

<b>Committee(s)</b>	<b>Dated:</b>
Safer City Partnership Strategy Group – For Information	06 June 2016
<b>Subject:</b> Public Protection Service (Environmental Health, Licensing and Trading Standards) update	
<b>Report of:</b> David Smith, Director of Markets & Consumer Protection	<b>For Information</b>
<b>Report author:</b> Jon Avern, Markets & Consumer Protection	

### Summary

The Department of Markets and Consumer Protection contributes to the work of the Safer City Partnership (SCP) through its Public Protection Service which comprises Environmental Health, Licensing and Trading Standards. Work relating to the SCP is on-going in the following areas:

- Economic crime
- Illegal street trading
- Licensing
  - Late night levy
  - Safety Thirst
- Noise service

The Service is also contributing to the strategic direction of the SCP.

### Recommendation

Members are asked to:

- Note the report.

### Main Report

#### Background

1. The Consumer Protection part of the Department of Markets and Consumer Protection comprises three services:

- Animal Health
- Port Health
- Public Protection

The latter includes Environmental Health, Licensing and Trading Standards, all of which contribute to the work of the Safer City Partnership.

2. Whilst there are routine proactive and reactive responses to community needs, there is also a range of projects underway, details of which are provided below.

## **Current Position**

### **Economic Crime – The City of London Trading Standards Service working in partnership**

3. City of London Trading Standards Service decided to close Operation Addams following consultation with Counsel and senior management due to procedural issues which made a successful conclusion very unlikely. Another investment fraud investigation, Operation Curie, is currently being reviewed and assessed along with the other agencies involved, and a decision will be made in due course on how to complete it.
4. Trading Standards continue to participate in Operation Broadway, a joint operation with the City of London Police, the Metropolitan Police, National Trading Standards Scambusters, the Financial Conduct Authority and HM Revenue and Customs.
  - a) This operation is addressing the problem of investment fraudsters that operate in, or use the addresses of, serviced and virtual offices within the City of London.
  - b) The Operation continues to be successful to date with multi-agency meetings taking place every two weeks and deployments to businesses suspected of involvement in fraud happening on a regular basis.
  - c) There are still around 90 mail forwarding businesses within the City of London and the Trading Standards team continue to work hard to ensure full compliance with the London Local Authorities Act. This will make it very difficult for investment fraudsters to establish a base in the City.
  - d) A submission has been made to The Municipal Journal Awards 2016 on behalf of Operation Broadway. This is a prestigious award and the entry has been made in the 'partnerships' category. A copy of the submission is attached as Appendix 1.
  - e) Trading Standards and Tri-regional Scambusters are committed to continued support of Operation Broadway for 2016/17 and approval to seek additional funding from various sources including CoL Police POCA funds for an additional Trading Standards Officer (TSO) for 12 months was granted by the Port Health & Environmental Services Committee in March; the additional TSO will support other London Boroughs in order to keep the pressure on mail forwarding businesses.
  - f) Most recently, Police Scotland have shown considerable interest in the Operation Broadway 'model and are keen to gain a greater understanding of how its partnership processes might translate to Scotland.
5. Trading Standards has scoped out a project to look at letting agents that are operating in the City this year. We have identified 29 agents and they are being visited and advised about the requirements of some new legislation that seeks to protect prospective tenants from rogue trading activity.
6. A Parliamentary event took place in March 2016 which was organised by Professor Keith Brown from Bournemouth University and the City of London Trading Standards was a key partner at this event. Professor Brown is a leading

expert from the National Centre for Post Qualifying Social Work and Professional Practice and has a particular interest in protecting vulnerable consumers from financial abuse.

7. Our Trading Standards Manager has a strong view that the key to stopping consumer scams is to stop the transfer of money from the victim's account to the fraudster through introducing a 24 hr cooling off period for vulnerable adults. The banks are a key partner to beating the fraudsters and progress continues to be made in discussion with the British Bankers' Association (BBA).
8. Finally, our Trading Standards Manager's vision of such an authenticity check on any large transactions from a vulnerable persons account was included in a high level document produced to support the above Parliamentary event.

### **Street Trading**

9. There is still a very limited demand for short-term licences, with only two applications having been received since January this year; one in respect of Paternoster Square now part of the City's highway and one for the enhanced Nocturne cycling event in June.
10. There is still some illegal street trading activity in the City, mainly nut sellers on the south side London Bridge/Millennium Bridge. There is a prosecution proceeding for one nut seller since the last meeting and one cart has been seized. Ice cream trading has been noted at various locations for short periods of time. One new trader has been verbally warned against further trading and asked to sign an undertaking to that effect. A previously seized vehicle (from 2015) has recently been seized again with the help of the City of London Police.
11. A further operation is planned to target nut sellers operating in the City at weekends, and ice cream vans will also be tackled if identified in the Square Mile.

