

REGENERATION AND LIVEABILITY PORTFOLIO

DECISION SCHEDULE



Friday, 25th July 2008

at 10.00 am

in Committee Room A

The Mayor Stuart Drummond responsible for Regeneration and Liveability will consider the following items.

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

2.1 Trading Standards Service Plan 2008/09 – *Head of Procurement, Property and Public Protection*

3. ITEMS FOR INFORMATION

3.1 Headland Conservation Area Advisory Committee – *Director of Regeneration and Planning Services*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items

**REGENERATION AND LIVEABILITY
PORTFOLIO**

**Report to Portfolio Holder
25th July 2008**



Report of: Head of Procurement, Property and Public Protection

Subject: TRADING STANDARDS SERVICE PLAN 2008/09

SUMMARY

1. PURPOSE OF REPORT

To consider the Trading Standards Service Plan for 2008/09, which is a requirement under the national performance framework for trading standards.

2. SUMMARY OF CONTENTS

The report gives details of the Trading Standards service and the service plan for 2008/09.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder for Regeneration and Liveability has responsibility for this service.

4. TYPE OF DECISION

Non key.

5. DECISION MAKING ROUTE

Regeneration and Liveability Portfolio.

6. DECISIONS(S) REQUIRED

That the Portfolio Holder approves the Trading standards Service Plan for 2008/09.

Report of: Head of Procurement, Property and Public Protection

Subject: TRADING STANDARDS SERVICE PLAN 2008/09

1. PURPOSE OF REPORT

1.1 To consider the Trading Standards Service Plan for 2008/09, which is a requirement under the national performance framework for trading standards.

2. BACKGROUND

2.1 The Department of Business Enterprise and Regulatory Reform (BERR) National performance framework for trading standards provides guidance and information on how local authority enforcement service plans should be structured and what they should contain. Service plans developed under this guidance will provide the basis upon which local authorities will be monitored

2.2 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.

2.3 The Trading Standards Service Plan for 2008/09 is attached as **Appendix 1** and takes into account the guidance requirements.

3. THE TRADING STANDARDS SERVICE PLAN

3.1 The service plan for 2008/09 has been updated to reflect last year's performance.

3.2 The Service Plan covers the following:

- (i) Service aims and objectives.
- (ii) The background to the Authority, including the scope and demands on the health and safety service.
- (iii) Service delivery, including inspection programmes, service requests, complaints, advice, liaison and promotion.
- (iv) Resources, including financial allocation, staff allocation and staff development.

- (v) Quality assessment.
- (vi) Details of the review of the plan.

4. ISSUES

- 4.1 The number of programmed trading standards inspections carried out was on target with 100% of high risk premises inspected and 74 % of all other premises that were due for inspection. In total 375 inspections were carried out.
- 4.2 The Trading Standards Team again experienced significant staffing difficulties throughout 2007-08. There has been one long-standing Trading Standards Officer vacancy which has temporarily been downgraded to a technical officer post and filled by the student TSO. Whilst all programmed and reactive work was carried out the loss of qualified staff had significant effect on service improvements.
- 4.3 Partnership working with the regional scam busters and illegal money lending teams has been undertaken covering areas such as counterfeit goods.
- 4.4 Doorstep crime continues to be an issue for the Trading Standards Team. They have given talks along with the local Police Crime Prevention Officer, the local Target Hardening Officer and Victim Support and produced a display covering this subject. The Team was also an active member of “Operation Strong bow”, whereby incidents were recorded and intelligence was gathered and distributed amongst its members.
- 4.5 During 2008/09 we will focus our resources on dealing with the Council’s three high priority areas
 - Age related products
 - Product Safety
 - Rogue traders
- 4.6 During 2008/09 the sale of age-restricted products to children is a high priority as part of a coordinated approach to the problem we will work with other agencies to raise awareness and take enforcement action.

5. RECOMMENDATIONS

- 5.1 That the Portfolio Holder approves the Trading standards Service Plan for 2008/09.

