

**ROYAL BOROUGH OF
KINGSTON UPON THAMES**

ANNUAL REPORT

CHIEF TRADING STANDARDS OFFICER

2007/2008

COMMUNITY SERVICES DIRECTORATE

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The Annual Report
of
E R Forsyth
Chief Trading Standards Officer
Royal Borough of Kingston upon Thames

This report is a commentary of the work of this Department for the year ending 31st March 2008 for the information of members and as a report to the Secretary of State for Business, Enterprise and Regulatory Reform, as required by section 70(1) of the Weights and Measures Act 1985.

INTRODUCTION

Informed confident consumers
Informed successful businesses
A fair and safe trading environment
Efficient, effective and improving Trading Standards Service

These are the Government's four key objectives for Trading Standards Departments that complement Kingston Council's aims of:

Working in Partnership
Caring for the Environment
Putting People first
Enhancing the Quality of Life
Investing in Children and young people
Delivering improvement / Providing Best Value

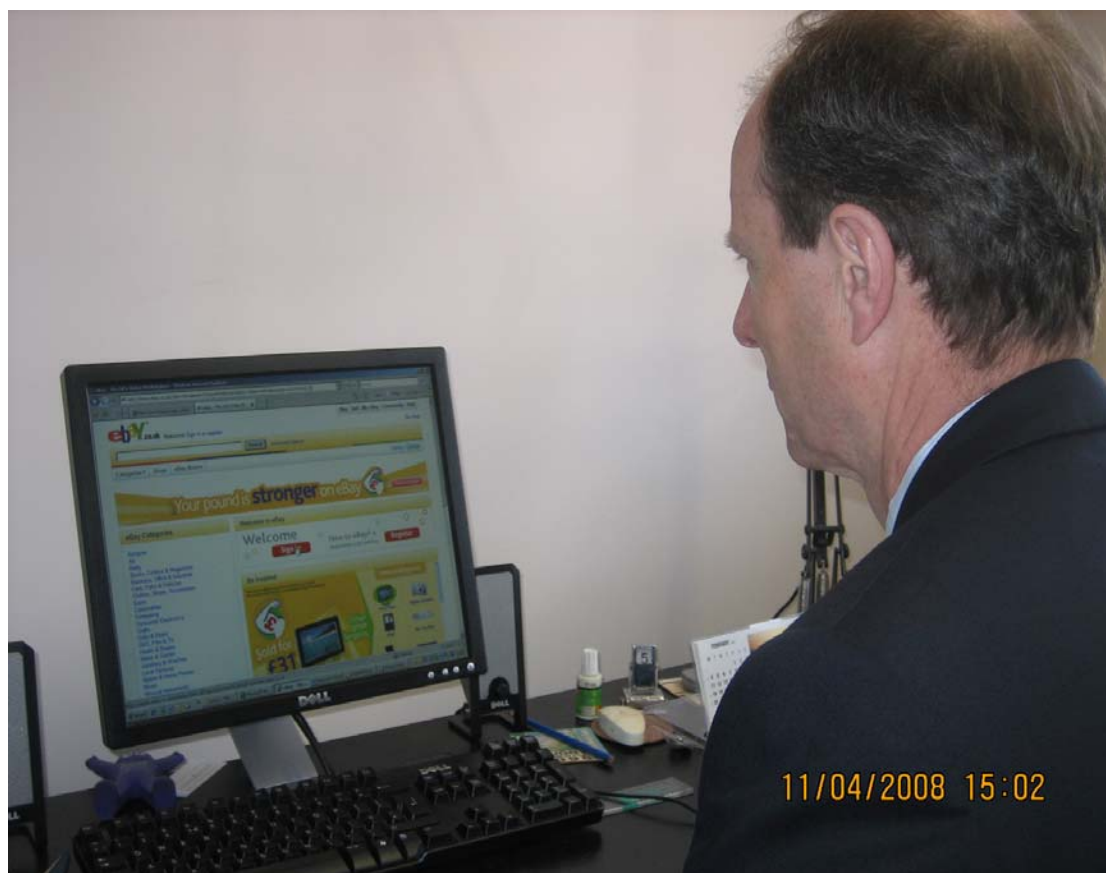
The Trading Standards Department helps meet these by ensuring that a system of fair and safe trading operates in this Borough in order to protect both residents and honest traders. During the year 2007–2008, the key areas of work that this Department has undertaken to meet these aims continued to be:-

