

Merton Council

Joint Regulatory Service Committee Agenda

Membership

Councillors:

Pamela Fleming – London Borough of Richmond upon Thames

Rita Palmer – London Borough of Richmond upon Thames

Nick Draper - London Borough of Merton

Judy Saunders – London Borough of Merton

Date: Thursday 10 September 2015

Time: 10.00 am

Venue: Studio Room, London Borough of Richmond upon Thames,
Civic Centre, 44 York Street, Twickenham, TW1 3BZ

This is a public meeting and attendance by the public is encouraged and welcomed.
For more information about the agenda please contact or telephone .

All Press contacts: press@merton.gov.uk, 020 8545 3181

Joint Regulatory Service Committee Agenda

10 September 2015

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Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

Agenda Item 4

JOINT REGULATORY SERVICE COMMITTEE 23 FEBRUARY 2015

(10am – 11.40am) (at Merton Civic Centre)

PRESENT: London Borough of Merton (LBM)
Councillors Judy Saunders (in the Chair) and Nick Draper.

Borough of Richmond upon Thames (LBR)
Councillors Pamela Fleming and Rita Palmer.

ALSO PRESENT: Jon Freer (Assistant Director, Development and Street Scene, LBR), Paul Foster (Head of the Regulatory Services Partnership), John Hill (Head of Public Protection, LBM), and M.J.Udall (Democratic Services Officer, LBM)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

None.

2 DECLARATIONS OF INTEREST (Agenda Item 2)

None.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 9 December 2014 be agreed as a correct record.

4 MATTERS ARISING FROM THE MINUTES

1. Contact details for the Regulatory Services Partnership (RSP) – Councillor Pamela Fleming asked whether the contact details of managers in the RSP had been posted on the Merton and Richmond Councils websites. Paul Foster (Head of the Regulatory Services Partnership) advised that this hadn't been done yet, and circulated a one page (draft) structure chart for the Regulatory Services Partnership (RSP) showing the names of senior managers, and their phone numbers and areas of responsibility. (NB. It was noted that the circulated paper would be subsequently published on Merton's web-site – with the other agenda papers for the meeting.)

1.1. Paul Foster suggested that the submitted structure chart could be included on both Councils' web-sites. It was noted that it was similar in layout to structure charts for Merton's Departments already shown on Merton's web-site.

1.2. During discussions, it was suggested that -

(a) Paul Foster's title be put in full, namely that "Head of the RSP" be shown instead as "Head of the Regulatory Services Partnership";

(b) it be clarified that this is shared service for Merton and Richmond; and

(c) officers' e-mail addresses be added to their phone numbers already shown.

1.3. Members generally supported the proposed structure chart but some Members expressed concern that managers' limited time could be taken up with dealing with persistent phone calls or e-mails, and there might be need to filter calls, especially if the service expanded in size.

1.4. Officers indicated that as part of Phase 2 of the implementation of the Joint

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Regulatory Service, Members views would be sought on the kind of telephone and support service which the Service should operate, namely either a tailor-made dedicated support team or a wider customer contact centre.

1.5. It was also noted that there would need to be clarification on the extent to which currently Richmond made officer phone/e-mail details available on its web-site.

1.6. At the conclusion of discussions, it was noted that Paul Foster would progress and finalise the structure chart.

2. Written Papers – The Chair requested that in future, any verbal reports be backed up by written reports circulated well in advance of the meeting (possibly by e-mail if appropriate) in sufficient time to allow Members to read them prior to the meeting.

5 REGULATORY SERVICES PARTNERSHIP PERFORMANCE UPDATE –
VERBAL REPORT (Agenda Item 6)

1. Paul Foster circulated a one page performance report for the Regulatory Services Partnership (RSP) for the quarter October to December 2014. (NB. It was noted that the circulated paper would be subsequently published on Merton's web-site – with the other agenda papers for the meeting.)

1.1. Paul Foster then outlined the background to each of the performance indicators (PI's) included in the report (as detailed below) and responded to queries.