6. CONTACT OFFICER

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Hartlepool Borough Council

Trading Standards Service Plan

2008/09

TRADING STANDARDS, SERVICE PLAN 2007/08

This Service Plan accords with the requirements of the Department of Business Enterprise and Regulatory Reform (BERR), National Performance Framework for Trading Standards, and the Council's aims in respect of its Trading Standards Service and the means by which those aims are to be fulfilled.

1. Background Information

Hartlepool is situated on the North East coast of England. The Borough consists of the town of Hartlepool and a number of small outlying villages. The total area of the Borough is 9,390 hectares.

Hartlepool is a unitary authority, providing a full range of services. It adjoins Easington District Council to the north, Sedgefield District Council to the west and Stockton on Tees Borough Council to the south. The residential population is 90,161 of which ethnic minorities comprise 1.2% (2001 census).

2. Service Aims and Objectives

Hartlepool Borough Council aims:

- To carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources.
- To supplement our enforcement role by providing targeted education and advice
- To encourage innovation through actively seeking out best practice and working in partnership with other agencies

In its delivery of the service the Council will have regard to directions from the Department of Business Enterprise and Regulatory Reform (BERR), the Office of Fair Trading (OFT), the Trading Standards Institute (TSI), approved Codes of Practice, the Regulators Code of Compliance, and guidance from Local Authorities Co-ordinators of Regulatory Services (LACORS).

Service delivery broadly comprises of:-

- Programmed inspection of business premises on a risk based system.
- Alternative forms of intervention.
- Test purchasing of goods and services including age related goods
- Provision of trader advice whilst carrying out an inspection or telephone request or via the Teams web site.

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- Provision of advice and educational material to business and public.
- Investigation of complaints from the public and trade.
- Promotional and advisory work.
- Participate in National and Regional initiatives.

Effective performance of the Trading Standards service necessitates a range of joint-working arrangements with other local authorities and agencies such as the Joint Working arrangement of Tees Valley Measurement (TVM), membership of the North East Trading Standards Association (NETSA), Cleveland Police, Scambusters, Illegal money lending team, Hartlepool Financial Inclusion Partnership, and North East Consumer Direct.

The Council aims to ensure that effective joint-working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

3. **Policy Content**

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnership's (the Hartlepool Partnership) goal is "to regenerate Hartlepool by promoting economic, social and environmental wellbeing in a sustainable manner"
- Corporate (Best Value Performance) Plan
- Neighbourhood Services Departmental Plan
- Public Protection Divisional Plan
- Consumer Services Service Plan
- Trading Standards Service Plan - sets out how the Council aims to deliver this statutory service and the Consumer Services Section's contribution to corporate objectives

The Council's Community Strategy sets out its vision for:-

'A prosperous, caring, confident and outward looking community realising its potential in an attractive environment'. This Trading Standards Service Plan contributes towards the vision and the Council's seven main priorities in the following ways:

Jobs and the Economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to Trading Standards law requirements, and avoid potential costly action at a later stage.

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Lifelong Learning and Skills

By providing and facilitating training for Traders and their staff and promoting an improved awareness of Trading Standards issues more generally within the community.

Health and Care

By ensuring that businesses offering goods for sale ensure that what they offer are safe, comply with the necessary safety standards and comply with the description applied to them.

Community Safety

By encouraging awareness amongst businesses of their role in the local economy, that they trade fairly and deal with complaints accordingly.

Environment and Housing

By encouraging businesses to be aware of changes in legislation which empowers consumers to deal with problems themselves, before resorting to obtaining assistance.

Culture and Leisure

By exploring ways to promote high standards of the provision of goods and services in respect of supplying the right quantity and product in hotels, other tourist accommodation, public houses and other licensed premises.

Strengthening Communities

By developing ways of communicating well with all customers, including proprietors of businesses whose first language is not English, and ensuring that we deliver our service equitably to all.

This Trading Standards Service Plan similarly contributes to the vision set out in the Neighbourhood Services Department Plan “to work hand in hand with communities and to provide and develop excellent services that will improve the quality of life for people living in Hartlepool neighbourhoods”. Within this, the Consumer Services Section has a commitment to ensure the safe, manufacture, importation, offering of consumer goods are safe and are properly labeled where necessary.

