



**REGULATORY SERVICES – Regulatory Services’ Service Plan Update**

**CORPORATE COMMITTEE  
MEETING DATE 2016/17**

**12 December 2017**

**CLASSIFICATION:**

**Open**

**If exempt, the reason will be listed in the  
main body of this report**

**WARD(S) AFFECTED**

**All Wards**

**GROUP DIRECTOR Kim Wright, Neighbourhoods and Housing**

## 1. GROUP DIRECTOR'S INTRODUCTION

- 1.1 The Food Law Enforcement Service Plan 2016/17 was presented to the Corporate Committee in July 2016 (see Appendix 2). The report was noted. The report now being presented;
- provides an update on the performance of the Food Safety and Trading Standards against the Plan to the end of Q4 2016/17 and the work undertaken to improve the quality of food premises in Hackney to protect the health of the public and also assist businesses to comply with their legal requirements.
  - shows the impact of the service in managing and reducing the numbers of 'not' broadly compliant premises and those not yet rated, in order to improve the percentage of broadly compliant premises in the Borough;
  - notes the greater emphasis placed on driving up compliance through advice, education, inspections of establishments considered to be flouting the law, and the necessary interventions undertaken.
- 1.2 This report also highlights the work of Hackney Trading Standards during 2016/17(see Regulatory Services Service Plan, Appendix 2). The report sets out the Service's performance against the 2016/17 priorities (see Appendix 1) and identifies areas of interest for the future.
- 1.3 In fulfilling its duties, the service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.
- 1.4 The Service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.
- 1.5 The Service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.
- 1.6 While this report sets out performance in 2016/17 it is the first report presented to the Corporate Committee since the implementation of a new Community Safety, Enforcement and Business Regulation Service, which was introduced on the 3<sup>rd</sup> of May 2017.

## 2. RECOMMENDATION(S)

**The Corporate Committee is recommended to:**

- **Note the level and scope of work being carried out to meet the requirements of the plan.**
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### **3. REASONS FOR DECISION**

- 3.1 The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.
- 3.2 Trading Standards have a duty to ensure consumer protection law is enforced fairly and proportionately.

### **4. BACKGROUND**

- 4.1 **Food Safety:** The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.
- 4.2 The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2000), issued 1 April 2001, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables, provides an essential link with financial planning, provides objectives for the future including identifying major issues that cross service boundaries and provides a means of managing performance and making performance comparisons.
- 4.3 The performance of the Food Safety Service is measured against its fulfilment of the Plan and the percentage of broadly compliant premises within the borough.
- 4.4 Trading Standards: In fulfilling the Trading Standards service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.
- 4.5 The service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.
- 4.6 The service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.

### **5. FOOD LAW ENFORCEMENT SERVICE PLAN UPDATE**

- 5.1 The FSA's Local Authority Enforcement Monitoring System (LAEMS) data shows that 85% of Hackney's food premises were broadly compliant as of 31st March 2016. The data recently released by the FSA provides a comparative performance data for each local authority in the country.

- 5.2 Tables 1a+b below show food hygiene performance data across North East (NE) London Food Sector boroughs to the end of Q4 2016/17. The tables highlight that Hackney has the third highest number of food premises across the sector and is also ranked third in terms of broad compliance. The two Boroughs with the higher number of food premises, the London boroughs of Camden and Tower Hamlets have lower broadly compliance figures respectively (71% and 81% respectively).
- 5.3 Table 2 demonstrates the level of enforcement action taken across the NE London Food Sector boroughs. It shows that Hackney served the third highest number of hygiene improvement notices, the fourth highest number of Hygiene Emergency Prohibition Notices and has the 6<sup>th</sup> highest number of voluntary closures.
- 5.4 Table 3 highlights that Hackney is the only one of five NE London Food Sector boroughs to have completed 100% inspections of high risk premises for food standards.