- Risk assessed visits to trade premises
- Ready access to consumer advice services
- Project work with partners

all bearing in mind the Government's Roger's Review recommendations that Trading Standards should focus on fair trading issues including, underage sales of alcohol, misdescribed goods, counterfeit goods and protecting the vulnerable from scams and rogue traders.

The Department has again been heavily involved in high profile issues of tackling anti-social behaviour, particularly the continuing work to help combat sales of alcohol to underage children. It is also now focusing on Internet trade (together with the linked issue of selling counterfeit goods) as well as on work to minimise packaging.

This Annual Report reviews in narrative how Kingston's Trading Standards Department has addressed both national and local aims, and provides the statistical information required under the National Performance Framework.



Officer checking for counterfeit goods on the Internet

This has been yet another year of change for Kingston's Trading Standards Department and 2008/09 will see even more fundamental changes with its integration with the Environmental Health Department under the Chief Trading Standards Officer.

It is 20 years since the current Chief Trading Standards Officer was appointed at a time when officers, who were qualified before being employed, aimed to inspect most shops in the borough within a three year cycle and respond to all requests for advice from local consumers.

Ten years later the Annual Report of 1998 describes a Department with a full time establishment of 10, being the first in the country to be awarded Investors In People (IIP), assisting hundreds of local people with their consumer disputes, carrying out hundreds of shop inspections, checking for unsafe electric blankets and having prosecuted, amongst others, a second hand car dealer for misdescriptions, a newsagent for selling cigarettes to an underage test purchaser and a market trader for selling counterfeit clothes.

At first glance, work in 2007-08 looks remarkably similar, also including ensuring compliance with IIP, assisting hundreds of local people with their consumer disputes, carrying out hundreds of shop inspections, checking for unsafe electric blankets and having prosecuted, amongst others, a second hand car dealer for misdescriptions, a newsagent for selling age restricted goods to an underage test purchaser and a local trader for selling counterfeit clothes.

Same but different

Over the past decade whilst retaining the Council's and Departmental ethos, there has been a major shift in the working arrangements of this Department as services cannot be delivered in the same way as in the past. Officers are now trained by a mix of distance learning, one off courses and "on the job" learning, ensuring a real rather than theoretical understanding of the work.

IIP is now no longer awarded to a Department but Council wide.

The emphasis has also shifted from the "solo" working of 20 years ago to the partnership working of today as demonstrated by the national telephone consumer advice line "Consumer Direct" which now accepts and provides first level consumer advice, referring more complex matters to this Department rather than Kingston officers doing all the work. Projects, initiated by officers, are now almost inevitably undertaken with neighbouring authorities or other partners such as the Police rather than alone in order to achieve increased efficiency.

Continued work highlighting the issue of unsafe electric blankets particularly to older people has also had positive results. The percentage of blankets brought in for the free electric blanket test day which fail is reducing, however the work continues, as the numbers remain high.

The underage sales prosecution last year was for alcohol one of the new products this Department is required to control, and it was pleasing to note that due in part to the work of this Department, no sales of tobacco products to underage test purchasers were detected.

Shop inspections are now no longer carried out on an equal basis but are risk assessed so those more likely to pose a higher risk by virtue of the nature of the product or lack of management systems are visited more often. Inspections are now also made in the virtual as well as the real world. Retail trade is undergoing significant change from that of 10 and 20 years ago. It has rapidly moved from small, independent, high street shops, to include national chains at out of town "sheds" and retail parks, to the internet both of regular and irregular traders as can be seen springing up on sites such as E-bay. The prosecution last year for counterfeit goods was of an irregular trader selling counterfeit clothing as a side line; the misdescribed car was not advertised in a magazine, but on the internet.