The Council is committed to the principles of equality and diversity. The Trading Standards Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

4. Legislative Powers and Other Actions Available

In May 2008 The Consumer Protection Regulations will be introduced, this legislation modifies and replaces existing legislation. The regulations will close loopholes that traders have been able to exploit. It places a duty on traders to act fairly towards consumers. Businesses will not be allowed to mislead consumers through acts or omissions or to subject consumers to aggressive commercial practices such as high pressure selling techniques. The aim is to establish a modern framework which is simpler and easier for businesses, consumers and enforcers to understand.

The most effective means of checking compliance with statutory requirements is through the inspection of retail businesses. This is reflected in guidance issued by BERR and Industry and LACORS who require Councils to draw up and implement an annual programme of risk-based inspections, which covers businesses as opposed to only premises.

It is recognised that whilst the inspection process is the primary means of securing compliance with Trading Standards legislation, this can be enhanced by the provision of advice, educational materials and training courses.

The service is obliged to investigate complaints relating to the provision of goods and services not complying with the relevant legislation, which will also relate to the requirements for adequate labeling, as required by the relevant legislation.

A national product warning system is in operation throughout the United Kingdom, which acts as a rapid alert system in respect of unsafe goods and product recalls. Some hazard warnings also originate from abroad. The Trading Standards Team response to the receipt of these alerts is appropriate to the individual circumstances of the hazard alert.

There is currently a requirement to report to the BERR annually on performance in relation to Trading Standards law enforcement activities. Annual performance statistics for all authorities are, in future, to be made publicly available by the Department.

Summary of the Powers of an Officer in the Trading Standards Team.

An authorised Officer may on production of his/ her credentials and at a reasonable hour, enter any premises other than premises used solely as a dwelling, in which they have reasonable grounds to believe there is any equipment or goods to which they enforce.

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They can also require any person carrying on the business or employed in connection with the business, to produce any books or documents relating to the business.

An authorised officer can exercise their powers to seize books and documents, (but only if and to the extent that it is reasonably necessary for securing the provisions of the relevant Act, are duly observed), may require any person having authority to do so, to break open any container, and if that person does not comply, break it open themselves.

An authorised officer may give written instructions suspending goods which are reasonably suspected of failing to comply with the Weights and Measures Act 1985 and can also suspend unsafe goods.

Where an authorised officer considers that a computer may contain information that could be used in evidence, he may require the information to be produced in a form that can be taken away and in which it is visible and legible.

5. Service Delivery Mechanisms

The trading standards service is responsible for a wide range of functions limited resources mean that work must be prioritised. The allocation of resources is therefore based around a matrix incorporating issues such as public concerns, trader concerns, and potential impact on public safety. For each area of responsibility the significance of all of these issues is determined and a score allocated within a weighted maximum. The resultant total determines the priority.

High priority area

- Underage Sales
- Product Safety
- Rogue Traders
-

Medium priorities areas

- Scams and Cons
- Counterfeiting
- False description of goods

Low priority areas

- Misleading prices
- Weights and measures
- Credit / loan sharks

The authority has adopted the six national enforcement priorities set out in the Rogers Review. In addition, local priorities will include underage sales.

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Resources are directed allocated in accordance with this matrix and Rogers review priorities.

Inspection Programme

Inspections carried out in respect of Trading Standards legislation, are carried out in accordance with the Council's policy and procedures on Trading Standards premises inspections and relevant national guidance.

Information on premises liable for Trading Standards inspections is held on the APP computerised system. Premises due for inspection are allocated to staff and inspections carried out on a regular basis, in accordance with guidance issues by LACORS and its risk based inspection programme.

An estimated 10% of programmed inspections are of premises where it is more appropriate to conduct inspections outside the standard working time hours. Arrangements are in place to inspect these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises which open outside of, as well as during standard work time hours.

