

Safer City Partnership Strategy Group

Wednesday 2 March 2016

Public Protection Service (Environmental Health, Licensing and Trading Standards) update

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

- The City of London Trading Standards Service has completed the assessment and review of Operation Addams. This was a large scale investigation undertaken with the assistance of the Tri-Regional Scambusters Team and support from the City of London Police. The investigation was into the fraudulent selling of alternative investment commodities such as diamonds, gold, wine and carbon credits. There were potentially eight defendants identified and two of them were also being investigated by Essex Police for similar matters.
- The investigation mushroomed, so following close consultation with Counsel and senior management, and taking a pragmatic view of a possible roadmap to prosecution, the decision was taken to close the case. Prosecution costs would have been in excess of £750,000 and the fact that there were no assets available to compensate the victims in the event of a conviction was also an influence. Essex Police are now prosecuting the two ringleaders from Operation Addams and, if requested, Trading Standards will provide any evidence in its possession to support this case. Another investment fraud investigation called Operation Curie is going to be discussed with other agencies, and a decision will be made in due course on how to complete it.
- Trading Standards are still participating 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.
 - This operation is addressing the problem of investment fraudsters that operate out of serviced and virtual offices within the City of London. 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.
 - An application is being compiled by the Trading Standards Manager for submission to the Municipal Journal Awards on behalf of Operation Broadway. This is a prestigious award and the entry has been made in the 'partnerships' category. A copy of the application can be circulated in due course.
 - Trading Standards Tri-regional Scambusters are committed to continued support of Operation Broadway into 2016/17 (subject to National Trading Standards budgets that are still due to be confirmed) and discussions are taking place to look into extra resources to provide an additional Trading Standards Officer to support other London Boroughs in order to keep the pressure on mail forwarding businesses. Since October 2015, Scambusters have provided additional resource to provide a part time intelligence

analyst in order to assist in the identification of suspect premises for deployment.

- There are 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.
- Trading Standards is currently scoping a project to look at letting agents that are operating in the City. Around 20 agents have been identified and all will be visited and advised about the requirements of some new legislation that seeks to protect prospective tenants from rogue trading activity.
- 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 account to the fraudster and is starting to research into this area. The banks, it is felt, are a key partner to beating the fraudsters and excellent progress is being made. A Parliamentary event is taking place in March 2016 that has been organised by Professor Keith Brown from Bournemouth University and the City of London Trading Standards are now 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. Our Trading Standards Manager's vision of an authenticity check on any large transactions from a vulnerable persons account has been included in a high level document produced to support the Parliamentary event.

Street Trading

- There is still a very limited demand for short-term licences, no applications having been received since January this year. There remains very little street trading activity in the City, mainly ad hoc occasional nut sellers on the south side London Bridge/Millennium Bridge. There has been a prosecution of one nut seller since the last meeting but this remains a low level concern. London Bridge has been targeted for enforcement, but little activity has been observed.

Late Night Levy

- The Levy came into effect on 1 October 2014. 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.
- The income collected has enabled the licensing service to continue with operating its unique risk scheme combined with Safety Thirst, a best practice scheme. The Police and cleansing service 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 initial expenditure has been conservative, as the levy income can be carried forward each year.

- The net total collected for the levy in the first year (October 1 2014 – September 30 2015) is £445,087.70 less £25,000 for administration purposes as outlined in the accompanying government guidance. This has been apportioned as follows:
 - City of London Police - £294,061.39 (70%)
 - City Corporation - £126,026.31 (30%)

Forecasts of income for 2015/16 (the second Levy year) are not expected to fall much below £430k

- A report on the Levy was presented to the Licensing Committee on 3 February 2016, a copy of which can be provided separately.

Safety Thirst

- The current round of Safety Thirst Award scheme is due to start in March this year. Applications will be sought in the two month period to the end of April; with assessments being carried out primarily from May to August. The City Police Community Team have indicated that this year they would be prepared to support the assessment round.
- It is unclear at present where funding for this will be provided. If 'POCA' money or similar is not available then the award ceremony in October (as before) may not occur and the scheme will revert to something more of an administrative task undertaken by the Licensing Team over the whole financial year, with support of the Late Night Levy (which can only be used for premises open between midnight and 0600).
- The awards took place on 12 October 2015 in the Livery Hall where all 31 successful premises were given their Safety Thirst Award Certificate.

Noise Service

- The Pollution Team dealt with 321 noise complaints between 16th October 2015 and 9th February 2016 of which 96.3 % were resolved. In addition, they also assessed and commented on 442 Planning, Licensing and construction works applications and 698 applications for variations of work outside the normal working hours.
- The Out of Hours Service dealt with 148 complaints between 16th October 2015 and 9th February and response (visit) times were within the target performance indicator of 60 minutes in 91.6% of cases, and often only 30 minutes.
- The Pollution Team was required to serve one Environmental Protection Act abatement notice and one Control of Pollution Act Notice between 16th October 2015 and 9th February 2016.

- To date, the City's response to the new 'Community Trigger' has not been required under the Anti-social Behaviour, Crime and Policing Act 2014. Community Protection Notices (CPN's) have so far not been required.

Charity Collections on the street (Chuggers)

Background

- This issue was last considered by the Policy & Resources Committee in December 2012 when it was agreed to monitor complaints and raise any issues with the Public Fundraising Association (PRFA). Chuggers are still active in the City, and since August 2015 any collectors contravening the PRFA rule book conduct rules have been challenged by Police officers, PCSO's, licensing officers and other City Corporation enforcement officers. The PRFA rule book can be found at http://www.pfra.org.uk/wp-content/uploads/2016/01/PFRA_rulebook_-_Street_-_Sept_2015.pdf
- There are no legal powers to prevent chuggers obtaining bank details or requesting some form of electronic payment. The only legislation relates to cash collections, and the Remembrancer has been approached about the potential for other legislation to be introduced, but he is not aware of any current proposals to change the law on face-to-face fundraising. Moreover, in 2014, the Local Government Minister turned down a request from Birmingham City Council to be allowed to regulate all face-to-face fundraising through a local bye-law.

Current position

- Seventeen members of staff from Markets and Consumer Protection Department, Cleansing (Department of Built Environment) and City of London Police participated in a chuggers' audit from 1st December 2015 – 22nd December 2015. A large number of locations across the City were observed on 68 occasions, and the most popular locations for charity collections were outside Liverpool Street and Cannon Street Stations. It was clear, however, that overall there was very little activity in the City despite this being in the period prior to the Christmas holidays, as only 27 chuggers were seen.
- Of these, three appeared to be breaching the PRFA rulebook. A guide dog charity was seen to follow a person for more than three steps outside Cannon Street Station, and on a separate occasion collectors were standing within three metres of a shop doorway and station entrance. Cancer research collectors were also observed outside Liverpool Street Station standing within three metres of a street feature (shop doorway, cashpoint, pedestrian crossing or station entrance).
- A further audit by the same participants is planned in the run-up to Easter to determine whether the situation has changed.

Jon Averbs, Port Health & Public Protection Director, 10 February 2016