**Table 1a – Broadly Compliant**

Local Authority	% Broad Compliance (inc. unrated)	% Broad Compliance (excl. unrated)	% Broad Compliance - category A	% Broad Compliance - category B	% Broad Compliance - category C	% Broad Compliance (Cat A-C)	% Unrated Premises
Barking & Dagenham	49%	54%	100%	31%	59%	56%	10%
Camden	71%	86%	2%	32%	87%	73%	18%
Enfield	52%	55%	11%	30%	76%	62%	5%
Hackney	85%	88%	0%	41%	84%	73%	3%
Havering	87%	88%	17%	59%	79%	74%	1%
Islington	78%	84%	11%	40%	77%	69%	7%
Newham	No results submitted						
Redbridge	92%	97%	50%	70%	95%	93%	5%
Tower Hamlets	81%	87%	0%	25%	83%	67%	6%
Waltham Forest	66%	76%	10%	32%	85%	75%	13%

**Table 1b – Breakdown of Premises**

Local Authority	Total No. of Premises	Total No. of Unrated	Total No. of Broadly Compliant Premises	No. of Category A	No. Broadly Compliant category A	No. of category B	No. Broadly Compliant category B	No. of Category C	No. Broadly Compliant category C
Barking & Dagenham	1335	130	653	1	1	52	16	554	325
Camden	3761	672	2669	63	1	240	76	1079	938
Enfield	2628	128	1373	19	2	179	53	501	379
Hackney	2778	72	2371	12	0	202	82	713	598
Havering	1860	20	1621	6	1	116	69	452	356
Islington	2345	167	1825	19	2	193	78	830	642
Newham	No results submitted								
Redbridge	1877	85	1730	8	4	70	49	768	731
Tower Hamlets	2973	193	2414	35	0	208	51	739	610
Waltham Forest	1971	256	1306	10	1	98	31	451	385

**Table 2 - Enforcement**

Authority Name	Total number of Voluntary closures	Total number of Seizure, detention and surrender of food	Total number of Hygiene Emergency Prohibition Notices	Total number of - Simple Cautions	Total number of Hygiene Improvement Notices	Total number of Written Warnings	Total number of Prosecutions
Barking and Dagenham	1	0	1	0	10	310	0
Camden (2)	33	4	6	0	36	746	0
Enfield	17	0	0	7	65	1,132	15
Hackney	4	1	4	0	39	612	0
Havering	1	0	0	0	16	874	2
Islington	14	0	1	7	14	361	4
Newham	19	4	2	16	74	963	0
Redbridge	7	0	0	0	8	19	0
Tower Hamlets	1	5	10	0	36	1,309	5
Waltham Forest	1	1	7	0	16	444	5

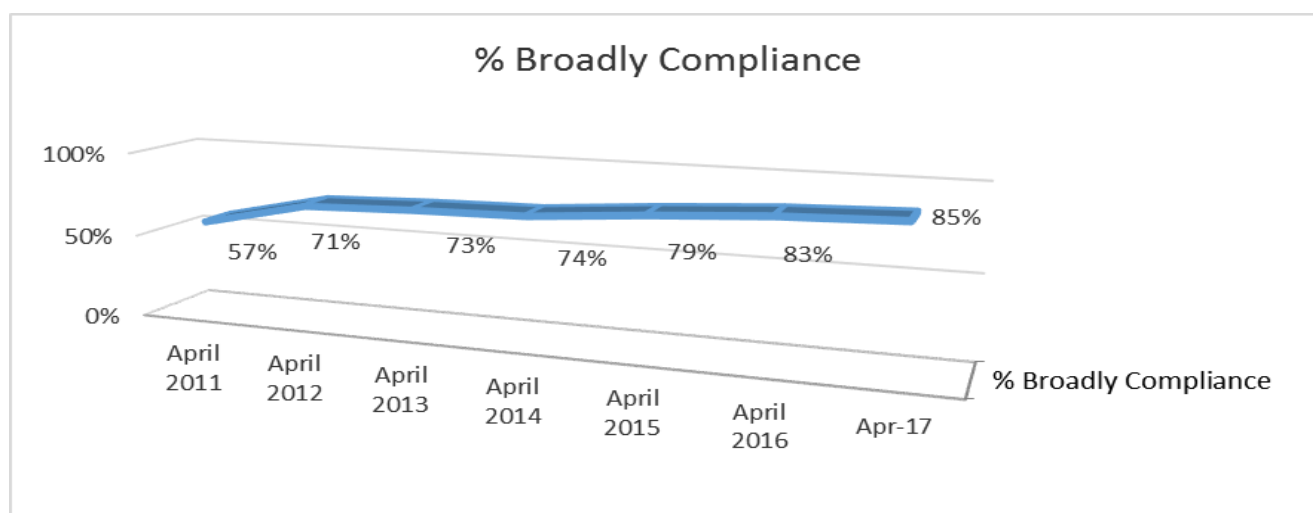
**Table 3 - Food Standards**

Authority Name	Total % of interventions - premises rated A	Total number of Improvement Notices	Total number of Written Warnings	Total number of Prosecutions
Barking and Dagenham	62.50	0	1	0
Camden (2)	100.00	0	0	0
Enfield	100.00	0	332	0
<b>Hackney</b>	<b>100.00</b>	<b>0</b>	<b>437</b>	<b>0</b>
Havering	100.00	0	763	0
Islington	71.43	0	25	0
Newham	16.67	0	7	0
Redbridge	NR	0	0	0
Tower Hamlets	40.00	1	0	0
Waltham Forest	100.00	2	0	0

