



## Appendix 1

# Trading Standards Annual Report 2018-2019

## **1. Supporting and maintaining confidence in the economy**

### **1.1 Brexit – providing clarity and support for local businesses**

The impact of Brexit is a concern for businesses nationwide, and as regulators we have an important role in providing clarity for businesses on what it means for them in terms of their compliance.

The Head of Regulatory Services for Peterborough City Council which incorporates the Trading Standards Shared Service, is taking the lead on 'Regulation' for Cambridgeshire and Peterborough's Brexit taskforce. The role is responsible for planning for the 'regulatory' impact of Brexit across both Authorities, as well as recognising what support our local economy needs and putting that in place. In terms of regulatory activity associated with ports of entry and its impact on us as an Authority, and others across the region there has been liaison with the Eastern Local Government Association.

In terms of business support, in November or later depending on the Brexit outcome, we will be hosting a multi-Regulator Brexit event in Cambridge for businesses. At the event will be local and national regulators explaining to local businesses what the practical implications are for their businesses. We are currently surveying businesses to determine the subject matters that are of greatest concern to them so that we can tailor the event to fit with their needs. Members are very welcome to attend and to share the details of the event with local business contacts and constituents. In addition, a range of training packages, both general and bespoke, will be offered to local business by Trading Standards to help them understand and adapt to the changes to the regulatory landscape.

### **1.2 Primary Authority – helping businesses to get things right**

The 'Primary Authority' initiative was introduced by Government and allows businesses to enter a formal partnership with a local authority and thereafter seek regulatory advice direct from the Authority. This has marked a key change in regulation, aligning businesses and regulators as partners, working together to ensure ongoing compliance within the business. 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.

Already recognised by Government as a national lead in the provision of Primary Authority, the shared Trading Standards Service has now partnered with Peterborough City Council's Environmental Health and Licensing Teams to form the 'Regulatory Companion' – a single point of regulatory advice and Primary Authority services for businesses.

Regulatory Companion has over 100 clients, including Aldi, B&M Home Stores, John West, Hotel Chocolat and British Sugar. Discussions with Anglian Water are likely to result in a new 5 year deal which will see Trading Standards use its regulatory powers and influence to reduce water consumption and waste within the commercial sector. Increasingly we are subject to a competitive interview processes to secure major

companies as partners, and to support this the 'Regulatory Companion' brand was created along with supporting presentation materials to increase our competitive edge (see Annex 1).

Earlier in the year the Service was a finalist in the Office of Product Safety and Standards (OPSS) 'Regulatory Excellence Awards' for our work in this field and the Chief Executive of the OPSS wrote directly to our Chief Executive to personally commend our work.

In 2018/19 the Service provided 928 hours of Primary Authority advice, and 33 hours of chargeable business advice. To date in 2019/20 it has provided 670 hours of Primary Authority Advice demonstrating the strong take up of this service by businesses.

### **1.3 Better Business for All agenda**

The Cambridgeshire 'Better Business for All' collaboration, incorporating Trading Standards, Environmental Health, Signpost 2 Grow/Combined Authority and the Fire Service, supported by the Department for Business, Energy and Industrial Strategy (BEIS) has delivered two successful events this year.

The first event was targeted at regulatory staff and local business support organisations. The aim was to increase knowledge of our respective support services and raise awareness of how to facilitate referrals and signposting to one another, in order to provide a more joined up service to business. For example, a business may be struggling with compliance due to outdated equipment. Trading Standards are now able to signpost businesses to the Growth Hub for funding and grant support for the purchase of new equipment, which in turn should lead to improved compliance.

The second was in conjunction with the Health and Safety Executive, and was targeted at businesses, again with the purpose of informing them of the array of business support (including regulatory support) which is available across Cambridgeshire and Peterborough. To support this event, Trading Standards produced 3 partnership videos - one for start-up businesses, one for growing businesses and one for established businesses – where the audience hears from a range of organisations about the support on offer as well as from businesses who have benefitted from these services. The Service has been commended by the BEIS for our work and are looking to roll these videos out to other regions. The videos are available on our webpage [www.cambridgeshire.gov.uk/regulatorycompanion](http://www.cambridgeshire.gov.uk/regulatorycompanion).

