

CAMBRIDGESHIRE AND PETERBOROUGH TRADING STANDARDS SHARED SERVICE ANNUAL REPORT

To: **Communities and Partnership Committee**

Meeting Date: **6 August 2020**

From: **Catherine Pawson, Head of Operations, Trading Standards**

Electoral division(s): **All**

Forward Plan ref: **N/A** *Key decision:* **No**

Purpose: **To update the Committee in the form of an annual report on the work being delivered for the County Council by the Cambridgeshire and Peterborough Trading Standards Shared Service.**

Recommendation: **The Committee is invited to:**

Comment on any aspect of the service being delivered by the Cambridgeshire and Peterborough Trading Standards on behalf of Cambridgeshire County Council.

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1. BACKGROUND

- 1.1 On 1st April 2017 Cambridgeshire County Council's Trading Standards Service merged with Peterborough City Council's Trading Standards Service to become 'Cambridgeshire and Peterborough Trading Standards', overseen by Peterborough City Council's Head of Regulatory Services. The Shared Service also provides the trading standards function for Rutland County Council.

It was agreed that trading standards would bring an annual update report to Committee to keep Members informed of activities and to provide the opportunity for Members to steer priorities and direction of the service within Cambridgeshire.

Regulatory Services is part of Communities and Partnerships which sits within the People and Communities Directorate. The Service consists of Coroner Service, Environmental Health, Licensing, Cambridgeshire Registration Service and Trading Standards. All but the Registration Service are shared services.

As the Service has moved from the Economy and Environment Committee to the Communities & Partnership Committee this year, **Appendix 1** provides Members with an overview of the functions of the Service by way of an introduction to the Service. **Appendix 2** provides the Annual Report. **Appendix 3** provides details of how constituents and local businesses can seek advice for future reference.

2. MAIN REPORT

2.1 Supporting and maintaining confidence in the economy

Primary Authority

The 'Primary Authority' initiative introduced by Government allows businesses to enter a formal partnership with a local authority to receive assured regulatory advice direct from that authority. Under this initiative businesses pay for the advice they receive.

Advice is sought early on before decisions are made, allowing the business to make major commercial investments in the knowledge that they will be fully compliant and protected from challenge by other authorities.

Trading standards have enhanced the offering to business further by partnering with Peterborough City Council's Environmental Health and Licensing to create a single point of regulatory advice and Primary Authority services. A brand has been developed for this collaboration – Regulatory Companion – to enable the Service to compete with other Authorities and continue to win business.

The Service has over 100 clients, including Aldi, B&M Home Stores, John West, Hotel Chocolat and British Sugar as well as small local businesses who recognise the benefits of getting up front advice.

Better Business For All (BBFA)

The Cambridgeshire 'Better Business for All' collaboration, incorporating trading standards, environmental health from all 5 Districts as well as Peterborough, Combined Authority Growth Hub and the fire service, strives to ensure our regulatory approach supports growth within the County, and has links with a number of leading business organisations including Chamber of Commerce, Federation of Small Businesses, Business & IP Centre and the Institute of Directors.

Early work streams have included a large networking event, enabling regulators and other business advice and support organisations to get a greater understanding of each other's services thereby enabling more holistic support to be provided through more effective signposting. Using BBFA funding 3 videos were produced to help businesses understand how regulation impacts on the business and how they can get support to comply with the regulation.

Protecting Legitimate businesses

The Service has had a number of successful prosecutions over the past 12 months, examples include;

- A major car dealer in Peterborough for selling clocked cars with the Director receiving a suspended prison sentence, a costs order of £6500, and the company receiving a fine of £4000 and costs order of £10,000.
- A counterfeiter was ordered by the Courts to pay back the proceeds of her crimes following a conviction for selling counterfeit fashion goods at Bourn market, this equated to £31,571.
- In a second counterfeit case courts ordered the defendant to pay £95,000 representing the proceeds of his crimes. He failed to do so, therefore received a 459 day prison sentence. After serving this sentence he is still required to pay the ordered sum.