2. EH Commercial Food Safety

2.1. (PI) Percentage of Category A & B high risk food inspections carried out of those due – Paul Foster explained that each Local Authority's performance on this PI was shown on the FSA (Food Standards Agency) web-site, but that the figures could be distorted as if a premises was closed when an inspector visited, this was recorded as a "no visit".

2.2. Members requested that in future reports, this PI be quantified by showing the actual number of premises involved. Paul Foster advised there were about 150 high risk premises (100 –category B; 50 – category A) in Merton, with slightly less in Richmond with the total number of food premises being about 1,500 in Merton and 1,700 in Richmond.

2.3. Paul Foster confirmed that the performance of both Boroughs was very good when compared to other Local Authorities, and explained that the Regulatory Service aimed to complete 100% of such scheduled inspections by the end of the year, but that how quickly they were carried out during the year depended on whether the Commercial Team's resources needed to be reallocated at times to other more high priority matters such as a major outbreak (e.g. food poisoning etc)

2.4 (PI) Number of food safety complaints received – Paul Foster advised that complaints could include contamination, foreign bodies and wrongly described products.

2.5 In response to Members' queries, Paul Foster was unable to advise why the number of complaints in Merton was twice that in Richmond. During discussions,

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various theories were suggested to explain the difference, including possibly the respective number of fast food outlets in each Borough, and more residents in Richmond being prepared to complain to the shops/manufacturers directly without involving their Local Authority.

2.6 (PI) Percentage of food businesses rated 0 or 1 on the FSA's Food Hygiene Rating System (0 = urgent improvement necessary; and 1= improvement necessary) – Paul Foster advised that each premises was scored from 0 (worst) to 5 (best) and issued a certificate showing their score, but that in England, unlike the rest of the UK, there was no legal requirement for the premises to display their certificate.

2.7. Paul Foster outlined the various stages of the enforcement procedure and indicated that the kind of circumstances that might lead to the final sanction of closing a premises which was only undertaken relatively rarely (in about 0.8% of cases) and only where absolutely required. He advised that a closure could be challenged in the magistrate's court and if the closure decision was overturned, could lead to the Local Authority paying compensation to the premises operator.

2.8. In response to Members queries, Paul Foster advised that there was no legal requirement on a Local Authority to advise the public if the Local Authority knew there were food hygiene problems with a particular premises; and the only way a member of the public could ascertain a premises food hygiene score (if no certificate displayed) was to either check the Food Standards Agency's Food Hygiene Rating System website and/or make a Freedom of Information request.

2.9 A member referred to a large notice in a Croydon paper by Croydon Council just before Valentine's Day listing premises in Croydon which had a food hygiene score of 0 or 1. Officers indicated that whilst such a proposal could be considered, there could be legal repercussions if errors were made, and suggested that instead a notice could be published before Valentine's Day advising people to choose their restaurant carefully and to check its food hygiene rating via the Food Standards Agency's web-site.

2.10. (PI) Number of interventions (written warnings, legal notices etc) – Members requested that the reason for the high number of interventions in Merton compared to Richmond be investigated. Officers advised that historically Merton had been very proactive and that Merton Councillors supported a more proactive approach.

3. EH Pollution

3.1 (PI) Number of complaints received – Members queried why the number of complaints in Merton was six times the figure for Richmond. Officers advised that different amount of land in each Borough used for certain purposes (e.g. industrial use) partly explained the difference in figures but also noise complaints were handled differently in each Borough at present.

3.2.. Officers clarified that in relation to noise complaints, the Regulatory Services Partnership (RSP) Pollution Team dealt with all such complaints in Merton, but in Richmond, residential noise complaints were still handled internally by Richmond

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and not by the RSP, though this was due to change as part of the of Phase 2 of the implementation of the Joint Regulatory Service. It was noted therefore the figures for each Borough were not comparing like with like.

3.3 Officers advised that as part of Phase 2 of the implementation of the Joint Regulatory Service, the separate complaint figures for Merton and Richmond could possibly be combined, but that currently the RSP would still be required to supply separate figures for each Borough to such organisations as the FSA (Food Standards Agency). Various members requested that the Committee continue to be provided with separate figures for each Borough, and that more explanation be provided as to the reasons behind the figures. The Chair reiterated the need for some form of explanatory narrative to accompany any figures in future. Officers acknowledged the need to provide and circulate such information in advance.