### **1.4 Tackling criminal enterprises that take custom away from legitimate trade**

The Service is dedicated to protecting legitimate business by tackling criminal enterprises. For example, in 2018/19 the Service:

- successfully prosecuted UK Printwear who were producing counterfeit sweatshirts on a mass scale. We recovered £115K representing the proceeds of their crimes, of which £43K was awarded to the Authority under the Proceeds of Crime Act to support future enforcement activities. Additionally, a Bourn market trader, Camlin Tian, who was found selling counterfeit handbags, belts

and other accessories was successfully prosecuted in 2017, and this year, following a lengthy proceeds of crime investigation, the Service recovered £30K representing the benefit she had made from her crimes.

- intercepted and interviewed a gang of fish sellers following a complaint by an elderly resident, and compiled evidence which was passed to Trading Standards Authorities in the north east who were undertaking a larger investigation into these organised crime gangs. As well as impacting on legitimate fish sellers in the County, they were selling fish that was unfit for human consumption and incorrectly described, and in the case of this particular customer, had pressured her into buying 20 boxes of fish and then fraudulently tampered with her payment changing it from £52 to £520.
- shut down a TV scam being operated online following a sudden influx of complaints. The website [cambridgetv.co.uk](http://cambridgetv.co.uk) was offering cut price TVs having gone live days earlier and had disguised the identity of the person registering the website. With no means of rapidly tracing the individuals behind this sham business, Trading Standards worked with the website Registrar to shut down the site, preventing further losses to members of the public.

### **1.5 Animal disease control: protecting British farming and the reputation of British exports**

Members will remember the devastating impact of Foot & Mouth disease in 2001 on our rural economies and the reputation of British meat exports. 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, containing the disease and eradicating it. To this end we have a comprehensive Animal Disease Contingency Plan, based on the national template, which we tested in an exercise in 2017. In 2018/19 the plan was developed further to facilitate a co-ordinated response across the 3 jurisdictions covered by the Trading Standards Shared Service – Cambridgeshire, Peterborough and Rutland – with clear lines of communication between the senior management structures of each Local Authority as well as the respective Local Resilience Forums. We will be testing these aspects of the plan in an exercise in November.

### **1.6 Upholding animal welfare standards across Cambridgeshire's farms**

On a routine inspection by a Trading Standard's Animal Health Officer, a horrific case of neglect was uncovered at a farm in Cambridgeshire. 55 pigs had to be euthanized as well as a bull in the most serious case seen by our officers. One pig was well enough to be re-homed and has made a good recovery. The farmer was successfully prosecuted. In a second case, Trading Standards Officers uncovered widespread neglect of farmed animals, finding 124 pigs and 58 sheep without water to drink or dry bedding to sleep on. A number of animal carcasses were also found at the farm, breaching strict rules on the disposal of animal by-products. The Farmer was issued with a Notice requiring him to lawfully dispose of the dead pigs by a deadline, this was also missed but the dead stock was finally removed several days later. Again, he was successfully prosecuted.

## **2. Protecting the health and wellbeing of people**

Trading Standards has a statutory duty to enforce over 100 pieces of primary 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.

### **2.1 Protecting consumers from allergens in food**

In May the Service successfully prosecuted the 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 - an error which could have proved fatal. The Service has since 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. Many businesses had good systems, but some failed to have adequate controls to ensure they could give customers the information they required about allergens. Most failures were found with burgers, chicken nuggets and kebab meat. The Service is now looking to work with Environmental Health departments across the region to provide training to businesses before taking further samples later in the year.

### **2.2 Protecting children from dangerous toys and equipment**

The Service was contacted by Heathrow Airport after they suspended the importation of 1000 teddy bears by a business in Cambridgeshire for lack of CE marks. The bears were passed to Trading Standards for further safety testing, with the test house subsequently determining they were unsafe due to inadequate seam strength. Seams must be strong enough to prevent babies and young children accessing the stuffing and choking on it. These bears were intended to form part of 'new baby' packages on Amazon. The bears were voluntarily surrendered to Trading Standards by the UK importer who, as a new business, received comprehensive business advice on toy safety regulations and responsibilities of toy importers. The teddies that had already been sold were recalled and the surrendered bears were destroyed.

