

Traffic, Environment & Community Safety Scrutiny Panel.

MINUTES OF THE MEETING of the Traffic, Environment & Community Safety Scrutiny Panel held on 18 December 2009 at 3pm in Conference Room A, Floor 2, Civic Offices, Portsmouth.

(NB These minutes should be read in conjunction with the agenda for the meeting).

Present

Councillors Caroline Scott (Chair)
Mike Blake
Richard Jensen (until 4pm)
Jim Patey

Officers

Paul Hunt, Head of Environment & Public Protection Service
Robert Briggs, Trading Standards Manager

47 Apologies for absence (AI 1).

Apologies for absence were received from Councillor Fuller.

48 Declarations of interest (AI 2).

There were no declarations of interest.

49 Minutes of previous meeting (AI 3).

RESOLVED that the minutes of the Traffic, Environment & Community Safety Scrutiny Panel meeting held on 3 November 2009 be agreed as a correct record.

50 Update on the panel's review into cycle lanes in the city (AI 4)

The first stage of the review had been completed in one meeting, held on 4 December 2008. The draft cycling strategy was being created at the same time; therefore the panel had felt that an in-depth review of cycle lanes in the city would be a duplication of work.

At this 4 December 2008 meeting, the panel resolved that it review and contribute to the draft cycling strategy during the consultation period.

This was done at the 24 September 2009 meeting of the panel, where a presentation on the draft cycling strategy was given by the Sustainable Transport Officer. The panel was assured that its comments would be incorporated into the draft cycling strategy, which would be presented to the Cabinet Member for Traffic and Transportation.

At this 24 September 2009 meeting, the panel resolved that the draft cycling strategy be approved for presentation to the Cabinet Member for Transport & Transportation.

The panel had therefore been consulted and had input into the draft cycling strategy, but had not carried out a review into cycle lanes in the city.

51 Work programme (AI 5)

At the informal meeting of the TECS Scrutiny Panel, held on 27 November 2009, it was resolved that a review into Trading Standards would be the panels next topic for review.

52 Review of Trading Standards (AI 6)

The panel welcomed Paul Hunt, Head of Environment & Public Protection Service, and Robert Briggs, Trading Standards Manager.

The Trading Standards Manager gave an overview of the Trading Standards service. He was aided by a PowerPoint presentation and two short videos of individuals whose lives had been badly affected by rogue traders and loan sharks.

The first video featured an 86 year old widower, who lived in Portsmouth and had paid an excessive sum of £16,000 by doorstep traders offering to carry out gardening works and repairs to his house. Two different rogue traders had carried out these works, which the Trading Standards Manager explained was not uncommon. When a rogue trader had found a 'soft target', it was not unusual for them to sell their details on to another rogue trader.

The second video outlined a case in Liverpool, where a mother explained how a loan shark had harassed her son to such a degree that he had committed suicide.

[TAKE IN PRESENTATION]

The Trading Standards Manager informed the panel that there was approximately the equivalent of 12 full time officers in trading standards, as well as 80 community volunteers involved in 'The Edge' project. This project had been established in 2003 and used volunteers as 'Consumer Champions', to act as an intermediary with the public, breaking down barriers between officers and vulnerable residents. Volunteers came from many different backgrounds and included students from Portsmouth University. This project was described as a unique and pioneering approach to Trading Standards.

Another pioneering initiative was the 'Frank Sorrell Project'. Concerns had been raised about the poor treatment of individuals with learning difficulties by some members of the retail trade. Trading Standards carried out test purchases, which confirmed that cases of discrimination existed. In light of this a card was produced for people with learning disabilities to hand to shop staff. One side of this card explains that the bearer has learning difficulties, and gives helpful instructions to ensure that the retailer engages with them in the correct manner. The reverse of the card outlines consumers' rights under the Sale of Goods Act 1979.

The Trading Standards Manager believed that prevention was better than cure and used this philosophy to drive Portsmouth City Council's (PCC's) Trading Standards Service. However, an immediate response was sometimes needed, which is where the 'Rapid Action Trading Standards' (RATS) Team could be called upon. This team could be called to visit a resident's home whilst a rogue trader was still present in order to intercept them.

A victim support service also existed, which helped vulnerable people through the process of making claims through the small claims courts, for example.

During April to November 2009, Community Trading Standards Officers, in partnership with volunteers, had helped ten victims of scams and three victims of rogue trading. Whilst this did not appear to be a large number, this figure had been improving each year. Additionally, they had gathered 350 good pieces of evidence, set up three new 'No Cold Calling Zones' and held 55 community engagement events in the same time period. Trading Standards had added £15m of value to the city's economy and in the previous seven months had saved Portsmouth residents £500k.