3.4 Reference was also made to the importance of comparative figures between Boroughs, especially if a further Local Authority wished to join the RSP, in order that costs/budgets could be allocated appropriately.

3.5. (PI) Number of planning referrals responded to –
This was noted.

4. Licensing

4.1 (PI) Number of licensing applications received and processed within statutory timescales – Paul Foster explained that applications had to be dealt within statutory deadlines; that if the deadlines were not met, the applicant could go the magistrates court and the application could be deemed to be granted, and possibly the Local Authority could be fined.

5. Trading Standards

5.1 (PI) Number of complaints received - Paul Foster advised that such complaints either come direct to each Local Authority or via “Consumer Advice” (formerly called “Consumer Direct”), a national (government) contact centre.

6 BUDGET UPDATE – VERBAL REPORT (Agenda Item 4)

1. Paul Foster gave an oral report on this item. He advised that the RSP was currently operating under transitional arrangements with separate budgets for each Borough, but that it was hoped to operate a joint budget as from 1 April 2015, but this was subject to on-going discussions, including with relevant financial teams (in each Borough), as a number of details still needed to be settled, including matters such as arrangements for suppliers, including the issuing of invoices.

2. Fees and Charges – There was considerable discussion about the arrangements for setting fees and charges. Paul Foster advised that many fees were set nationally but that Local Authorities did have powers to set certain fees locally (e.g. for street trading); and suggested that there should be a separate session for officers to brief members in advance of the next meeting in June which would need to consider possible changes in fees and charges. The Committee subsequently agreed to this suggestion. (NB. See resolution below.)

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2.1. Councillor Nick Draper (LBM) suggested that perhaps the relevant Cabinet Members in each Borough with responsibility for such fees and charges, namely Councillor Judy Saunders (LBM) and Councillor Pamela Fleming would also need to meet to discuss any proposed changes in fees and charges.

2.2. Jon Freer (Assistant Director, Development and Street Scene, LBR) advised that the RSP Board (i.e. this Joint Committee) had delegated powers to approve changes in fees and charges, the main area being licensing.

3. Shared Services – Advice to other Authorities – Reference was made to the Partnership being asked for advice by other Local Authorities on setting up shared services as very few Local Authorities currently operated shared services. Officers indicated that they didn't charge for such advice, and on occasions had benefitted from reciprocal advice from other Local Authorities who already had experience on setting up shared services.

RESOLVED: That there be a separate session for officers to brief members in advance of the next Joint Committee meeting in June which would need to consider possible changes in fees and charges. *(NB. See also final Minute below on Timing/Venue of future meetings.)*

7 PHASE 2 RESTRUCTURE OF SHARED SERVICE – VERBAL REPORT

1. John Hill gave an introductory oral report on this item, including referring to on-going discussions with other Local Authorities who possibly might be interested in joining the Partnership. Officers responded to queries on the progress of the discussions.

2. Paul Foster outlined the next steps in Phase 2 of the implementation of the Joint Regulatory Service including -

- (a) looking at the services to be delivered by both Authorities;
- (b) possible efficiencies, including perhaps in relation to IT systems;
- (c) accommodation arrangements, including whether teams should be co-located or maintain a presence in each Borough, and issues such as the effect on officers travel time and new work practices such as working from home; and
- (d) the provision of a consultation paper which would be submitted to this Joint Committee first.

3. The Chair requested that an update on the progress of the restructure be also included in the proposed officer briefing of members in advance of the next Joint Committee meeting in June. *(NB. See also final Minute below on Timing/Venue of future meetings.)*

4. There was then discussion of the budget savings being sought by both Boroughs and possibly cuts in services. John Hill explained the Partnership was not looking to make savings via just cuts in services, but instead was looking to grow the service and at sources of income such as fees/charges and "proceeds of crime" monies.