The Port Authorities also contacted the Service with concerns about some baby products entering the UK. Trading Standards officers found the play pens to be unstable and the booster seats straps to be fitted so low that a child could lean and topple the dining chair to which the booster was attached. The goods were withdrawn from sale and products already sold were recalled.

### **2.3 Protecting the public from unsafe electrical fittings**

The Service also supported a local business with a RAPEX product safety recall on some LED aquarium lighting via Finland due to a potential electrocution issue. Unbeknown to the business, the manufacturer had changed the electrical safety controls from that that had been supplied originally. The business was under a duty to periodically test safety components to check compliance with the safety standard

which this Cambridgeshire business had failed to do. All affected products have been withdrawn and recalled.

## **2.4 Tackling Illicit and unsafe tobacco**

Smoking, of course, has serious health implications for the consumer, but illicit cigarettes pose an additional safety risk to users and the wider public as many of them don't self-extinguish as is the requirement for legitimate cigarettes, leading to a high risk of house fires. For many years we have sent seized cigarettes to analysts for testing to confirm they are illicit before bringing a prosecution or revoking a licence. Analysts invariably use the 'self-extinguish' test to determine this. This year Trading Standards invested in its own 'self-extinguishing' testing chamber which allows the Authority to carry out its own tests without incurring the costs of an analyst. The Service has developed systems and standards for the use of this equipment and are now marketing it to other Authorities to generate a commercial revenue stream.

Illicit tobacco has been an issue in Fenland for a number of years now, despite multiple joint operations with the HM Revenue and Customs (HMRC). In an operation in January 2.9kg hand rolling tobacco and 5,620 cigarettes were seized from a premises in March. As a result, their licence was revoked within a month. However, in April officers executed a warrant of a storage container connected with the shop and found 22kg hand rolling tobacco and 22,780 cigarettes. A prosecution is underway. Also, in January on a joint day of action with HMRC we executed a warrant at Little Europe in Wisbech, and seized 1320 cigarettes. Again, a licence review was undertaken, and they surrendered their licence the day before the hearing. An investigation is ongoing, and the shop has now closed. Further joint operations took place in June.

The crimes are invariably linked to organised crime gangs, and what we are increasingly finding is that these suppliers are only keeping small amounts of stock at their premises with larger stocks stored elsewhere to minimise losses in the case of raids.

Our efforts have been recognised by Public Health who have provided the Service with a grant of £25K to deliver underage sales and illicit tobacco enforcement work during the current financial year across Cambridgeshire.

Aside from the health and public safety risks these crimes pose, annual national losses resulting from illicit tobacco are estimated to be in the region of £2.4bn so these crimes have a significant impact on the countries fiscal revenue.

## **2.5 Keeping the UK Rabies-free**

Trading Standards are responsible for enforcing animal disease prevention and control measures. Illegal importation of cats and dogs to the UK continues to be a significant threat to our 'Rabies-Free' status, and an issue that Trading Standards Authorities across the UK regularly have to tackle, both in terms of illegal importers who mislead the public into buying pets they think were bred in the UK, and also in terms of individuals who go to visit family elsewhere in Europe and bring a pet back with them.

Trading Standards has developed an effective alert mechanism whereby vets can alert officers of any illegal import suspicions. The animals in question are seized by Trading Standards Officers and quarantined until the presence of Rabies and other diseases can be ruled out.

In a single week in April, Cambridgeshire and Peterborough Trading Standards received 2 reports from vets. The first related to a 6 year old Breton Spaniel imported from Spain with a fake passport which provided false information about its microchip (the microchip pre-dated the dog). The dog was quarantined for 3 weeks as Spain is a low risk country with regards to Rabies. The second related to a Dachshund, identified by a vet as an illegal import. The pet passport stated he was from Romania, but it is believed he was actually imported from Serbia. This dog was quarantined for longer due to the passport anomaly. In August the Service arranged for a cat to be quarantined having entered the UK with no Rabies vaccination from Slovakia. The owner was charged £775 for the cost of quarantine. The cat was a stray that he wanted to bring home with him to England. In recent weeks, 4 illegally imported puppies were seized from a dealer and were quarantined in Peterborough. Having completed the requisite quarantine period and received the appropriate vaccinations, they have all now been placed with families.