### **Late Night Levy**

12. The forecast for 2015/16 is now not expected to fall below the levels of year one i.e. £445,000. Amounts collected so far this year are on a par with year one and there has not been any significant decrease in numbers of licences held after 0001, the trigger time for the levy payment, suggesting there is no disincentive introduced against trading in this period by the levy itself. The administration fee in year two is slightly less at £15,000 (C.V. £25,000 in first year of the levy) therefore amounts to be apportioned in year 2 of the levy is forecast to be slightly more. 70% of levy goes to City of London Police for activities involving improving the impact of Licensing on the night time economy, and 30% to the City Corporation.
13. The income collected has enabled the licensing service to continue with operating its unique risk scheme combined with Safety Thirst, a best practice scheme (see below). The Police and Cleansing services have been able to put additional resources into those areas that are affected by the night time economy directly affecting the levels of crime and disorder and public nuisance. Ideas for

other areas for expenditure to manage the night time economy are sought as we have been conservative with the initial expenditure, as the levy income can be carried forward each year. It is anticipated that at least some of the levy will contribute towards ensuring an alcohol reception centre is provided near Liverpool Street Station during the Christmas period.

14. An approach has been received from the Community Safety Team to fund the taxi marshalling service at Liverpool Street station at a cost of £25000 per annum. The Comptroller and City Solicitor has advised that this is a legal and appropriate use of the levy, so subject to continued support for the service, this proposal will be included with any others for approval by the Licensing Committee.

### **Safety Thirst**

15. The current round of Safety Thirst Award scheme started at the end of April this year with applications being sent out to all those premises that pay the late night levy as well as other pubs and restaurants. It is the intention to follow up the invitations to participate with area managers for those which are part of larger groups (such as Novus who took part for the first time last year) in order to encourage wider participation than simply addressing the current direct premises management.
16. Assessment is being carried out from the end of May to August, with August and September being used as contingency periods for late applicants and for moderation of results. The City Police Licensing and Community Teams and have indicated that this year they will assist with this year's assessment round. The award will be subject of a ceremony on 18 October 2016 and all of the activity will be resourced via the levy.

### **Noise Complaints Service**

17. The noise service has dealt with reactive and proactive matters as set out in the table below in the final period (1 December 2015 – 31 March 2016) of the business year 2015/16. Customer surveys are undertaken monthly and responded to where those surveyed have identified themselves. Results and comments are used at team meetings to improve the service where appropriate and practical.
18. The Pollution Team dealt with 173 noise complaints between 1 March and 18 May 2016 of which 96 % were resolved. In addition, they also assessed and commented on 282 Planning, Licensing and construction works applications and 245 applications for variations of work outside the normal working hours.
19. The Out of Hours Service dealt with 106 complaints between 1 March and 18t May 2016 and response (visit) times were within the target performance indicator of 60 minutes in 90 % of cases, and often only 30 minutes.

20. The Pollution Team did not serve any Environmental Protection Act abatement notices, but issued four Control of Pollution Act Notices between 1st March and 18 May 2016 relating to construction sites.

21. The City Corporation's noise strategy is currently being reviewed and a revised strategy will be published later this year.

Pollution	2014-15 Annual Total	2015-16 Annual Total	Period 3 2015-2016 results			
			Total	% Noise complaints resolved	Notices served	Prosecutions
Complaint investigations, noise	1093	<b>1157</b>	410	96.8%	5 S.60	0
Complaint investigations, other	237	<b>156</b>	148	N/A	N/A	0
Licensing, Planning and Construction Works applications assessed	1889	<b>2215</b>	680	N/A	6 S.61	N/A
No. of variations (to construction working hours) notices issued	735	<b>1009</b>	380	N/A	N/A	N/A

### Corporate & Strategic Implications

22. The Public Protection Service has contributed to the draft Safer City Partnership Strategic Plan 2016, and a meeting has been held to ensure all relevant activities are included in the priorities.

23. The Markets and Consumer Protection Department is represented by its Chief Officer on the Safer Communities Project Board, and is also contributing more broadly to the One Safe City programme.

### Conclusion

24. The Public Protection Service continues to support the work of the Safer City Partnership through routine work, but also via specific projects and contributing to plans and strategies.

### Appendices

- Appendix 1 – Trading Standards Application to The Municipal Journal Awards 2016

**Jon Averts, Port Health & Public Protection Director, Markets & Consumer Protection**

T: 020 7332 1603

E: [jon.avers@cityoflondon.gov.uk](mailto:jon.avers@cityoflondon.gov.uk)