5. John Hill also indicated that if another Local Authority wished to join the Partnership, then that Local Authority would need to pay a fee to join.

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8 TIMING/VENUE FOR FUTURE MEETINGS OF JOINT REGULATORY
COMMITTEE – ROUND TABLE DISCUSSION

1. Members Briefing - John Hill suggested that his team (not Democratic Services) make arrangements for the separate session for officers to brief members in advance of the next Joint Committee meeting in June to be held in the middle of May after the General Election. The Joint Committee endorsed the proposed timing.

2. Timing/Venue for Future Meetings of the Joint Committee – After discussion, the Committee agreed the arrangements for future meetings as detailed in the resolution below.

2.1 It was also noted that -

- (a) there may be need for additional separate sessions for officers to brief members;
- (b) there may be need for additional meetings of the Joint Committee as Phase 2 of the implementation of the Joint Regulatory Service progressed; and
- (b) arrangements for meetings would need to be re-examined if a new Local Authority joined the Partnership

2.2 John Hill confirmed that he would expect Merton Democratic Services to continue to administer and minute Joint Committee meetings in 2015/16, now due to be held in the London Borough of Richmond as detailed below.

RESOLVED: That meeting arrangements for 2015/16 for the Joint Regulatory Services Committee shall be as follows -

- (a) 3 meetings in the year, each starting at 10am as previously
- (b) meetings for 2015/16 to be held in the London Borough of Richmond at the Council offices at York House, Twickenham; and
- (c) the Chair for 2015/16 to be a Richmond Councillor and to be appointed at the next scheduled meeting on 2 June 2015.

Committee: Joint Regulatory Committee

Date: 10th September 2015

Wards: All

Subject: Annual Performance Report

Lead officer: Chris Lee, Director for Environment and Regeneration

Lead member: Cllr Judy Saunders, Cabinet Member for Environmental Cleanliness and Parking (LB Merton); Cllr Nick Draper, Cabinet Member for Community and Culture LB Merton) , Cllr Pamela Fleming, Strategic Cabinet Member for Environment, Business and Community (LB Richmond – Chair); Cllr Rita Palmer (LB Richmond)

Contact officer: Paul Foster, Head of the Regulatory Services Partnership

Recommendations:

- A. Members to note and comment on the review of annual performance of the Regulatory Services Partnership.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. To inform members of the performance of the Regulatory Services Partnership (RSP)

2 DETAILS

- 2.1. On the 1st August 2014, the Environmental Health Commercial, Pollution, Trading Standards and Licensing teams of the London Boroughs of Merton and Richmond upon Thames combined to form the Regulatory Services Partnership.
- 2.2. Effective management of performance is vital to the success of the shared regulatory service ensuring that our customers are satisfied and our partners reassured by the cost effective delivery of the service on their behalf.
- 2.3. RSP managers regularly review team performance and highlight any issues of concern. The management team also looks to the strategic direction of the service and ensures that the operational and financial resources available to partners are used in the most efficient manner.
- 2.4. There are a wide range of external agencies to which the service must report data (e.g. Food Standards Agency, Department of the Environment, Food and Rural Affairs, Health and Safety Executive, Department for Business, Innovation and Skills, CIPFA etc.) All statutory reports are submitted on time in order that the RSP continues to meet its statutory obligations. Currently, we submit separate returns for both Merton & Richmond but in an attempt to save time and money, it is our intention, to submit one combined return for the RSP.
- 2.5. In addition to the external agencies, service performance is also monitored by departmental management teams and subject to scrutiny by members.

- 2.6. There have been a number of service delivery highlights throughout the year which showcase the work of our teams and illustrate the breadth of their responsibilities:

ENVIRONMENTAL HEALTH (COMMERCIAL TEAM)

Food Standards Agency Audit of Richmond.