## **2.6 Safety at Sports Grounds**

Since the Hillsborough tragedy, there have been strict national safety provisions in place to regulate sports grounds and stands above certain capacities and size. Trading Standards are responsible for inspecting these grounds to ensure that their practices conform to the Standard and that spectators remain safe at these large sporting events.

## **3. Supporting and protecting vulnerable people**

### **3.1 Tackling rogue traders that prey on the elderly**

This continues to be a high priority for the service. These gangs 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.

This can be demonstrated by the successful conviction of Patrick Doran in September. Over many months Doran called repeatedly at an 89 year old gentleman's house to carry out gardening work, for which he charged hundreds of pounds more than a legitimate gardener. Furthermore, social services already had a gardener attending the property as part of the victims support package. At one point Doran drove the victim to a bank in an effort to get him to withdraw cash from his account. Concerned neighbours contacted the police and Doran fled the scene. At that point Trading Standards became involved and fitted a CCTV camera at the property and served him with a harassment notice. Nevertheless, camera footage revealed Doran calling at the property again, and also sending associates to call at the property, extracting a further £300 from the victim. At Crown Court on 13th

September Doran pleaded guilty to 2 charges under the Consumer Protection from Unfair Trading Regulations relating to professional diligence and aggressive practices. He was given 3 months in prison and was issued with a Restraining Order preventing him having any further contact with the gentleman.

### **3.2 Unlawful selling practices targeting the vulnerable**

An unscrupulous company based in Peterborough who mis-sold and pressure-sold furniture to elderly and vulnerable people in Cambridgeshire and the wider UK was successfully prosecuted by the Service. Their abhorrent sales practices were summed up by the presiding Judge, His Honour Judge Cooper:

“Sales scripts demonstrate exactly how your staff were to bulldoze through those objections to insist upon an appointment for a demonstration...Those demonstrations would sometimes go on and on, no matter the vulnerability of the client. Your victims reported missing medication, missing food, because the demonstrator simply wouldn't leave without an order....[Your demonstrators] were actively encouraged by the company to stay as long as was necessary to achieve a sale, even in the face of requests to leave or when confronted with an obviously vulnerable consumer likely to lack decision making capacity....I am not surprised therefore to see Victim Impact Statements referring to: victims feeling embarrassed, ashamed and humiliated, feeling and being apparently nervous, frightened and anxious, victims questioning their ability to live alone.....So the harm included the fact that you chose to impoverish your customers mentally, intellectually, emotionally and financially. This was always the target group that you'd chosen of limited resilience. And you chose effectively people who couldn't stand up for themselves and who's loved ones would lack the means to do it for them.”

Six prison sentences were imposed, with the Judge concluding “It is necessary to meet this offending with custody, and that is because the public needs to be protected from behavior of this kind, systematic and long-lasting as it has been.” Following on from this conviction, the Service's Accredited Financial Investigator recovered £350K from the Directors of the company, representing the proceeds of their crimes, and an additional £30K compensation for their victims.

The work of the Service to protect the vulnerable through the tackling of rogue traders and other unlawful selling practices has led to the Service being shortlisted for another prestigious national award – the Association for Public Service Excellence (APSE) 'Service Team of the Year' award.

## **4. Service developments**

### **4.1 Shared Service merger complete**

The crucial step in cementing the Shared Service has now taken place with the merger of Cambridgeshire and Peterborough's Trading Standards database. This is of tremendous value to our Intelligence analysis and also in enabling officers to work flexibly across Cambridgeshire and Peterborough. Peterborough officers are in the



process of adopting Microsoft 365 with Cambridgeshire officers to follow imminently which will enable us to share a network area – the final stage of the merger.

#### **4.2 Change of Directorate**

As a result of structural changes across both Councils, the Trading Standards Shared Service has moved from the Place & Economy Department to People and Communities, with Wendi Ogle-Welbourn the Executive Director, and Adrian Chapman the Service Director.

#### **4.3 Actively marketing our Financial Investigation services to wider teams**

The Service's Accredited Financial Investigator has supported both Huntingdonshire District Council Housing Fraud team and South Cambridgeshire District Council Housing Fraud Team by taking Proceeds of Crime prosecutions alongside their Fraud prosecutions, recovering £31K and £24K for the Authorities respectively. These Authorities will be entitled to keep a third of these awards, and by law this money must be reinvested in further crime detection and prevention, thereby benefitting residents across these districts. Further cases are ongoing with these Authorities.