5.5 The graph below shows Hackney’s broad compliance percentage performance data direction of travel since 2011. It can be seen that there has been a year-on-year improvement with the percentage of broadly compliant increasing by 28% since 2011. This is a direct reflection of the efforts officers have made to raise the compliance of the food businesses in Hackney using a range of interventions including providing food hygiene training through the Environmental Health Training Centre; undertaking inspections of unrated premises in a timely manner; and taking enforcement action where appropriate thereby ensuring the public are protected.

5.6 The broadly complaint figure is a key performance measurement for food establishments in the Borough. A broadly compliant business is one that achieves a food hygiene rating score of 3, 4 or 5. The number of unrated premises also has an adverse effect on the broadly compliant score as such businesses are deemed to be non-compliant until they have been inspected. Unfortunately, the Service has no control of the number of new business registrations that it receives.

Please see graph in para 5.10.



5.7 **Food Hygiene Inspection Programme** – This concentrates on the handling, preparation, and storage of food in ways that prevent foodborne illness. Members will be aware from the FLESP that premises are categorised and the frequency of inspection depends primarily on their category as specified in the Food Law Code of Practice. The table below shows the progress with inspections.

Inspection Rating	Number of food hygiene inspections due 2016/17	Number of inspections completed	RAG	The frequency of inspection is for Category: A: every 6 months (2 insp/yr) B: every 12 months C: every 18 months D: every 2 years E: every 3 years
A	21 x 2 = 42	42	Green	
B	331	331	Yellow	
C	648 (114 NBC**)	266	Yellow	
D	745* (60 NBC**)	199	Yellow	
E	358*	90	Yellow	
New/Unrated premises carried over from 2015/16	24		Green	

\*relates to those premises subject to non-official interventions

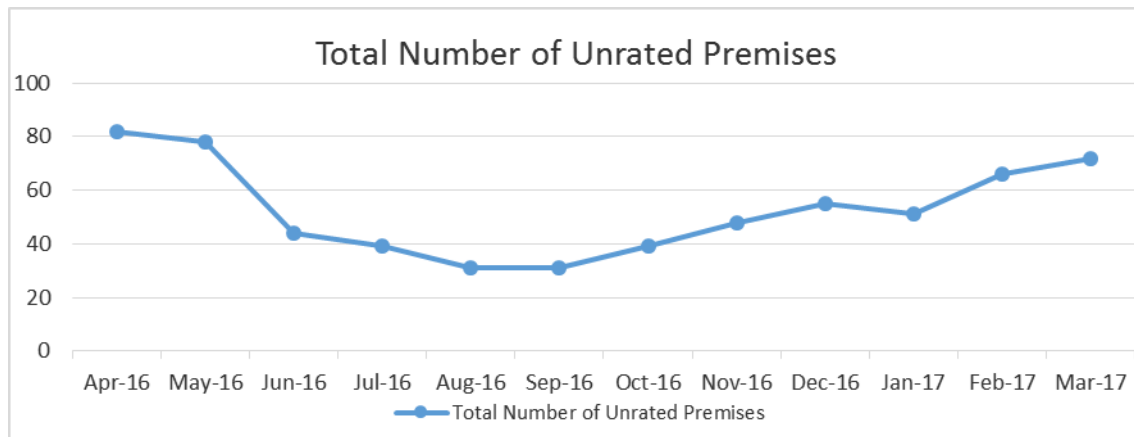
\*\*NBC = Not Broadly Compliant premises, which are not broadly compliant with food hygiene legislation (see 5.6 above)

5.8 Category D & E premises are subject to the alternative enforcement strategy (AES) and are therefore subject to interventions other than inspections. Every Competent Authority must devise an AES to determine how they will conduct official controls duties at premises rated as low risk i.e. those rated category D and E. This can include sending a self-assessment questionnaire for example.