- 2.7. In 2012, the Food Standards Agency carried out an audit of Richmond's Food Hygiene inspection service. A number of issues were found to require attention and an action plan was drawn up of actions that were required.
- 2.8. Richmond had some difficulties in closing the audit but in October 2015, the new managers in the Commercial team were tasked with completing it. In May 2015 the action plan was completed and the Food Standards Agency signed the action plan off as completed.
- 2.9. Whilst this was predominantly a Richmond issue, significant benefits were derived for both Merton and Richmond. In terms of the delivery of a food hygiene and safety service, the Food Standards Agency was satisfied that Merton and Richmond had demonstrated that it had satisfactory procedures in place for:
- The Appointment and Authorisation of suitably qualified officers
 - A transparent, proportionate and consistent approach to enforcement that encourages and supports well run businesses whilst taking robust action against persistently non-compliant businesses.
 - An annual service plan that is consistent with National Food Law Enforcement Planning guidance
 - Providing and delivering a risk based food safety inspection programme (see para 2.10) which focuses on higher risk premises whilst at the same time being able to respond to food poisoning outbreaks and complaints about food safety.
- 2.10. All food hygiene inspection activity is directed to those premises that present the highest risk in the non-compliant A, B, & C categories. Visit data is regularly reviewed and the EH Commercial Manager will review with the inspecting officer any premises in the non-compliant A category that has not improved as it will be expected that formal enforcement action should then be initiated to force an improvement in the premises.
- 2.11. Some of our successful formal enforcement actions are listed below:
- Dragon Inn, Mitcham – Inspected 16/6/2014 – Hygiene Emergency Prohibition Notice served due to an infestation of mice on the premises. Recently inspected and has improved its Food Hygiene Rating System (FHRS) rating from 0 to 3.
 - Golden House, Wimbledon – Simple caution accepted for food hygiene offences found during a routine inspection on 9/10/2015. Business owner worked with the Environmental Health Officer and it was re inspected on 4/6/15 and the Food Hygiene Rating Improved to 5 (top rating).
 - Curry Leaves, New Malden-Inspected on 16/12/14 –Hygiene Emergency Prohibition notice served for poor structural condition, lack of cleaning,

serious accumulation of filth giving rise to actual contamination of food. Improvements are still being monitored but further formal action may be taken.

- Café Ali Baba, Pollards Hill – Inspected just after opening on 9/2/2015 – Hygiene Emergency Prohibition Notice served due to no water supply to the premises. Water supply has been reinstated, new inspection now due and hoping so see an Improvement in the Food Hygiene Rating Score.
- Sussex Arms, Staines Road Twickenham – inspected as part of a routine food hygiene inspection in May 2014, premises was providing hot food but had a disconnected water supply to the kitchen. Premises was voluntarily closed down and not allowed to reopen until the water supply had been properly reconnected.
- Moidul’s Indian Restaurant, Stanley Road, Twickenham – routine inspection in July 2015, found that gas had been disconnected by the gas supplier and the owner had installed extremely dangerous makeshift arrangements using cylinders of liquefied petroleum gas. As this posed a significant fire and explosion risk a Prohibition Notice was served under the Health and Safety at Work etc., Act that prohibited its use. The premises remains closed and an investigation is now ongoing as to who carried out the installation work.

Food Hygiene Rating Scheme

- 2.12. Both boroughs operate the Food Standard Agency’s Food Hygiene Rating Scheme (FHRS). This internet based scheme makes it easier for consumers to choose places with good hygiene standards when they are eating out or shopping for food. The ratings range from 0 (Urgent Improvement Required) to 5 (Very Good).
- 2.13. We currently have 2658 premises in the scheme and the ratings are regularly updated and are available on the Food Standards Agency’s website and on a numbers of ‘apps’
- 2.14. We closely monitor the performance of low rated food businesses and have set a performance indicator that no more than 10% of the total premises should have a rating of 1 or 0. Current performance is 5% for Merton and 7% for Richmond
- 2.15. As part of a national initiative to encourage more food businesses to display their food hygiene rating window sticker, we obtained external funding to visit a number of businesses in main shopping centres. Mandatory display of hygiene ratings is not yet a requirement in England although it is in Scotland, Wales and Northern Ireland.