The Trading Standards Manager explained that he was a Director of Trading Standards South East Ltd, which was a company consisting of 19 local authorities. Councillor Fazackarley, Cabinet Member for Community Safety, was a board member of the company, ensuring that PCC had input into both the operational and executive management of the company.

The panel was informed of the Proceeds of Crime Act 2002, which allowed local authorities to seize the assets of illegal money lenders (loan sharks), prosecuted by the courts. In 2008 an illegal money lender in Portsmouth had assets in excess of £400k seized. This had not been a case dealt with by PCC, but illustrated the potential income that the council could receive in the future if another illegal money lending operation of this size was brought to justice in the city.

Trading Standards was involved in a number of programmes and initiatives, including:

- A training programme for those who had been caught selling age sensitive goods to underage persons. The cost of this training was £50, whereas a fixed penalty notice for the offence was £80. This was carried out in conjunction with the Police and put the emphasis on education, rather than punishment. Approval was being sought to roll out this scheme nationally;
- Proxywatch. This was a multi-agency initiative, operated by the Safer Portsmouth Partnership. It assisted members of the public and retailers in reporting underage persons who tried to obtain age related goods by asking adults to purchase them on their behalf. A card had been produced and made available to retailers and the public, which gave the contact details for reporting such instances directly to Trading Standards;
- The 'Scambuster' regional intelligence unit. This had been set up by Trading Standards South East Ltd and facilitated the sharing of information

across local authority boundaries;

Councillor Richard Jensen left the meeting at 4pm.

- Operation Mississippi. These were proactive patrols with the Police and other agencies using marked Police vehicles. Any trader seen working at a household premises would be challenged and asked to prove that they are who they claim to be;
- Banks had been requested to alert Trading Standards of unusual activity, such as large amounts of money being withdrawn, and vulnerable people, such as the elderly, being accompanied to withdraw large amounts of money.

The panel made a number of comments and asked a number of questions, including:

- Older people were felt to be particularly vulnerable to doorstep crime, as they were often unaware that people calling at the door could pose a danger, or attempt to steal from them. The 2001 census was given as an example by the Chairman, who had been invited into older resident's houses, without them looking at her identity badge.

This was acknowledged to be a problem which rogue traders often capitalised upon. 'No Cold Calling Zones' could be established, but this relied upon the consent of all residents in the area. The panel was informed that stickers for the inside of residents front doors were available, reminding them to ask strangers for identification and to keep the chain on. The Police could also supply audio reminders for vulnerable residents. This allowed a family member, carer or friend to record a message, giving similar information. It was felt that warning information delivered by somebody that the resident knew would be more likely to be heeded.

- What impact had European legislation, such as the return of goods and guarantees on equipment had upon Trading Standards?

European legislation had not had a significant affect, as little legislation had fundamentally changed. There was now less legislation, but it was more complex.

- From the figures which had been given, Trading Standards appeared to be giving good value for money. Did the service have a full compliment of staff, were there staff retention problems after training, and were the salaries offered competitive?

A fresh, preventative, approach had been taken, which required staff with different skills to those traditionally associated with Trading Standards. Fewer qualified Trading Standards Officers were required, which saved the service money. Officers working in Portsmouth Trading Standards were paid less than officers working in comparable authorities, but staff retention was not a problem. Most officers loved their job and enjoyed working for an authority

with such an innovative approach to Trading Standards. The current staff level was felt to be the minimum required to deliver the present level of service.

- What links existed between Trading Standards and the Portsmouth City Primary Care Trust (PCPCT)? The Queen Alexandra Hospital had experienced serious problems and committed considerable expenditure on young people requiring treatment for alcohol related injuries.

The PCPCT had been contacted by Trading Standards on a number of occasions for evidence, but had not been able to provide any. In order to try to resolve any problems, the PCPCT would have to assist Trading Standards by supplying evidence.

- The panel sought an explanation of the advantages of Trading Standards forming a separate company.

Operating a separate, commercial, Trading Standards company should offset the costs of the council's Trading Standards Service. The goal was to offer the council's Trading Standards service at no cost to the council. Instead, this service would be funded by the profits of, and money seized under the Proceeds of Crime Act 2002 by, the separate Trading Standards company.

The panel was informed that the council's present Trading Standards service was prohibited from generating income, as it was a publicly funded, statutory function of the council. Forming a separate company would allow a profit to be made on the services that it provides, which could be invested back into self-funding and further developing the council's Trading Standards service.

The panel thanked The Trading Standards Manager for his comprehensive presentation.

The panel considered the draft project brief for its review into Trading Standards, which had been included within the agenda for the meeting and

RESOLVED that the draft project brief be approved, with the addition of a representative from Trading Standards South East Ltd (TSSEL) being added to the list of possible witnesses.

53 Dates of future meetings (AI 7)

The date of the next meeting was scheduled for 3pm on Thursday 21 January 2010.

The meeting closed at 4.53pm