The trading standards inspection program is a risk based system that follows current guidance. The current premises profile is shown in the table below

Risk Category	Frequency of inspection	No of Premises
High	12 months	5
Medium	24 months	437
Low	60 months	650
NIR	n/a	165
Unrated		81
Total		1338

The inspection program for 2008/09 comprises the following number of scheduled inspections

Risk Category	Frequency of inspection	No of Premises
High	12 months	5
Medium	24 months	263
Low	60 months	130
Unrated		81
Total		479

As a follow-up to primary inspections, the service undertakes revisits to bring businesses into compliance, accordance with current policy A number of these premises revisits will be undertaken outside standard

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working hours and arrangements are in place as described above to facilitate this.

It is anticipated that consistent, high quality programmed inspections by the service will, over time, result in a general improvement in standards (brought into compliance), reducing the frequency for recourse to formal action.

The performance against inspection targets for all trading standards inspections is reported quarterly as part of the Neighbourhood Services Department internal performance monitoring. In addition this, performance against inspection targets is reported quarterly to the Regeneration and Liveability Portfolio Holder as part of the Neighbourhood Services Department plan update.

Alternative Enforcement Strategy for Low Risk Premises

From April 2005 an alternate enforcement strategy may be employed for low risk premises, based on selected trade sectors, i.e. hairdressers and fast food establishments, Self-assessment will usually consist of questionnaire being sent to these businesses and a subsequent evaluation of the results of this self-assessment by Authorised Officers.

A percentage of those businesses returning questionnaires will be visited to validate the information received, as well as businesses not responding. Inspection visits may also be made where a low risk business is the subject of complaint and where notification of change of business use or proprietorship is received.

Product Inspection and Testing

The purpose of inspection of businesses is to check that products which are manufactured in the UK or are imported, comply with safety requirements are safe. Also that services which are provided are as described. The Trading Standards Team has a monthly allocation of resources for the examination or testing of test purchases at the jointly run Tees Valley Measurement laboratory.

Trading Standards Inspection/Sampling Plan 2008/09

Trading Standards Officers whilst they are carrying out general inspection and other duties will examine a large range of goods. Some goods will be seasonal or be in retail premises for a very short time scale. The Officers of the Trading Standards Team will therefore concentrate on specific goods at particular times. Officers always are allowed to use their discretion whilst carrying out their duties to make test purchases.

The reasons for examination or test purchasing are as follows.

- There has been a problem with this type of product in the past. (from past experience, or there has been a safety warning or recall).
- It is a new type of product and little or nothing is known about it.

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- It has or is suspected of having a problem i.e. non-compliance with a standard or incorrectly described.
- The product is subject to a complaint, (safety or description).
- Part of the inspection and sampling plan.
- Subject covered by a local/regional initiative.
- Being offered for sale by an itinerant seller.

The plan for 2008/09 will take account of the above criteria.

Trading Standards Inspection/Sampling Plan 2008/09

April Electrical Products	May Electrical Products	June Sunglasses Sports goods packaging
July Sunglasses Sports goods packaging Internet goods (joint with food)	August Sunglasses Back to school products Electric products suitable for holidays	September Back to school products Halloween products
October Halloween products	November Toys Electrical products Candles / garlands	December Toys Electrical products Candles / garlands nightwear
January Sales items	February Valentines day goods	March Mothers day products

Tees Valley Measurement

Hartlepool, along with the other three Cleveland District Councils, jointly fund Tees Valley Measurement. It carries out verification and inspection duties, mainly on industrial sites and petrol stations. It also provides a calibration service to industry. An informal screening and testing laboratory is also provided along with the maintenance of the weights and measures standards for the Unitary Councils.

Age Restricted Products

Legislation prohibits the supply (sale or hire) of specific products to persons under certain ages. The Trading Standards Team treats age restricted goods as a high priority and due to its commitment to reducing crime and disorder, has concentrated on the reduction of the supply of alcohol to young consumers. It is our policy to prosecute suppliers and to institute a revue of the premises licence under the provisions of the Licensing Act 2003.