5.9 It should be noted that the number of inspections due above includes a considerable backlog from the previous year. Category D and E are not considered a priority by this Service as resources are directed to the highest risk premises. A category D project was commissioned in Q4 2015/16, however the contractor employed to complete the project left part way through the project and the project was not completed. In order to address the back log of food premises rated D a project commenced in 2017/18 to re-inspect and re-rate these businesses. The same will also apply to premises rated E where the AES applies.

5.10 Inspection rates are acceptable; and the numbers of unrated premises i.e. those premises not yet risk rated because they have not been inspected are being maintained at a low level. The service has a target of 70 unrated premises as at 31<sup>st</sup> March 2018.

5.11 The graph below shows the variation in numbers of unrated premises.



### 5.12 Food Hygiene Rating Scheme (FHRS)

5.13 The FHRS is key to the Food Standards Agency's strategic objective: safer food for the nation. Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets in the Borough, as well as other businesses where consumers can eat or buy food, are given a hygiene rating as part of the scheme.

5.14 Table 4 below shows the number of 0 - 5 rated business in 2016/17.

5.15 Zero rated premises increased by three from 8 to 11 in the period from 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017. However, the number of zero rated premises is lower than the London average which is encouraging (0.47% for Hackney compared to 0.69% for London). Premises rated 1 and 2 actually fell in the same period (18% and 11% respectively).

5.16 Currently, business that are rated 0-2 are encouraged to request a rerating once the improvements highlighted during the initial inspection have been completed. The same businesses are also contacted by the business consultant to support the business through these improvements.

5.17 The number of premises in Hackney with a FHRS of 3 remains high when compared to London and nationally (see graph below) and further work is planned with these businesses through the business consultancy process to assist businesses to improve hygiene and achieve a higher rating. There has been an increase of 18 in the period 1<sup>st</sup> April 2017- 31<sup>st</sup> March 2017 in premises rated FHRS 3.

5.18 In 2017/18 the Service is charging businesses who request to be re-rated following improvement works. Prior to this the business had to wait between 3-6 months from the date of application for a re-rating inspection. The business can apply at any time and more than once.



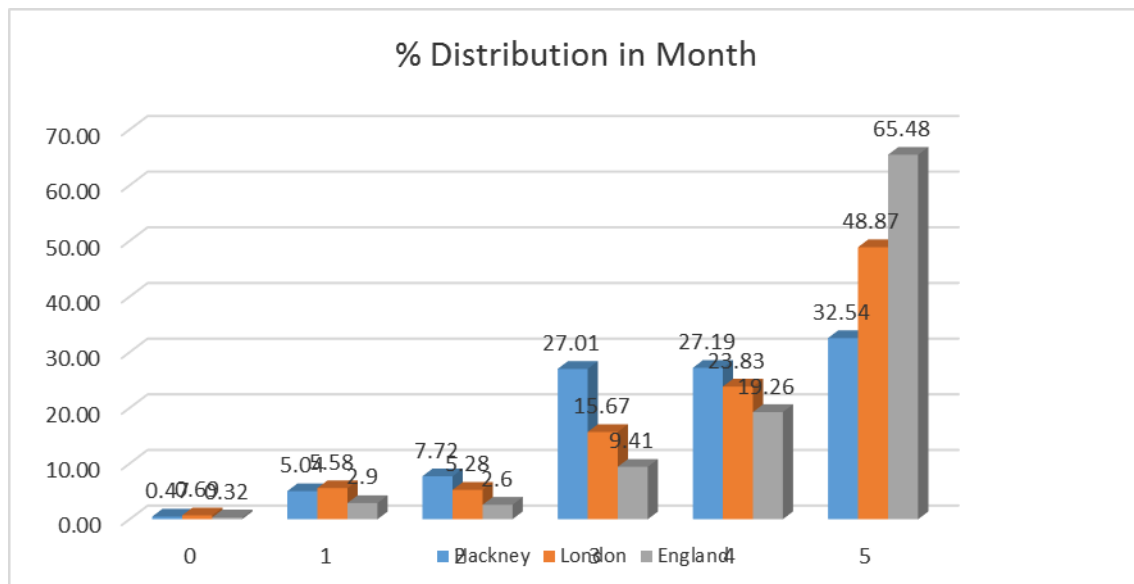
This service will encourage businesses to adopt this new way of working as a means of raising standards.