So, the same type of work, enforcing the same type of consumer protection legislation, with the same “can do” ethos, but in a way that recognises the changing ways of trading and people’s needs.

However some things do really change. Compared with 1998, this work was carried out with a reduction in full time staff of 5% and when compared to the change in average earnings, at a cost of 25% less. Same, but different.



Destruction of illegal ethnic cosmetics and dangerous toys

Working in Partnership

Working with others continues to be essential when carrying out the duties of this Department. Police, Citizens Advice and Age Concern are very important partner organisations as are the neighbouring South West London authorities with whom we carry out regular planned projects.

The new working relationship with Consumer Direct (CD), the Government funded Consumer Advice line continues to improve. In order to assist CD, officers from Kingston have visited their London call centre and provided training on identifying the types of criminal complaints that should be referred to us. However the Office of Fair Trading (OFT) are currently reviewing the way CD operates and it is to be hoped that any changes made will be beneficial.

The OFT has taken on a new role as “Trading Standards Champion” and the Local Authority Co-ordinating body for food and Regulatory Services (LACORS) together with the newly formed Local Better Regulation Office (LBRO) have issued a joint statement outlining their plans to work together for better council regulatory services, stating that they will:

- Collaborate to ensure that council regulatory services are in the best possible position to protect consumers, workers and the environment and reduce unnecessary burdens on business
- Work together to build a ‘world class’ system of local authority regulatory services

It is not altogether clear at present how these aspirations will progress however an OFT officer has visited Kingston in order to gain a better understanding of how Trading Standards actually works.



OFT Partnership Manager Brian Jackson visits Kingston’s Chief Trading Standards Officer Ted Forsyth

Such visits do foster better working relations. When it comes to protecting them from rogue traders, consumers do not mind who does so, so long as it happens effectively. An example of this is when this, and other trading standards departments, worked with the OFT against a local rogue trader Jimmy Slater of Swallow Park, Tolworth. Last year roofer Jimmy Slater - trading as Building Services, Clean and Clear Plastics and Clean and Clear Guttering Services, was sentenced to a total of 6 months imprisonment by Kingston County Court after he breached a Court Order granted in March 2001 for:

- failing to carry out work with reasonable care and skill
- failing to carry out work within a reasonable time, within agreed time, or at all, and
- failing to return monies to consumers when in breach of contract, to which they are legally entitled

In September 2005, following receipt of a portfolio of evidence supplied by this Department, legal action was taken by the OFT and Slater was found guilty of contempt of court in relation to breaches of the Order made against him in March 2001. As a result he was sentenced to 6 months imprisonment, suspended for 3 years.

Despite this, Trading Standards Officers still continued to receive complaints that Slater had made unsolicited calls to consumers, agreed to do roofing and/or guttering work, taken cash payments in advance, had failed to carry out work within a reasonable time or at all and had also failed to return monies to consumers to which they were entitled. This information was passed to the OFT which led to Slater's imprisonment. It is to be hoped that this will act as a deterrent to him and others trading this way.

Officers continue to work closely with the Police, especially in the area of alcohol enforcement and have good links with Safer Neighbourhood teams. This is especially useful when responding to complaints about bogus traders and resulted in two sessions when joint Trading Standards/Police patrolled target areas and approached those working on properties. This proactive action had the double benefit of reassuring both local residents and honest traders that they were being protected.

Further proactive work to help protect vulnerable people from this and other scams was in promoting Social Services' "Bogus caller package" for residents worried about door callers. Local residents can have a telephone system installed which, at the touch of a button placed by their front door, links them to a call centre that monitors the conversation and, if necessary alerts the Police. The Police Safer Neighbourhood teams are now not only issuing these leaflets to those concerned about bogus door callers but also to those who have been burgled.



Bogus caller leaflet

Most partnership working however is with South West London Trading Standards colleagues, where a number of projects have taken place during the year. These include encouraging the use of plastic glasses in high risk pubs and clubs, providing information to traders about the proposed banning of cigarette lighters which were not child resistant and checks for the safety of ethnic cosmetics. In Kingston the last project resulted in a case against a Mr Deol for offering ethnic cosmetics which did not comply with safety legislation and he was fined a total of £3750 plus costs and the seized cosmetics were destroyed.