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Officers advise retailers of legal requirements whilst carrying out inspections. Test purchases, prosecutions are also reported in the media.

A table showing penalties for supplying products to persons under certain ages

PRODUCT	SUPPLY ONLY TO THOSE AGED:	MAXIMUM PENALTY
Tobacco products	18 and over	£2,500
Offensive weapons/knives	18 and over	£5,000 and up to 6 months
Caps, cracker snaps, novelty matches, party poppers, serpents and throwdowns	16 and over	£5,000 and up to 6 months
Fireworks	18 and over	£5,000 and up to 6 months
Videos, video and computer games: Classification 12	12 and over	£5000 and up to 6 months; imprisonment
Videos, video and computer games: Classification 15	15 and over	£5000 and up to 6 months; imprisonment
Videos, video and computer games: Classification 18	18 and over	£5000 and up to 6 months; imprisonment
Volatile substances/solvents	18* and over	£5,000 and up to 6 months
Crossbows	18 and over	£5,000 and up to 6 months
Airguns and pellets	18 and over	
Lighter refills containing butane	18 and over	£5,000 and up to 6 months
Lottery tickets/Instant Win cards	16 and over	£5,000 and up to 2 years
Aerosol paint	16 and over	£2,500
Alcohol	18 and over	£5,000 and forfeit of licence

Investigation of Complaints

The service receives complaints regarding a wide range of goods and services, all of which are subject to investigation. Based on 2007/08 we would expect 125 such complaints. An initial response is made to these complaints within two working days. Whilst many complaints are investigated with minimal resource requirements, some more complex cases may be resource-intensive. Complaints may also require the need for test purchasing of goods or services and subsequent inspection or analysis or the obtaining of an experts opinion.

The investigation may also involve other organisations and Trading Standards Authorities. Some complaints are referred onto these other organisations as the most appropriate means of resolving them, and to the other Trading Standards Service as part of the Home Authority

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principal. Government Departments such as the Office of Fair Trading and BERR, are also contacted where there are wider issues involved.

As a result of a complaint, one of the considerations made is whether it is a widespread issue which needs to be looked at on a wider scale or by the trade sector, locally or regionally. The Hartlepool Trading Standards Team is one of the twelve members of the North East Trading Standards Association (NETSA) and as such it can either raise issues with its Executive or via one of its Focus Groups, i.e. fair trading, safety, metrology or consumer advice. In addition complaints can be transferred to the regional scambusters or illegal money lending teams for investigation.

The procedures for receipt and investigation of complaints are set out in detailed guidance and internal policy documents.

Provision of Advice and Education.

The Trading Standards Team carries out a wide range of advice and education activities. These activities include:-

- Maintain the Trading Standards web site with advice to the public and trade.
- Participate in national awareness weeks, i.e. Child Safety Week, National Consumer Week and the OFT Scams Awareness Month.
- Educate the trade regarding current and proposed changes in legislation, i.e. regarding unfair commercial practices.
- Provision of trader advice whilst carrying out an inspection or telephone request
- Provision of consumer advice via the national Consumer Direct North East service.
- Issue press releases to educate and warn the public and trade.
- Attend education events and participate via the use of displays and talks
- Educate the public, particularly the vulnerable, by the giving of talks and other initiatives regarding doorstep crime.
- Participate in National and Regional initiatives.
- Provide advice and assistance to new traders.
- Educate and warn the public and trade regarding scams which are aimed at them specifically.

Home Authority arrangements

The Trading Standards Team has no formal arrangements with any businesses to act as Home Authority. Informal arrangements are in place with some businesses.

General

The delivery point for the trading standards enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with emergencies, which occur out of hours.

6 Resources

Staffing Allocation

The Director of Neighbourhood Services has overall responsibility for the delivery of the Trading Standards Team. The Head procurement, Property and Public Protection has responsibility for ensuring the delivery of the Council's Trading Standards Service and its service plan. The Consumer Services Manager, will consult with the Principal Trading Standards Officer regarding the exercising of its Trading Standards function, who also has responsibility for the day to day management of the service.