There are also two large scale counterfeiting cases, one illicit tobacco case and five rogue trader/fraud/money laundering cases in the court system at present.

Animal Welfare and Disease Control

Trading standards are responsible for ensuring animal welfare is upheld by farmers across the county and have an inspection programme to check regulatory compliance.

Following a successful conviction in 2017 and a number of subsequent interventions, the Service successfully prosecuted a farmer in Cambridgeshire for a second time for animal welfare and animal by-products offences. Peterborough Magistrates Court issued a suspended prison sentence, disqualified him for keeping livestock for life and awarded the Service £5000 in costs. He has lodged an appeal which is waiting to be heard.

Trading standards is a primary responder for all notifiable animal diseases including Swine Fever, Foot & Mouth, Avian Influenza, Rabies and African Horse Sickness. The Service is responsible for delivering the local response in terms of containing the

disease and eradicating it.

The authority's animal disease contingency plan was updated to incorporate a shared decision making structure across Cambridgeshire and Peterborough, and the plan was tested in an animal disease exercise in November 2019, proving very effective.

The Service are also responsible for dealing with animals illegally entering the country without the relevant disease vaccinations. In November officers detained a French bulldog puppy from a property in Ramsey and placed it in quarantine. The puppy had been illegally imported into the UK from Poland under a false passport and presented a rabies risk due to invalid vaccinations.

2.2 Protecting Health and Wellbeing

Product Safety

Product safety complaints have been increasing at a steady rate over the last 18 months, with the ports referring matters of concern to us. Last year the majority related to unsafe electrical products.

With safety a priority for the Service a number of projects were carried out in 2019/20, including looking at electrical items being sold in charity shops to check they had been appropriately safety tested, a nursery and baby equipment safety project looking at items such as high chairs and booster seats, and a second hand tyre safety project.

Food Standards

Trading standards has regulatory responsibilities from farm to fork, ensuring that the food is safe to consume, each year the Service completes a comprehensive inspection regime to ensure standards are upheld. In May the Service prosecuted Arundel Hotel in Cambridge following a complaint from a customer who had ordered a meal described as 'nut free' but which was found to contain nuts. The Service subsequently carried out a sampling programme to test allergen compliance at other food establishments. It found that 26% of foods described as 'free from' certain allergens did in fact contain the specified allergens. A programme of work will address this.

Safety at Sports Grounds

The Authority is responsible for the issuing of Safety Certificates to the football league grounds and to any sports grounds with covered stands that hold 500 or more, without which the grounds cannot legally open. Safety at these grounds is assessed through a combination of periodic inspections at the sports grounds as well as the Chairing of the multi-agency Safety Advisory Groups.

Increasingly sports grounds are diversifying with many now using the grounds as live music venues bringing with it additional challenges in terms of spectator safety.

Illicit tobacco and underage sales

Two multi-agency days of action were funded by Public Health where trading

standards, Her Majesty's Revenue and Customs, Fenland District Council, the fire service and the police simultaneously entered and searched a number of premises linked to these crimes, seizing 37,000 cigarettes and 7.5kg of hand rolling tobacco. Subsequently one warrant was executed resulting in a large seizure of illicit cigarettes, a license review was carried out resulting in a warning from the Licensing Committee, and 6 investigations commenced, one of which is currently awaiting trial.

Public Health also provided funding to carry out some underage test purchasing work in Cambridgeshire. Officers took underage volunteers to shops in Fenland, Huntingdonshire and Cambridgeshire, 24 in total, and unfortunately there was a 46% failure rate. These businesses received a formal letter advising them of the sale, the applicable offences and reminding them of their legal obligations. Their details have been added to our intelligence database for future monitoring. If further compliance issues are found it may be necessary to put the offenders before the courts.

2.3 Supporting and protecting vulnerable people

Rogue Traders

Rogue traders deliberately prey on the vulnerable, and once a victim has been scammed, they invariably visit them time and time again. Last year the Service successfully convicted a number of rogue traders.

In one case the defendant received two year suspended prison sentence, ordered to carry out 200 hours of unpaid work, and ordered to pay £35,000 in compensation and £10,000 costs to be paid within 2 years.