Wimbledon Tennis and the Rugby World Cup

- 2.16. The two boroughs are now host to two major sporting events in the national calendar, namely Wimbledon tennis fortnight and the Rugby World Cup. Both events are watched by a worldwide audience and attract of hundreds of thousands of visitors into the area.
- 2.17. Whilst these events generate welcome opportunities for the local economy, they also bring significant challenges for the service which has to respond to increased service demands across a number of functional areas. The RSP is

well placed to meet these challenges with increased resilience providing an opportunity to share and mobilise specialist skills.

- 2.18. In terms of food safety, considerable experience has been built up in large event catering particularly in relation to large scale corporate hospitality which by its nature is high risk in the terms of the potential risks from food poisoning.

LICENSING

- 2.19. The licensing teams in Merton and Richmond are currently meeting all statutory targets as specified in the Licensing Act 2003 and the Gambling Act 2005.
- 2.20. The team works very closely with the local Metropolitan Police licensing teams based in Richmond and Merton and joint police/council inspections of licensed premises are carried out on a regular basis.
- 2.21. The licensing requirements associated with the Rugby World Cup tournament has placed additional demands on council and police resources and as a consequence partnership working with the local licensing trade, especially in relation to the control of visitors and patrons for the four late kick offs, during the RWC is especially significant.
- 2.22. The total number of licensed premises across the partnership amounts to 3, 827 and a breakdown showing the premises type and activity volumes is shown below in Table 1:

Table 1

Type of Licensed Premises	Merton	Richmond
Premises Licenses/Club Premises Certificates (LA03)	525	764
Premises Licenses/Tracks Betting (GA05)	35	36
Special Treatment Premises	190	230
Street Trading	950	1071
Pet Shops	6	4
Riding Establishments	2	4
Scrap Metal	6	2
Zoo's	0	1
Animal Boarding Establishments	0	0
Dog Breeding	0	0
Sex Shops/Sex Entertainment Venues	0	1
Total Number of Inspections of Licensed Premises	1126	1449
Total Number of Applications Received	1854	2698
Service requests (complaints and enquiries) received	772	
Telephone calls received	Not captured	4,122

- 2.23. During the last year, Merton's Licensing Policy (alcohol, entertainment & late night refreshment) was reviewed and re-written. The review included an option to introduce an additional Cumulative Impact Zone for Mitcham Town Centre and the surrounding area to control the number of off licensed premises and sales of high alcohol by volume beers and lagers.
- 2.24. Public consultation is underway following the redrafting of the London Borough of Merton's Licensing Policy under the Licensing Act 2003 and Statement of Principals under the Gambling Act 2005. Final drafts of the Licensing Policy and the Statement of Principals together with comments received during the public consultation period are due to be taken before the Licensing Committee on 20 October 2015. If approved by the Licensing Committee both documents will be put before Full Council on 18 November 2015 with a recommendation of adoption.
- 2.25. Public consultation is also underway following the redrafting of the London Borough of Richmond upon Thames Statement of Principles under the Gambling Act 2005. A final draft of the document will be taken to Regulatory Committee on 20 October 2015 together with comments received during the

public consultation period. If approved the draft Statement of Principles will be taken to a Full Council meeting on the 24 November 2015 with a recommendation to adopt.

ENVIRONMENTAL HEALTH POLLUTION TEAM

- 2.26. The pollution team deal with a range of issues including noise nuisance, air quality and contaminated land. The team receives around 3,000 complaints a year and of these 93% are responded to within the same day and 85% within 5 days.

Air Quality

- 2.27. The team is very proactive on air quality and it is the South London cluster group lead on the Love Clean Air website (<http://lovecleanair.org/>) which aims to provide better coordination between local authorities and clearer information on air quality initiatives to members of the public. We have secured £300,000 of funding (pending finalisation) over the next 3 years from two Local Implementation Funds (LIP) and are about to apply for additional funding to tackle poor air quality in our town centres.
- 2.28. The RSP is a focus area for the Change London AirSensa (<http://www.airsensa.org/>) project, which will monitor and visualise air quality across the country right down to individual street level, sharing real-time health information with everyone, and enabling specific solutions to be targeted accurately and efficiently. We're already rolling out air sensors on schools, business premises and other key locations.