During the year officers also worked with Kingston Hospital, confirming the accuracy and suitability of their weighing equipment, a project that is planned to be repeated this year.

Care for the Environment

Last year's report highlighted the actions taken to ensure compliance with the Packaging (Essential Requirement) Regulations [P(ER)R] the legislation designed to minimise packaging waste. It is pleasing to report that the competition, started by this Department and run by the Royal Society of Arts, for student designers to design packaging which complies with these regulations, is being taken up by the national Trading Standards Institute (TSI).

In order to help compliance officers have also contacted local businesses that produce or are responsible for the packaging of goods, and are starting a dialogue with them about reducing the materials used. They are also challenging instances of over packaging and have just taken part in a London wide survey of Easter Egg packaging, widely recognised as frequently being excessive.



Minimal packaging ?

Enhancing the Quality of Life

Kingston is one of the safest places in which to live, however, fear of crime remains of high concern to residents. Officers identified some years ago that anti social behaviour linked to alcohol is one of the key reasons for this and one in which this Department can play its part.

Officers organised a number of test purchasing exercises to check for sales to underage children, with the assistance of young volunteers and the Police. This year shop assistants making sales were issued with £80 fixed penalty notices by Police Officers accompanying the team (Trading Standards Officers do not yet have the power to do this) and 6 licensees were prosecuted. Again, where sales had been made the holder of the premise licence was called in for interview where they were warned by the Chief Trading Standards Officer and the Borough's Licensing Officer, about their future conduct and that any further sales to underage children could result in their licence being called in for review. One licensee appealed against additional restrictions placed on his licence following a prosecution, however this was unsuccessful although one element was reinstated on appeal. Officers will continue to carry out test purchases and take a firm line with anyone selling alcohol to those under 18.

For a number of years this Department has been organising the very popular free electric blanket safety check day for older people. However as mentioned earlier in this report, yet again, a worrying percentage of blankets did not meet the safety standards. Although lower than previous years, this remains too high. Those with blankets that did not meet the standard were issued with a coupon entitling them to a discount on a new blanket and the offer to safely dispose of their unsafe blanket.

This Department continues to give the message that if an electric blanket is over 12 years old it is unlikely to have a thermal fuse and should be replaced. In order to try to accelerate the reduction in numbers failing, Officers have also reached an agreement with colleagues in the Fire Brigade that they will pass on this information, particularly to older people when carrying out their home visits. In discussions about this with the Fire Brigade, officers agreed in turn that during their annual inspections of premises registered to store fireworks, they would seek information on a couple of matters of interest to the Fire Brigade and report back to them. Officers have reservations about the bureaucratic nature of the Government's "Retail Enforcement" project which seeks to reduce the numbers of inspectors visiting trade premises, however they are keen to take up simple schemes such as this to the benefit of all.

Putting People First

Regular visits to trade premises, following risk assessment, continues to be seen as the bedrock work of this Department. These visits rectify minor non-compliances immediately, educate retailers about new issues, provide intelligence and help ensure the good working relationship with local retailers continues. The vast majority of matters are dealt with immediately and on-site without the need for any formal action; fewer result in written "traders notices" informing that matters must be rectified; fewer still will receive formal warnings, however a tiny minority will be prosecuted when serious matters are discovered.

Matters that required prosecution during the year included underage sales of alcohol and butane lighter fuel, incorrectly marked and potentially unsafe ethnic cosmetics, an unsafe toy car, counterfeit goods, a misdescribed car and misleading prices on DVDs.

The Rogers Review of National Priorities for Local Authority Regulatory Services identified combating the supply of counterfeit goods as one of the matters of high priority for Trading Standards and this year a small grant was provided by Government for this purpose. In order to continue their work to police the Internet, officers used this money to employ an agency officer to inspect Internet auction sites, such as Ebay, looking for traders based in Kingston who were selling designer goods but which may be counterfeit. In this, the second smallest London borough, around 40 individuals were identified as potential suppliers of counterfeit goods, all of whom were also failing to comply with basic distance selling legislation including giving details of their name and address and advising of the obligatory 14 day cooling off period.