In addition, financial investigation support is assisting other services within our shared functions, benefiting both Cambridgeshire County Council, and Peterborough City Council.

#### **4.4 Successful recruitment of an Intelligence Analyst**

The Service successfully recruited a part time Intelligence Analyst of high calibre, having previously worked in Police Intelligence for many years. In the National Trading Standards Strategic Assessment, it was highlighted that Serious and Organised Crime Gangs now operate within every priority area enforced by Trading Standards, so her skills and knowledge will be invaluable in unravelling these gangs' complex networks, enabling us to target those who are truly perpetrating the crimes. Additionally, she carries out a wide range of analysis monthly on emerging trends and emerging problem traders within our jurisdiction, enabling the service to target its resources at those areas posing the greatest threat of harm– whether that threat be financial, health/safety related or in terms of harm to the local economy.

### **5. Value for money**

The Chartered Institute of Public Finance listed the Regulatory Services Group for which the Trading Standards Function is a significant part as the lowest cost Regulatory Service compared to other local authorities, signifying great value for money. The national and local award success of our Trading Standards Service has demonstrated that the extent of core funding is just one of the factors that can impact on service delivery. In the case of Trading Standards, a well targeted, intelligence led approach in recent years has demonstrated the impact that can be achieved with the resources available.

In order to offset service delivery costs Trading Standards has been successful in securing grant funding from the following organisations:

- Food Standards Agency – Animal feed inspections on farms
- Department of Health – New burdens funding for vaping compliance work
- Public Health – Underage Sales, and Illicit Tobacco compliance work
- National Trading Standards – Investigatory and legal costs
- National Trading Standards – Intelligence database costs

In addition, the Service receives income from licensing explosives (firework storage), petroleum sites, and weights and measures verification of equipment, all statutory functions.

Trading Standards provide the following chargeable services to increase revenue:

- Primary Authority Advice to businesses
- Business Advice to non- Primary Authority businesses
- Provision of financial investigation services to other services and councils
- Asset Recovery Incentivisation Scheme

## **6. Challenges for the forthcoming year**

### **6.1 Recruitment**

Though we are a high performing authority with a strong reputation nationally, recruitment remains a challenge for us, as it does for regulatory services across the country, with fewer people coming into the professions. Increasingly the Service is finding that we are unable to recruit applicants with a trading standards background but are instead having to invest more in developing applicants with transferable skills.

The service has a current member of staff embarking on a regulatory apprenticeship scheme as part of a regional cohort across the East of England and will look to utilise such schemes in the future where advantageous to bring new staff in where vacancies exist. The age profile of the Service is also such that there will be a number of retirements over the coming years, so recruitment, training and development, and succession planning are all key to the future success of the Service.

### **6.2 Financial**

With continuing pressure on council budgets and increasing service demand resulting from population growth, it will be important for the Service to continue to maximise opportunities to increase external revenue to both reduce operational costs and enable staffing capacity growth where necessary.

## 7. Performance

### 7.1 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	96% *
Consumer complaints about businesses	First response within 5 business days	99%
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%

\* Case management functionality within the database has been tweaked to address these response times. Recent indications suggest this has positively impacted on our response times.

### 7.2 Performance against benchmarks

#### 7.2.1 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:

	2016/17	2017/18	2018/19
Consumer complaints/reports responded to	14	14	14
Business complaints/ requests for service responded to	37	33	20

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

2016/17	2017/18	2018/19
7 (£20,526)	12 (£56,670)	13 (£94,993)

### 7.3 Interventions

We operate a graduated enforcement policy, and as a result, in most cases of non-compliance we use business advice as the preferred method of bringing a business back into compliance. In some cases, warnings or notices may be required, but in general prosecution is a last resort, used mostly to address deliberate, negligent and reckless criminal conduct such as welfare matters, rogue trading and public safety. As a result, we have set out below a list of interventions for 2018/19.

Type of Intervention	Number
Business advice given	147
Food written warning	42
Feed written warning	6
Fair Trading written warning	8
Animal Health Improvement Notice	2
Prosecutions cases	13

**Annex 1: Brand development for 'Regulatory Companion'**