Noise Nuisance

- 2.29. Since the formation of the partnership, we have received 2,257 complaints of noise disturbance (Merton - 1, 770, Richmond – 487). Around 31% of the total number of noise complaints received related to out of office hours i.e. night time and weekends.
- 2.30. The service in conjunction with other boroughs and the Environment Agency has also secured much needed improvements in noise and dust levels experienced by residents living in close proximity to industrial sites. In another example of tackling environmental nuisance, the team has used enforcement powers to restrict the operations of an unauthorised paint spraying operation that was generating large numbers of complaints from local residents.

Planning Referrals

- 2.31. The pollution team is formally consulted on all significant planning and licensing applications in order that they can be assessed for environmental impact. If the potential impact is deemed significant, then the team will specify appropriate mitigation and control measures. During the last year the partnership received 444 planning referrals and 87 licensing referrals.

Accumulations of waste

- 2.32. Where large accumulations of commercial and/or residential waste occur on private land and are considered to be prejudicial to health or a nuisance, the pollution team can require the landowners to remove the waste. One

particularly bad example occurred recently in Merton (see picture) and was successfully resolved following enforcement action.



- 2.33. The team is in the process of procuring specialist functions around contaminated land on a tri-borough basis (Merton, Richmond & Croydon) which offers savings and represents better value for money.

TRADING STANDARDS

- 2.34. Trading Standards activities and volumes are summarised in Table 2 below.

Table 2

Activity	Richmond	Merton
Total no. Trading Standards Premises	3570	5431
No. High Risk Trading Standards Premises	46	25
No. Trading Standards business compliance visits	240	301
No. TS Prosecutions & Simple Cautions	2	0
Trading standards complaints	577	871
Consumer Direct inquiries	2246	2769

Age Restricted Sales

- 2.35. A 14 year old boy and girl acted as the test purchaser(s) and were sent into retailers to attempt to buy knives. They were advised to tell the truth if questioned about their age or if asked to provide identification. A Snap Off Knives Set was purchased from a retailer in Tooting. The knives purchased included three large and three smaller modelling/craft types sold in one moulded plastic container. The set, if sold to anyone under the age of eighteen is a contravention of Criminal Justice Act 1988 as amended by the

Doorstep Crime

- 2.36. Trading Standards received a call from a branch manager of NatWest Bank. A Merton resident had visited the bank to withdraw £5000 to pay a builder.

Three men had cold called at her property while she was away on a short break. Her husband subsequently engaged the men to clean gutters but this simple job soon escalated to replacing the whole roof. Trading standards called on the expertise of an officer from the Building Control Team and together visited the resident's home later that afternoon. The price quoted for the whole job was just under £40000 and the husband had so far paid out £13000 including a bank transfer of £11000. Minimal paperwork had been provided for the job and the trading address given was non-existent. The builders had persuaded a scaffolder working next door to put a tower on the guise that the roofing work had suddenly become bigger than initially anticipated and it needed to be completed before the rain started. On the advice of Trading Standards the residents engaged the services of a reputable builder to carry out the remedial work of covering the gaping hole in the roof. A criminal investigation is now underway to try to identify the person behind the bank account to which the bank transfer was made.

Scams

- 2.43. In June 2015 Trading Standards assisted in the execution of search warrants at 2 premises in Merton as part of an investigation by the National Trading Standards Scambuster Team into the trading practices of a company behind a website labelled as a 'copycat website.' Trading Standards first became aware of the business in 2014 when we received a high volume of complaints from members of the public and referrals from Action Fraud. Consumers were being tricked into using the website to renew a passport and ended up paying extra on top of the normal fees. Trading Standards visited and advised the trader to remove from their website any misleading statements with regard to price charged and the true nature of the service provided. In addition to delete any implied affiliations either by text or imagery used plus the overall presentation of the website. Further concerns particularly about the information given out over the phone to potential customers and the continued detriment to consumers across the country led to this action.