5.19 Business rated 4 and 5 are those business that are compliant across a range of food hygiene parameters in terms of hygiene in the business, the structure of the business and the confidence in management demonstrated at the time of the inspection. In the period 1<sup>st</sup> April 2017-31<sup>st</sup> March 2017 the number of premises rated FHRs 4 increased by 84 and those with a rating of 5 increased by 85.

**Table 4**

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17
0	8	10	11	12	12	13	16	16	17	13	12	11
1	143	145	146	136	133	129	127	118	117	122	117	117
2	201	203	201	204	191	193	182	183	186	180	174	179
3	608	601	606	609	580	623	626	626	624	622	624	626
4	576	577	584	596	562	597	605	608	608	613	619	630
5	669	671	677	687	640	698	705	723	718	725	737	754

The graph below shows the distribution of premises by month (as a %) in Hackney compared to local (London) and national trends.



5.20 **Food Standards Inspection Programme** – This concentrates on compliance with composition, presentation, labelling requirements and management controls. Food standards inspections are also carried out on a risk based programme. The Code of Practice specifies the frequency of inspection. Premises that fall under a category A rating may be dealt with via the alternative enforcement strategy. The table below shows progress for food standards inspections. Similarly the inspections due include a considerable backlog.

Inspection Rating	Number of food standards inspections due	Number of inspections completed	RAG	The frequency of inspection for Category: A: every 12 months B: every 2 years C: every 5 years
A	19	19	Green	
B	558*	304	Yellow	
C	156*	199	Yellow	
New/Unrated premises carried over from 2015/16	24	24	Green	

\*relates to those premises subject to non-official interventions

- 5.21 There has been an overall decrease in enforcement activities mainly due to improved engagement with businesses and the positive effects of face-to-face contact and support by ward officers out on the district. The table below shows a comparison of enforcement activities undertaken since 1st April 2016:

Enforcement action	2015/16 (end of yr)	2016/17 (end of yr)
Total number of Food Hygiene Written warnings issued	973	580
Hygiene Emergency Prohibition notices (formal closure)	0	4
Voluntary Closures due to Food Hygiene imminent risk	4	3
Premises receiving a Hygiene Improvement notice	43	39
Seizure/detention of food	7	0
Prosecution of food premises	3	0
<b>Total</b>	<b>1030</b>	<b>626</b>

5.22 The table below shows level of other activities undertaken by the team are shown in the tables below:

<b>Types and Numbers of Service Requests received 2016/17</b>	
<b>Type of Service Request</b>	<b>Total</b>
Food Registrations	229
Licensing Consultations	218
Business requests for advice/information	201
Food hygiene complaints	137
MST applications	98
Alleged food poisoning	94
FHRS enquiry	64
H&S complaints	65
Pest complaints	53
Food premises complaints	39
Food standards complaints	37
Foreign body complaints	29
Food labelling complaints	20
Smoking complaints	9
Drainage complaints	9
FOI	6
Food hazard warning	6
Miscellaneous	17
Other	9*
<b>Grand Total</b>	<b>1336</b>

\* Others include: - singular enquires on accumulation of rubbish, trading on the highway, bereavement, stray animals, non-defined enquires etc.

## **6. TRADING STANDARDS SERVICE PLAN UPDATE**

6.1 The Trading Standards service delivers on both statutory and Mayoral priorities as well as delivering targeted project work of National and local importance. These projects are determined by the Chartered Trading Standards Institute, by monitoring trends and fulfilling local priorities.

### **Statutory Priorities**

#### **6.2 Inspections**

6.3 Table 1 below sets out the number of proactive enforcement visits undertaken by the service with 151 high risk visits being undertaken and the target 100% inspection rate being achieved.

**Table 1**

High	Upper Med	Lower Med	Low	Total
151(100%)*	179(88%)#	30(5%)+	66(1%)**	<b>426</b>

\* a high risk premises is described as selling products subject to safety and age restricted legislation e.g. knives

#an upper medium risk premises is described as selling high value goods e.g. a car dealer

+ a lower medium risk premises is one that that is subject to pricing compliance e.g. a newsagent or similar commercial outlet

\*\* a low risk premises is a business subject to compliance with the Companies Act 2006

- 6.4 The service plan for 2016/17 made a commitment to inspect all high risk premises and this was achieved.
- 6.5 The Consumer Rights Act 2015 amended the powers of entry of for Trading Standards officers. The Act requires the Service to give 24-hours' notice before visiting a business to undertake a formal inspection. This has resulted in risk based inspections as well as carrying out intelligence led projects. The amended powers of entry and has led to a reduction in the overall number of visits conducted and reduced the ability to pick up potential infringements as prior warning has to be given.
- 6.6 **Weights and Measures**
- 6.7 Officers conducted 84 visits in relation to weights & measures and pricing. This work is undertaken to ensure that customers are not defrauded in terms of short measure. Traders have been advised to ensure the weighing indicators of the scales are visible to customers to help ensure weights are clearly understood.
- 6.8 **Animal Feed**
- 6.9 The service has 23 registered animal feed premises. In 2016/17 seventeen premises were visited. The Service will ensure that 100% inspections due will be completed in 2017/18.

