging, with a seemingly decreasing pool of skilled staff available.

5.2 Illegal imports

Illegally imported pets continue to be an issue for the Service, as well as for the nation as a whole, with each animal posing a risk to the Rabies-free status of the UK. Predominantly these pets are imported by dealers, and sold to innocent buyers in Britain on websites which purport to be selling a single family pet. Some have fake passports and have received no vaccinations, others have been vaccinated too young for it to be effective. We are launching a project this year to identify any such websites/social media sellers operating within Peterborough with a view to tackling this criminality.

5.3 Reduction in government funding

We have seen a reduction in the grant feed funding received from the Department for Environment, Food, and Rural Affairs this financial year. Funding from the Food Standards Agency for food sampling was ended two years ago. The result of reduced funding is a decrease in regulatory activity in relation to feed and food standards, that which takes place is risk and 'intelligence' based. The focus for the Service increasingly is expanding on revenue generation through selling services as against relying on external funding to support service delivery.

5.4 Modern day slavery

We are committed to tackling modern day slavery and will endeavour during the course of the forthcoming year to uncover any instances of this taking place at premises visited or being perpetrated by businesses or individuals under investigation. Detection of such crimes is challenging, with much of it being committed by organised crime gangs, but we recognise we are in an unrivalled position of having powers to enter otherwise uninspected business premises, and will ensure our officers have the knowledge and skills to detect such crimes.

5.5 Securing the future of Primary Authority within the Authority

The Primary Authority market is becoming increasingly competitive, with fierce competition to secure agreements with the larger retailers, wholesalers and manufacturers. We remain one of the leading authorities in this field, but to retain this position it is critical that we are appointed as one of the Department for Business Energy and Industrial Strategy's 'Strategic Partners' in their selection process later this year.

5.6 New Regulatory responsibilities

There has been a number of regulatory provisions introduced in recent years imposing new burdens on those bodies given the responsibility for enforcing them. In the case of Trading Standards, such burdens have included environmental legislation covering energy labels and microbeads, neither of which have been accompanied by any Government funding.

6. Performance

6.1 Performance against target response times

Details	Target/Response	Year 1 of shared service
Request for information under the Freedom of Information Act	20 business days	100%

Service Requests from businesses and other external organisations	First response within 5 business days	89% ¹
Consumer complaints about businesses	First response within 5 business days	96%
Safety complaints involving serious injury or damage	First response within 24hrs from notification received and acknowledged by PCC.	100%
Ongoing Doorstep crime	First response within 24hrs from notification received and acknowledged by PCC.	100%
Livestock welfare issue	First response within 24hrs from notification received and acknowledged by PCC.	100%
Illegal landing	First response within 24hrs from notification received and acknowledged by PCC.	100%
Statutory returns	All statutory returns to meet statutory time periods or arrangements as agreed	100%
Food Standards inspections/interventions	Completion of 100% of inspections detailed for a planned inspection within the FSA Food Plan	100%
Feed Standards	Completion of 100% of inspections detailed for a planned inspection with the FSA Feed Plan	100%
Food, Feed, Animal Health	Complete 100% of inspections/samples in line with funding requirements	100%

6.2 Performance against benchmarks

6.2.1 Rogue trading

Number of rogue trader reports/enquiries received and responded to in Cambridgeshire, e.g. installation of memo cam, investigation, prosecution, referral, disruption of criminal activity:

	2015/16	2016/17	2017/18
Consumer complaints/reports responded to	19	14	14
Business complaints/requests for service responded to	36	37	33

Number of rogue trader early interventions leading to a reduction in the amount of money lost by the consumer:

¹ We have addressed the issues affecting our response times, and in Q4 of last year our response rate was 97% and in Q1 of this financial year it was 95%

2015/16	2016/17	2017/18
9	7	12

6.2.2 Investigations

Number of prosecutions cases opened:

2015/16	2016/17	2017/18
32	36	17

6.2.3 Finances

The end of year financial outturn for 2017/18 due to increased income levels exceeded the forecast at the beginning of the year, and delivered savings of £76,000. There is an agreed savings target of £58,000 for 2018/19, which the Service is on track to meet.