The second was a trader from Essex was ordered to pay £21,993.61 compensation after pleading guilty to money laundering offences. Officers were alerted to the criminal activity after a Cambridgeshire victim came forward. A financial investigation followed which uncovered a series of rogue trader incidents across Cambridgeshire, Essex and North London with victims being almost £54,000 out of pocket after being approached on their doorsteps with offers of gardening or building work that were unnecessary, incomplete or grossly over-priced.

2.4 Service activity during Covid-19

Support to businesses

Enforcement powers for the business closure regulations were shared jointly between ourselves and Environmental Health departments at District level. It was agreed that trading standards would lead on advising businesses who were unsure if the regulations required them to close, and environmental health would be responsible for enforcement. There were a number of grey areas which caused confusion for businesses, the Service provided advice to 266 businesses free of charge during this time, clarifying for them whether they could continue to operate and if so, how to do so safely.

In addition the Service provided a wide range of advice to businesses who were facing new compliance challenges as a result of Covid-19 e.g. break-down in usual supply

chains affecting the labelling of their products, and also those who were looking to diversify as a result of Covid-19 for example importing face masks. Comprehensive FAQs were provided on our webpages to help businesses to address the many compliance challenges they were facing.

Digital information packs will be developed for new and diversifying food businesses, providing them with easy to follow advice on the Food Standards (trading standards) and Food Hygiene (environmental health) requirements for their business. Online self-assessment for food businesses will also be developed enabling them to check their own compliance, giving them that confidence that they are doing things right ahead of any call or inspection by a regulator.

As sports ground have begun to lift restrictions and allow limited numbers of people into the stands, officers have been working closely with them to ensure the safety of those entering the ground is still upheld and issuing new Safety Certificates to reflect the limited use of such stands.

Personal Protective Equipment (PPE)

Officers shut down the website of a sham business offering 'Covid home testing kits' in the first few weeks of the disease outbreak at a time when no approved kits were available to the public. Officer intervention also led to another website being shut down that had mirrored the genuine website of a PPE business in Cambridge.

Non-compliant PPE has become widespread during the pandemic, the Service have proactively been searching online for local companies selling products to check the compliance of their products, and providing them with advice and guidance or referring products of concern to the Health & Safety Executive for further investigation where appropriate.

To help care homes and businesses identify genuine, compliant PPE guidance was published on the council webpages, giving them step by step instructions on what to look for.

Trading standards has vetted PPE products procured for the councils ensuring staff who remained operational at the height of Covid-19 were given the expected level of protection from their PPE. At a time when non-compliant PPE was widespread, this role was vital.

Increase in Rogue Trading

Once lockdown was lifted there was a fairly steep increase in the number of rogue trader incidents being reported to ourselves and the police. As a result a communications campaign has commenced, comprising of a series of ongoing messages that will be pushed out through our media teams and the 'Friends Against Scams Partnership'. These crimes are hugely under-reported and residents must be provided with the information they need to be able to turn suspicious callers away at the door, as well as the confidence to report the matter if they have not been able to do this.

Redeployment

Three officers were redeployed to other roles to assist the authority in delivering services to the vulnerable. One officer was redeployed to Adult Social Care and provided care to a range of elderly and vulnerable people living in Cambridge; another was redeployed to work in one of two hotels set up in Peterborough to house the homeless; and the third was redeployed to work at the Countywide Coordination Hub, dealing with an enormous range of enquiries from members of the public. It is fair to say these experiences have had a tremendous impact on them, emotionally but also positively through having a sense of having helped people in their time of need.

2.5 Future Challenges

Covid-19 Impact

Covid-19 will continue to present ongoing challenges whether that be regulating Government restricted activity and business operations, supporting Test and Trace locally, managing the longer term financial impact or service delivery within a Covid secure operational environment.

Recruitment and Training

In 10 years the Service will have lost a quarter of the team to retirement. The issue is compounded by the increasing shortage of officers available to recruit which has made recruitment very difficult in the last couple of years. As a result the Service are in the process of designing a comprehensive succession planning strategy to upskill those within the team in readiness for them stepping up to these senior roles in the future. As well as looking to invest in apprentices funded through proceeds of crime awarded by the court.