The majority were sent, by email and by post to their home address, letters advising them of the law and warning of the repercussions of selling illegal goods, however, further enquiries are being made in other instances.

Officers have continued to work with other Council departments and the Police to deter the sale of counterfeit goods, particularly DVDs by itinerant traders, and have also acted on information received. This includes prosecuting a local businessman for selling pornographic and counterfeit DVDs from his launderette and a barber for selling counterfeit clothes as a sideline from his barbers shop.

Whilst it was not appropriate to seek additional financial redress on top of the fines levied on these particular traders, it was felt important to ensure that all the profit was taken out of their transactions and this was achieved by seeking forfeiture orders for the seized counterfeit goods. Officers were pleased to be able to pass these on to a charity that removed the brand names from the goods and then distributed them to the needy in the third world.



Counterfeit goods being collected from Kingston for de-branding and distribution to the third world needy

Education and Lifelong Learning

In meeting the Government's objective of "Informed Confident Consumers" and this Council's objectives of prevention through education, much work has been carried out during the year to inform local residents of their consumer rights and responsibilities, through press releases and provision of an informative website.

Regular press releases and items for our Webpage are passed to the Council's Press Office to issue, which this year have included matters such as warnings on scams, Christmas shopping advice, firework safety and information of prosecutions and underage sales of alcohol. A number of presentations have also been given to local groups including working very successfully, with Consumer Direct at a stall at Kingston University's "Freshers Fair" as we are particularly keen to ensure younger consumers are aware of their rights and responsibilities.



Raising awareness at Freshers Fair

Internal training continues to be very important and during the year all officers received a variety of training. In line with the Council's "Grow your own" policy a new career grade scheme has been introduced to almost all posts and at present, one officer is proceeding with training that will lead to professional qualification as a Trading Standards Officer.

Best Value

Throughout the year, as usual, satisfaction surveys were undertaken with those consumers and businesses who had used our services. The results again demonstrated a very high level of satisfaction.

Consumer Survey

The written survey of consumers who had asked for assistance showed very positive results from those replying:-

(85%) were satisfied with the overall level of service they received.

(92%) were satisfied with the time taken to deal with their enquiry.

(94%) thought it was easy to make initial contact with Trading Standards.

(75%) said this Department's action had helped them resolve their problem either fully or partly.

(73%) thought they were now better equipped to deal with future problems.

(91%) said they would use the service again if necessary.

When asked to identify the most important part of this Department's work, consumers again chose "Helping resolve complaints". Although not a statutory duty it is clear that residents value highly this consumer advice service.

Business Survey

The survey of local businesses which had been inspected showed:-

(100%) were satisfied with the overall level of service they received.

(100%) believed they were treated fairly at all times.

(93%) thought Trading Standards an assistance to their business whilst only

(0%) believed it to be a burden.

When asked to identify the most important parts of this Department's work, businesses identified "ensuring goods sold to the public are safe" followed by "checking sales of age restricted goods" but again the results indicated all areas of work were seen as important.

These surveys indicate the importance and benefit both Kingston residents and businesses attach to the work of this Department.

Equality & Diversity

Kingston is a multi-ethnic borough with a resident population of around 155,000 that includes about 15% from black and minority ethnic groups, with the largest Korean community in Europe. However the daytime and night-time populations are significantly different and their ethnic breakdown is, at present unknown.

Analysis of incident reporting and prosecution data has indicated a number of issues which continue to be worthy of note.

There continues to be an apparent disproportionate number of incidents of underage sales by black and minority ethnic people particularly in the sale of alcohol to under 18s. However there is a disproportionately high percentage of black and minority ethnic people running off-licences so it is not surprising that any resulting sales are of a similar high percentage. It is not believed there are significant language issues at off-licences, however Officers will continue to meet these traders in person during routine inspection or during visits specifically to discuss under-age sales, and will also continue the new system of re-interviewing the licensee following any prosecution. Officers are satisfied that the system of selecting premises to check is as a result of apparently reliable intelligence or as a follow up from a previous sale. The information gathered is analysed and any differential impact on the equality target groups will be studied and appropriate action will be undertaken. This will also assist us to be proactive in providing support, building positive relationships with the business communities and working towards minimising legal actions we have to take.