Fair Trading

- 2.37. Investigations are ongoing into jewellery misdescribed as silver. Officers conducted test purchases of items and submitted them for examination by the London Assay Office. Following testing it has been confirmed that the jewellery is only silver plated and not solid silver as it was described.

Intellectual Property

- 2.38. Several investigations are ongoing into trade mark, video recording and copyright infringements across a range of products. One example is the seizure of over 2,500 DVDs of films including recent releases such as Fast and Furious 7 and Paddington. These films had been copied onto blank recordable DVDs. None of these discs displayed the required British Board of Film Classification age restriction ratings. Some had inlay sleeves with ratings on of which some were incorrect (e.g. a film with a classification 'U' Suitable for all was actually classified "18" due to it containing 'strong bloody horror and violence'.) The discs were seized along with a multiple DVD burner and illegal copies of computer games.



3 ALTERNATIVE OPTIONS

3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purpose of this report.

5 TIMETABLE

5.1. None for the purpose of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purposes of this report

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. None for the purposes of this report

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purposes of this report

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purposes of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of this report

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A – Performance Data

12 BACKGROUND PAPERS

12.1. None for the purposes of this report

Appendix A Performance Data

LB Merton

PI code and description	Aug-14	Sep-14	Q2 2014/15	Oct-14	Nov-14	Dec-14	Q3 2014/15	Jan-15	Feb-15	Mar-15	Q4 2014/15	Apr-15	May-15	Jun-15	Q1 2015/16	Jul-15	YTD result	Annual YTD Target	Current YTD status
	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value				
SP 041 % of service requests replied to in 5 working days (EHTSL)	87.71%	87.47%		75.90%	92.02%	94.55%		90.54%	92.04%	93%		93.21%	94.12%	92.08%		94.08%	93.27%	90%	□
SP 042 Income generation by EHTSL	£29,108	£83,821		£36,199	£91,482	£25,191		£22,536	£46,704	£13,094		£61,104	£35,715	£12,646		£79,157	£188,622	£105,000	□
SP 111 No. of underage sales test purchases (Quarterly)			36				22				0				34		34	57	✗
SP 254 % Data capture from air pollution monitoring sites (Quarterly)			74%				54%				83%				85%		85%	90%	✗
SP 255 % licensing apps. processed within 21 days (Quarterly)			100%				100%				100%				100%		100%	96%	□
SP 316 % of Inspection category A,B & C food premises (annual)																	97	95	□
SP 381 % of food premises rated 2* or above (Quarterly)			93.57%				92.70%				93%				91%		91%	94%	✗

Appendix A Performance Data

LB Richmond

PI code and description	Aug-14	Sep-14	Q2 2014/15	Oct-14	Nov-14	Dec-14	Q3 2014/15	Jan-15	Feb-15	Mar-15	Q4 2014/15	Apr-15	May-15	Jun-15	Q1 2015/16	Jul-15	YTD result	Annual YTD Target	Achieved
	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value				
% of service requests within target response time	84.40%	90.32%		93.81%	91.26%	86.89%		89.61%	78.08%	93%		91.18%	67.86%	63.11%		80.71%	84.16%	100%	✘
Income generation	£64,808	£27,164		£42,351	£29,099	£23,267		£25,403	£24,676	£19,790		£32,557	£28,673	£37,955		£78,486	£434,229	£400,000	□
No. of underage sales test purchases (Quarterly)																	82	100	✘
% of premises licences processed in timeframe	100.00%	100.00%		100.00%	50.00%	225.00%		125.00%	40.00%	129.00%		73.00%	100.00%	113.00%		122.00%	106.42%	100.00%	□
% of personal licences processed in timeframe	75.00%	100.00%		52.00%	64.00%	144.00%		127.00%	106.00%	129.00%		29.00%	85.00%	183.00%		88.00%	98.50%	95.00%	□
% of food premises rated either 0 or 1 (quarterly) * indicator only introduced in July 2015			N/A				N/A				N/A				7.00%		7.00%	<10%	□
% of Inspection category A, B & C food premises			79.40%				100.00%				100.00%				88.90%		92.08%	97.70%	✘

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