### **Mayoral Priorities**

- 6.10 The Service delivered on two of the Mayoral priorities as set out below.
- Mayor's priority 1 - The service tackles inequality by protecting vulnerable groups such as the elderly and young by investigating doorstep crime complaints and conducting age restricted test purchases.
  - Mayor's priority 2 - The service processes a large number of complaints and service requests and specialises in Proceeds of Crime (POCA) work that delivers an income to the council whilst removing the financial benefits for criminals.

## Age Restricted Interventions

- 6.11 The service has met the target of a minimum of 20 test purchase visits for knives, alcohol, fireworks for the year. Eight-five premises were visited during this period and some of the outcomes are set out in table 2 below.

**Table 2**

<b>Product</b>	<b>No of Sales</b>	<b>Outcome</b>
Alcohol	6	6 penalty notices
Fireworks	0	N/A
Knives	8	5 Warning letter  2 BTEC training course  1 prosecution – the trader was fined £375 plus a victim surcharge of £37 and costs of £1946.
Acid	12	8 premises signed up to voluntary agreement.

- 6.12 It is illegal to sell an age-restricted product to someone under 18 years of age and the Service will take enforcement action against those businesses and traders that break this law. In addition the protection of children from harm is one of the Licensing objectives, supported by Service in its capacity as a Responsible Authority.
- 6.13 Trading Standards hosted the first “Knife Sales Seminar” in June 2016, and retailers from the Victoria & Homerton wards were invited to attend. The presentation covered a wide range of topics, including an explanation of the legislation around knives, best practice, and the role of the Metropolitan Police and Trading Standards.
- 6.14 Warning letters were also issued to the traders that had sold knives during test purchase operations.
- 6.15 An education package has been introduced to support small businesses offering them a BTEC Level 2 Award in “Preventing under Age Sales”. The option to participate in this scheme is given to a business if it is their first offence.
- 6.16 The service carried out a series of action days in search of illegal tobacco. On the first day foreign cigarettes and 0.15 kg of hand rolling tobacco was seized.

- 6.17 During the second action day five premises were visited focussing on counterfeit and/or non-duty paid products. Three premises were found in possession of illegal products which were subsequently seized.
- 6.18 A third action day was arranged to establish the supplying of illegal tobacco. Premises were selected using intelligence available to the service. Officers were assisted by trained sniffer dogs. Six premises were visited and one premises in Hoxton was found to have illegal product. Twenty six packets of cigarettes were seized.
- 6.19 To address the increase in activity window stickers for traders that sell alcohol and tobacco have been developed to display in shops to deter both customers asking for and the traders supplying illicit alcohol and tobacco. Traders are being asked voluntarily to display the window sticker saying 'we don't buy illegal alcohol and tobacco'.
- 6.20 To further develop this area of work the North East London Illegal Tobacco group met in June 2016 to discuss communication strategies for promoting the enforcement against illegal tobacco.

### **Reducing the impact of scams on vulnerable groups**

- 6.21 Trading Standards continue to support vulnerable adults who are fall victim to scammers. Officers provide and fit call blocking devices which block certain unsolicited calls from the receiver.
- 6.22 The Service also returns cheques which have been sent by consumers to rogue traders but intercepted by the Scambusters Team. Ten cheques have been returned in 2016/17. Scambusters are a national organisation that investigate large scale fraud cases that they receive from various intelligence sources i.e. the Police, Citizens Advice Bureau, Trading Standards Teams and the public.