Conclusion

As indicated in the introduction to this report, the structure of Kingston's Trading Standards Department will change during the coming year due to the savings required by the reduced level of Government funding to the Council. The 10% reduction in staff numbers and associated reduction in level of assistance available for consumers to only the most vulnerable together with the integration of the service with Environmental Health will mean significant pressures and changes, however Officers will do all within their power to ensure that honest traders and local residents are protected from unscrupulous and illegal trading practices.

**Royal Borough of Kingston upon Thames
Trading Standards Statistics 2007/8**

SECTION A – GENERAL DATA

Base Data	
Risk Assessment (Number at 1 April 2007)	
High Risk Trading Businesses	34
Medium Risk Trading Businesses	856
Low Risk Businesses	2337
Total Number of Businesses with a Trading Standards Risk	3227

SECTION B – STAFFING

Actual Staff Employed	FTE at 1 April 2008	FTE at 1 April 2007
Managerial Staff	0.7	0.7
Staff employed directly on service provision	6.9	8.9
Administrative and Clerical (Direct Support)	0.8	0.8
Total Number of Staff	8.4	10.4
Breakdown	FTE at 1 April 2008	FTE at 1 April 2007
Number of Trading Standards Officers (TSO)	4.6	5.6
How many undergoing training to be a TSO	1.0	2.0

SECTION C – EXPENDITURE

Expenditure	2007/08 Outturn (provisional)	2008/09 Estimate
Employees		
Direct employee costs comprising :	£'000	£'000
Managerial	58	59
Staff employed directly on service provision	383	367
Administrative and Clerical	22	23
Indirect employee costs comprising :		
Training	5	5
Other	0	0
Total Employee Expenses	469	454
Premise Related Expenses	0	0
Transport Related Expenses	11	11
Supplies and Services	35	32
Third Party Payments		
Sample Testing and Analytical Costs,		
Food Standards	0	0
Agriculture	0	0
Safety	0	0
Other sampling, testing and analytical costs	2	2
All Other Third Party Payments	1	5
Total Third Party Payments	3	6
Support Services	150	138
Capital Charges	0	0
Total Expenditure	670	641

Expenditure continued	2007/08 Outturn (provisional)	2008/09 Estimate
Income	£'000	£'000
Income from Prosecution Costs	7	3
Income from specific grant	11	0
Income from grants received to undertake DEFRA service level agreement work	0	0
Other Income	20	12
Total Income	38	13
Total Net Cost on Service	632	628

SECTION D – WORKLOAD DURING THE FINANCIAL YEAR 2007/08

Consumer Contact	Number
Number of consumer led advice enquiries and complaints	985
Business Contact	
Number of business registered for business rates	4582
Number of business registered on your database	4251
Number of requests for advice from business	29
Number of referrals made to Home Authority	40
Total number of all enforcement activities	869

**SURVEY OF CONSUMERS WHO HAVE REQUESTED ASSISTANCE
FROM THIS DEPARTMENT**

Performance Measure 1 – Informed Confident Consumers

How satisfied are you with our overall level of service?

Very satisfied	54%
Fairly satisfied	31%
Fairly dissatisfied	9%
Very dissatisfied	6%
Don't know	0%

Did we give you information/advice that was easy to understand?

Very easy	73%
Fairly easy	21%
Fairly difficult	0%
Very difficult	6%
Don't know	0%

How informative did you find our staff?

Very good	71%
Fairly good	24%
Fairly poor	0%
Very poor	6%
Don't know	0%

Did we treat you fairly at all times?

Yes	91%
No	3%
Don't know	6%

Were our Officers courteous and polite at all times?

Yes	88%
No	0%
Don't know	12%

How easy was it to make initial (your first) contact with us?