The resources determined necessary to deliver the service in 2008/09 are as follows:

One x 0.25 Consumer Services Manager (with responsibility also for Health and Safety, Licensing and Food)

One Principal Trading Standards Officer (with responsibility for the day to day operation of the Trading Standards service).

Three (Senior) Trading Standards Officers (with requisite qualifications and experience) (Note: only one currently in post).

We have been unable to fill the vacant TSO posts and have therefore appointed the trainee as a technical officer until she obtains her professional qualification. The other post is currently vacant.

One Senior Enforcement Officer

One Trainee Trading Standards Officers currently vacant.

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The Consumer Services Manager has responsibility for planning service delivery and day to day management of the Trading Standards, Food Law service, Health and Safety at Work, Licensing, Public Health, Water Quality, Animal Health and Welfare and IT, as well as general management responsibilities as a member of the Procurement, Property and Public Protection Management Team.

The Principal Trading Standards Officer has responsibility for the day to day supervision of the Trading Standards Service.

The Trading Standards Officers, have responsibility for the performance of the Trading Standards inspection and sampling programmes as well as the delivery of all other aspects of the service. The Trading Standards Officers will deal with the more complex investigations, complaints and supervision of the Trainees.

The Senior Enforcement Officer is also responsible for inspections, as well as revisits, investigation of less complex complaints.

Administrative support is provided by Support Services within Neighbourhood Services department.

All staff engaged in the Trading Standards Team enforcement activities will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties will be suitably qualified and experienced to carry out this work.

Financial Resources

The annual budget for the Consumer Services section in the year 2008/09 is:

	£000
Employees	730.5
Other	362.8
Income	(218.1)
Net Budget	875.2

This budget is for all services provided by this section, i.e., Health and Safety, Licensing, Food and resources are allocated in accordance with service demands.

Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the Trading Standards service. The Team is developing a documented procedure that ensures the proper maintenance and calibration of equipment. The Working Standard equipment, (weights, scales, alcohol measuring equipment) is examined and tested on a six monthly basis at the premises of Tees Valley Measurement. Other

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equipment (solid fuel scales) are obtained on a when needed basis. Officers from Tees Valley Measurement, carry out inspection, testing and verification of petrol pumps, weighbridges and large capacity weighing and measuring equipment, as part of its joint agreement with the four ex Boroughs of Cleveland.

The Trading Standards Team as part of the Public Protection Division has a computerised performance management system, APP. This is capable of maintaining up to date accurate data relating to the activities of the Trading Standards Team. A documented database management procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the inspection programmes, the recording and tracking of all businesses, the production of statutory returns and the effective management of performance.

Training Plans

The qualifications and training of staff engaged in Trading Standards enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of Officers.

Officers are encouraged to maintain their professional competency, through the attendance at accredited short courses, seminars or conferences. Training is also provided via the Trading Standards Institute, Northern Branch and NETSA. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the personal development of staff and has in place Personal Development Plans for all members of staff.

The staff Personal Development Plan scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis. The outcome of the process is the formulation of a Personal Development Plan that clearly prioritises training requirements of individual staff members. The Personal Development Plans are reviewed six monthly.

The details of individual Personal Development plans are not included in this document, but in general terms the priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team, and training and development of new staff joining the team.

Detailed records are maintained by the service relating to all training received by officers.

7. Service Review and Quality Assessment

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Quality Assessment

The Council is committed to quality service provision. To support this commitment the Trading Standards Team seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the Team achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Principal Trading Standards Officer, will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

Review

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2007/08.

This service plan will be reviewed at the conclusion of the year 2008/09 and at any point during the year where significant legislative changes or other relevant factors occur during the year. It is the responsibility of the Consumer Services Manager to carry out that review with the Head of Procurement, Property and Public Protection.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Following any review leading to proposed revision of the service plan member approval will be sought.

Performance Review 2007-08

This section describes performance of the service in key areas during 2007-08.