### **Rogue Traders/Operation Broadway**

- 6.23 Trading Standards has been carrying out a series of joint agency visits to virtual offices as part of Operation Broadway which is a multi-agency project tackling investment fraud in the City. Officers found that while broadly compliant businesses needed advice on due diligence under the Money Laundering Regulations 2017 and the London Local Authority Act 2007.
- 6.24 Under the Regulations the virtual offices must have proof of both the identity of the persons and residential address for those persons intending to use the virtual post box address.
- 6.25 Of particular concern is a trader based at Wenlock Road, London N1 7TA, the source of a high volume complaints concerning rogue traders. The address is used for mail forwarding and company registration business. The company had rapidly become a market leader and has been registering 30,000 new businesses every year. The Service has worked closely with the company in an attempt to resolve the issues using a multi-agency approach including the Police and HMRC.

- 6.26 The company has responded positively by putting in place an action plan to address the various compliance issues.

### **Unsafe Cosmetics**

6.27 As a result of proactive work in this area, a number of traders were found guilty of selling banned cosmetics containing hydroquinone and mercury, high dose prescription only steroid creams and counterfeit cosmetics. Sentencing took place on 26 May 2016 with the following results:-

- Defendant one
  - 10 weeks custodial sentence suspended for 2 years
  - Company disqualification of 4 years
  - Community Service 100 hours
  - Costs £10,000
  - Fine £2000
  - POCA £3661.59
  
- Defendant two
  - 12 weeks suspended sentence suspended for two years
  - Community Service 100 hours
  - Costs £10,000
  - Fine £3000
  - POCA £99 confiscation
  
- Defendant three
  - £1000 fine
  
- Defendant four
  - £500 fine

### **Financial Investigations**

6.28 The Service has three accredited financial investigators undertaking investigations for other Services within the Council as well as other local authorities. The service is currently working on cases for the Planning department and Barking and Dagenham's Trading Standards service.

### **Additional Service Priorities**

#### **National Minimum Wage**

- 6.29 The National Minimum Wage (NMW) is the minimum pay per hour workers are entitled to by law depending on a worker's age and if they are an apprentice.
- 6.30 On the 1<sup>st</sup> April 2016 the Government's introduced the National Living Wage for all working people aged 25 and over, currently set at £7.50 per hour. The current National Minimum Wage for those under the age of 25 still applies

- 6.31 In response to this 800 nudge-letters were sent to traders in Hackney. These letters were reminders to traders about their duties with respect to the national minimum wage and the national living wage.
- 6.32 Of the 800 letters sent 144 calls were received from Hackney employers and fifty-seven disclosures were made with most stating they had nil arrears.
- 6.33 In addition four webinars were held in Q4 of 2016/17 by the HMRC to reinforce this initiative.

### **Shisha Enforcement**

- 6.34 The project was not undertaken in 2016/17 as there was a focus on visits to premises selling corrosive products. A Shisha project is scheduled to be carried out with Environmental Health colleagues in November 2017.

### **Lettings Agents**

- 6.35 Officers visited 111 lettings agent in 2016/17 to ensure that fees were displayed on the business website and inside the premises.
- 6.36 Of the 111 visits, 45.9% of the businesses had the fees displayed on their website, 16.2% of the businesses had no website and 20.7% were found not to have fees on their website or on the premises.
- 6.37 Officers were satisfied that some small businesses were keen to address issues instantly at the time of visit as they did not have to discuss or gain approval from head office. The larger businesses had the benefit of information filtering down from their head offices and were generally all compliant.
- 6.38 Follow up action has revealed that the level of compliance on one or both of the two requirements was higher than expected with the smaller and independent companies needing more guidance to bring them to compliance.
- 6.39 Further follow up work is planned for 2017/18 in anticipation of new legislation that will ban letting agents from charging fees to prospective tenants. It is expected that the bill will come before Parliament sometime in 2018.

### **Winter Warmer Event**

- 6.40 The Winter Warmer event was held by Hackney Council for over 55s at Stoke Newington Town Hall N16 0JR on Thursday 26th Jan 2017.
- 6.41 This is a popular event for this age group attracting over 600 residents. The aim of the event is to provide residents with advice on keeping warm, keeping fit, eating healthy, learning how to be involved in the digital world that we live in and saving money during the winter months. Trading standards provided advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.