Legal Budget

From a financial perspective the legal costs present the biggest challenge and risk with some cases lasting several weeks in Crown Court. To date the service has been able to fund such cases out of core budget or from additional national funding for specific investigations of a regional or national interest.

2.6 Performance

Awards

The Service is recognised nationally as a lead authority in the provision of Primary Authority advice and was a finalist in the Office of Product Safety and Standards (OPSS) 'Regulatory Excellence Awards' in 2019. In addition, staff within the Service were recognised for their excellent performance during 2019 by being awarded Peterborough City Council's Team of the Year, as well as a member of the team being shortlisted for Individual of the Year.

Value for Money

For a number of years the Service has been proactive in generating revenue to offset the cost of the Service. Initially this was through Primary Authority which last year generated £110,000 and offsets the cost of the business advisers, making the business advice services cost neutral. Proceeds of crime work also generates sufficient asset recovery that it is entirely self-financing. In addition Public Health provided £25,000 in 2019/20 to fund the work on illicit tobacco and underage sales. Each year funding in the region of £12,000 is secured from Department for Environment, Food & Rural Affairs to deliver a certain number of feed inspections, and additional funding is available this year from National Trading Standards to trial a new remote system of feed inspections which the Service will also be looking to participate in. The Service also secure funding from the OPSS to carry out product safety testing and apply for funding assistance on major prosecutions from the Tri-Regional Tasking Group. Furthermore successive grants from the OPSS via the Better Business For All collaboration have been secured, enabling the Service to drive forward innovation without cost to the authority.

Response Targets

A comparison of performance between 2018 and 2019 can be seen below:

Details	Target/Response	2018/19	2019/20
Service Requests from businesses and other external organisations	First response within 5 business days	96%	93%
Consumer complaints about businesses	First response within 5 business days	99%	97%
Safety complaints involving serious injury or damage	First response within 24hrs from notification received and acknowledged by PCC.	100%	100%
Ongoing Doorstep crime	First response within 24hrs from notification received and acknowledged by PCC.	100%	100%
Livestock welfare issue	First response within 24hrs from notification received and acknowledged by PCC.	100%	100%
Illegal landing	First response within 24hrs from notification received and acknowledged by PCC.	100%	100%
Statutory returns	All statutory returns to meet statutory time periods or arrangements as agreed	100%	100%
Food Standards inspections/interventions	Completion of 100% of inspections detailed for a planned inspection within the FSA Food Plan	100%	100%
Feed Standards	Completion of 100% of inspections detailed for a planned inspection with the FSA Feed Plan	100%	100%

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

There are no significant implications for this priority although undoubtedly the work of

the Service contributes to this priority.

3.2 **Thriving places for people to live**

See wording under 3.1 above

3.3 **The best start for Cambridgeshire's Children**

There are no significant implications for this priority.

4. **SIGNIFICANT IMPLICATIONS**

4.1 **Resource Implications**

There are no significant implications within this category.

4.2 **Procurement/Contractual/Council Contract Procedure Rules Implications**

There are no significant implications within this category

4.3 **Statutory, Legal and Risk Implications**

There are no significant implications within this category

4.4 **Equality and Diversity Implications**

There are no significant implications within this category

4.5 **Engagement and Communications Implications**

There are no significant implications within this category

4.6 **Localism and Local Member Involvement**

There are no significant implications within this category

4.7 **Public Health Implications**

There are no significant implications within this category although some aspects of our work do contribute to Public Health outcomes.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Theresa Tilley
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes Name of Officer: Gus De Silva
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes Name of Legal Officer: Fiona McMillian
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Adrian Chapman
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Matthew Hall
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Adrian Chapman
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Tess Campbell

Source Documents	Location
Cambridgeshire and Peterborough Trading Standards Annual Report 2019-2020	https://cambridgeshire.cmis.uk.com/ccclive/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1050/Committee/5/Default.aspx