The Trading Standards Team experienced significant staffing difficulties throughout 2007-08. There has been one long-standing Trading Standards Officer vacancy which has temporarily been downgraded to a technical officer post and filled by the student TSO. Whilst all programmed and reactive work has been carried out the loss of qualified staff had significant effect on service improvements.

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Inspection Programme

The Trading Standards Team achieved an inspection rate of 100% of its High Risk premises and 74% of all other premises. In total 375 inspections were carried out.

The Trading Standards Team has three high priority areas:-

- Age related products.
- Product safety.
- Rogue traders.

Business and Customer Questionnaires

The Trading Standards Team has obtained high scores with the business and customers, when questionnaires were left following an inspection or an investigation of a complaint was completed. This indicator is replaced by a new national indicator in 2008/09)

Results

Business satisfaction index 100%.

Customer satisfaction index 100%.

Sampling

The sampling programme for 2007/08 has been completed. The results are:

Category	Number submitted	Pass	Fail
Toys	25	19	6
Electrical	7	5	2
Other	24	15	9
Total	56	39	17

Where unsatisfactory samples are identified, officers carry out follow up work and take appropriate action. A number of items were withdrawn from sale locally and nationally following routine sampling they included:

- Several toys tested failed in respect of potential choking hazards
- Six candles and oil burners failed due to either stability or shattering and were subsequently recalled by the retailers concerned.
- Three Halloween products failed, two in respect of flammability.

Promotional Work

Child Safety Week

The Trading Standards Team as part of Child Safety Week in July 2007 undertook a project in relation to Seaside Safety, whereby retailers were requested not to sell inflatables to unaccompanied

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children. This was well supported by retailers and a partnership was developed with the local Life Guards and RNLI. The initiative was featured in the local press and radio.

Doorstep Crime.

Doorstep crime was an issue Trading Standards Team they have give talks along with the local Police Crime Prevention Officer, the local Target Hardening Officer and Victim Support and produced a display covering this subject. The Team was also an active member of "Operation Strong bow", whereby incidents and intelligence was gathered and distributed amongst its members.

National Consumer Week

The team also took part in National Consumer Week when it issued the "Think Twice" booklets to the organisers of certain groups representing the vulnerable and the older person. The Team distributed the brochure in an audio version to the local blind centre. The distribution was part of its education and empowerment of consumers programme.

Loan Sharks

A display was prepared featuring the problem of "Loan Sharks" with the aim of increasing awareness of the problem and to gather intelligence. The Principal TSO also attends the Hartlepool Financial Inclusion Partnership Steering Group meetings. In 2007 it was part of the local, "Money Matters" Conference, which was attended by a wide cross section of other agencies and interested parties.

Complaints

Consumer Direct

The team no longer provides a direct consumer advice service. The provision of this service is via the call centre delivery approach by North East Consumer Direct regionally.

Civil Complaints

The team does however deal with civil complaints and during 2006/07 dealt with 125 complaints and requests for advice. These investigations have been undertaken all within our target of two working days.

Enforcement

Age restricted goods

During 2007/08 work on age restricted goods has concentrated on alcohol. The Work was carried out in partnership with Cleveland Police By working with young volunteers, they were able to test whether some retailers were prepared to sell alcohol to minors, (under 18's). The work related to both on and off licensed premises.

IP Crime

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The growth of counterfeiting is still on the increase and the Team has seized a number of garments, trainers, DVD's, (film and music), to protect legitimate trade and disrupt the activities of rogue traders.

Improvement Proposals 2006/07

The following areas for improvement are identified in the 2007/09 Trading Standards Service Plan.

Peer Review

Due to staffing problems the review was not carried out and has been rescheduled for 2008/09

Review of Enforcement Matrix

During the year a review of the trading standards enforcement matrix was carried out and the priority areas for the service. The new priority areas are detailed in this plan

Challenge 21

The sale of age-restricted products to children is a high priority for the trading standards service. As part of a coordinated approach to the problem all premises licensed to sell or supply alcohol have been encouraged to adopt a challenge 21 approach.

Procedures

The Team recognises that it needs a robust documented procedure system, for all of its activities. Work has started and will be continued during 2008/09.