### **Consumer Complaints and Service requests**



- 6.42 In 2016/17 there were a total of 3128 consumer complaints and service requests received from members of the public compared to 3229 in the previous year.
- 6.43 This fall of 3.23% in the number of complaints received reflects a national reduction in the number of complaints received by the Consumer Advice Bureau (CAB) who receive the majority of complaints on behalf of trading standards.
- 6.44 There has also been a 13.5% decrease in the number of service requests received by the service. In 2016/17 there were 333 and, for the same period in the preceding year, there was 385.
- 6.45 The Service investigates a range of consumer complaints received from the CAB. Table 3 below provides a breakdown of the complaints and service requests received in 2016/17:-

**Table 3**

<b>Type of complaint/service request</b>	<b>Number of requests received</b>
Complaints received from the CAB	2680
Licensing requests received as responsible authority	208
Other type of complaints	115
Requests from public/other body	103
Notification of weights and measures verification	6
Animal feed registration	1
Other requests	15

## **7.0 Business Regulation Unit**

- 7.1 The new Community Safety, Enforcement and Business Regulation service includes the creation of an Integrated Partnership Unit and Intelligence Hub. This area brings together all strategy, partnership, partnership support and intelligence capabilities, undertakes and coordinates the strategy and partnerships actions for the entire service creating a consistent joined up approach to strategy development and delivery, also enabling through capacity and efficiency improvements the simplification of how this service collaborates corporately with partners and stakeholders and between services and disciplines.
- 7.3 It also brings together all performance management and enables implementation of effective joint tasking based upon strong integrated evidences. It also enables simplification of reporting and data management processes and ensures that all functions benefit from analytical expertise.
- 7.4 The restructure also created a Business Regulation Unit which brings together Food Safety, Health and Safety, Environmental Protection (dealing with noise and odour issues in commercial premises), Licensing

and Trading Standards into one place under a single management structure. It captures and delivers what's best about specialist service delivery but also enhances this with greater joint working and flexibility, creating greater capacity to address demand and solving entrenched and complex issues and problems.

- 7.5 This serves to reduce duplication, simplify customer processes and encourage and enable a partnership and prevention relationship to be formed with businesses which will see a rebalancing in activities from tick box inspection and punitive action to positive support mechanisms supporting businesses to self-regulate and enabling a focus on tackling the worst examples of non-compliance in a more effective way.
- 7.6 The new approach also reduces the regulatory burden upon business by aligning and joint tasking of services, particularly in business regulation, will ensure the elimination of unnecessary multiple visits to premises. Before enforcement takes place the enforcement service looks at options to support the business through the plethora of legislative restrictions to enable them to set a course to compliance without the need to recourse to formal enforcement action. This approach benefits all businesses but particularly new businesses and it also reduce demands on the enforcement service making it more efficient

## **8.0 PERFORMANCE AGAINST PRIORITIES - APPENDIX 1**

- 8.1 The report provides a 12 month update against the priorities for 2016/17 in respect of Food Safety and Trading Standards (see Appendix 1).

## **9.0 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 9.1 This report requests the Corporate Committee to note the contents of the Food Law Enforcement Service Plan (FLESP) 2016/17 and the Trading Standards Service Plan Service Plan 2016/17 and Note the level and scope of work being carried out to meet the requirements of the respective plan.
- 9.2 As the performance data contained in this report and appendices is retrospective, there are no immediate financial implications.
- 9.3 The total budget provision in 2017/18 for Environmental Health and Trading Standards is £1,243,723. The service aims meet the cost of the current work programmes from this budget.

## 10.0 COMMENTS OF THE INTERIM DIRECTOR OF LEGAL

10.1 One of the terms of reference of Corporate Committee is to develop, review, monitor and maintain a strategic overview of the Council's regulatory function. This report falls within that term of reference.

10.2 All legislation quoted within the body of this report is correct. There are no immediate legal implications arising from this report.

## APPENDICES

Appendix 1 - Performance Against Priorities 2016/17 update

Appendix 2 - Food Law Enforcement Service Plan (FLESP) 2016/17

Appendix 3 - Regulatory Services Plan Service Plan 2016/17.

## BACKGROUND PAPERS

None

<b>Report Author</b>	Gerry McCarthy, Head of Community Safety, Enforcement and Business Regulation. <a href="mailto:Gerry.McCarthy@hackney.gov.uk">Gerry.McCarthy@hackney.gov.uk</a> Tel: 020 8356 7087
<b>Comments of the Group Director of Finance and Corporate Resources</b>	Philip Walcott, Group Accountant <a href="mailto:Philip.Walcott@Hackney.gov.uk">Philip.Walcott@Hackney.gov.uk</a> 020 8356 2396
<b>Comments of the Interim Director of Legal</b>	Pauline Campbell, Senior Lawyer – General Litigation <a href="mailto:Pauline.Campbell@Hackney.gov.uk">Pauline.Campbell@Hackney.gov.uk</a> Tel: 020 8356 2775