8. Key Areas for Improvement 2008/09

In addition to committing the service to specific operational activities such as performance of the inspection programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2008/09.

Procedures

The work started in 2007/08 on documented procedures will continue this next financial year.

Peer Review

The Team will undertake a peer review of the Trading Standards service during the year.

**REGENERATION & LIVEABILITY PORTFOLIO
REPORT TO PORTFOLIO HOLDER
25 July 2008**



Report of: Director of Regeneration and Planning Services

Subject: HEADLAND CONSERVATION AREA ADVISORY COMMITTEE

SUMMARY

1. PURPOSE OF REPORT

1.1 To provide information on the recently formed Headland Conservation Area Advisory Committee.

2. SUMMARY OF CONTENTS

2.1 The report outlines the background to the committee and the potential composition of the committee.

3. RELEVANCE TO PORTFOLIO MEMBER

3.1 Conservation policy falls within the Portfolio.

4. TYPE OF DECISION

4.1 Non-key.

5. DECISION MAKING ROUTE

5.1 Portfolio Holder only.

6. DECISION (S) REQUIRED

6.1 That the Portfolio Holder notes the report.

Report of: Director of Regeneration and Planning Services

Subject: HEADLAND CONSERVATION AREA ADVISORY COMMITTEE

1. PURPOSE OF REPORT

- 1.1 To provide information on the recently formed Headland Conservation Area Advisory Committee (CAAC).

2. BACKGROUND

- 2.1 At the Portfolio Holder Meeting in April 2006 the Portfolio Holder agreed to the setting up of a conservation area advisory committee on the Headland. At the time an appraisal was about to be carried out of the Headland conservation area. The appraisal also included the setting up of a steering group to guide the work. It was felt that it would be appropriate to wait until the appraisal was completed until an advisory committee was convened.
- 2.2 A meeting was recently held with ward councillors and representatives of the parish council to discuss the proposal and agree potential membership.

3. MEMBERS OF THE COMMITTEE

- 3.1 Discussions with ward councillors and a representative of the parish council resulted in the formulation of an outline membership for the committee. The following members were agreed:
- Eight resident representatives (these include individuals living and working in the area)
 - One representative of the Parish Council
 - One ward member representative
 - Two representatives from local interest groups one of which would be the Headland History Group.
- 3.2 The format for the selection of resident representatives was based on that used for Resident Representatives on the Neighbourhood Forum Groups. All properties received a letter outlining the background to the CAAC and requesting resident representatives from both residents and businesses within the area. Residents were then required to complete a nomination form with their nomination endorsed by five other residents of the area. Six resident representative nominations were received.
- 3.3 A public meeting was held on the 1st July. The purpose of the meeting was to provide further information to residents on CAACs and agree the resident

representatives. It was agreed that the six residents who put their names forward would sit on the committee and a further two representatives were agreed by those present on the evening completing the eight resident places available.

- 3.4 The Headland History Group has agreed to sit on the committee providing a place for one other group. Residents associations, interest groups and the churches in the area have been contacted and asked to express an interest. All expressions of interest will be put to the initial nucleus of the committee at their first meeting to agree who the second interest group should be.

4 REMIT

- 4.1 The remit of the group has not been finalised. It was agreed at initial meetings with ward and parish council representatives that this should be for the group to determine. Members of the committee may decide they wish to consider planning applications within the area, or alternatively may wish to follow up on the suggestions produced via the conservation area appraisal.

5 MEETINGS

- 5.1 The first meeting of the group will take place on the 24th July. Further monthly meetings will follow until the group is established.

6 RELATIONSHIP WITH HARTLEPOOL CAAC

- 6.1 The Hartlepool CAAC considers strategic policy issues across all eight conservation areas within Hartlepool. It is anticipated that there would be little conflict between this and the new CAAC which would consider more detailed conservation issues, focused solely on the Headland Conservation Area. It is hoped that there would be a dialogue between the groups with information passed between them when appropriate.

7 RECOMMENDATION

- 6.1 That the Portfolio Holder notes the report.