Very easy	55%
Fairly easy	39%
Fairly difficult	6%
Very difficult	0%
Don't know	0%

Were you aware of the Trading Standards Service before you had this contact with us?

Yes	97%
No	3%
Don't know	0%

Did you know it is possible to complain about Council services, including Trading Standards, through our service complaints procedure?

Yes	46%
No	43%
Don't know	11%

SURVEY OF BUSINESSES INSPECTED BY THIS DEPARTMENT

Performance Measure 2 – Informed Successful Business

How satisfied are you with our overall level of service?

Very satisfied	71%
Fairly satisfied	29%
Fairly dissatisfied	0%
Very dissatisfied	0%
Don't know	0%

Did we give you information/advice that was easy to understand?

Very easy	64%
Fairly easy	32%
Fairly difficult	4%
Very difficult	0%
Don't know	0%

How informative did you find our staff?

Very good	68%
Fairly good	24%
Fairly poor	0%
Very poor	0%
Don't know	8%

Did we treat you fairly at all times?

Yes	100%
No	0%
Don't know	0%

Were our Officers courteous and polite at all times?

Yes	92%
No	0%
Don't know	8%

Did you know it is possible to complain about Council services, including Trading Standards, through our service complaints procedure?

Yes	38%
No	41%
Don't know	21%

If we said that your business was not meeting its legal requirements :

a Did we make it clear to you what you needed to do to meet the legal requirement?

Yes	83%
No	0%
Don't know	17%

b Was our response to this problem fair/reasonable?

Yes	78%
No	4%
Don't know	17%

If we have been in touch with your business on more than one occasion, have you been treated consistently on different occasions?

Yes	46%
No	21%
Don't know	33%

Were you aware of the Trading Standards Service before you had this contact with us?

Yes	72%
No	24%
Don't know	4%

Formal Enforcement Action

Number of informal caution and advice issued in writing	40
Number of simple cautions issued	10
Number of formal undertakings received under Stop Now Orders	0
Number of Stop Now Orders issues	0
Number of prosecutions commenced in period	14

PERFORMANCE MEASURE 3 : FAIR & SAFE TRADING ENVIRONMENT

3.1 Compliance Tables

Inspection

Risk Level	No of Businesses assessed as being high risk	No of Businesses inspected within year	No of Businesses found to be compliant on first inspection	No of Businesses brought to a state of compliance by the end of the year	Total number of businesses compliant
High	28	28	18	9	27
Medium	-	413	337	51	388
Low	-	45	31	1	32

PERFORMANCE MEASURE 4

EFFICIENT, EFFECTIVE AND IMPROVING TRADING STANDARDS SERVICE

For Staff employed directly on service provision	
Percentage of staff who undertook some TS professional development in the last year	100%
Average number of hours training per officer on professional development	13.5
For all Staff	
Percentage of staff who undertook other skills training in the last year	100%
Average number of hours of training per officer on professional development	13.25

Measuring Compliance with Fair Trading and Safety		
Categories		Number of inspections or other enforcement activities carried out within the year for each category where non compliance was noted
Fair Trading	Trade Descriptions	38
	Pricing	147
	Credit	4
	Other	42
	Total	231
Safety	Product Safety	25
	Underage Sales	35
	Other	20
	Total	80

Measuring Compliance of Weighing and Measuring Equipment

* Category of equipment	Actual or estimated no of pieces of equipment	No of individual pieces of equipment inspected	No of pieces of equipment found incorrect and a 28 day notice issued	No of pieces of equipment found incorrect and verification mark removed	No of pieces of equipment related to prosecutions or cautions
A	260	147	10	0	0
B	4	4	1	0	0
C	700	186	14	0	0
D	0	0	0	0	0
E	0	0	0	0	0
F	500	9	1	0	0
G	100	36	3	0	0
H	700	214	20	0	0
OTHER	25000	1904	131	0	0

* The category is represented by each letter code is defined by in the guidance.

The table lists categories of equipment:

- | | |
|---|--|
| A Liquid fuel measuring instruments | E Automatic weighing machines all types |
| B Weighbridges and scales over 5000kg | F Weights |
| C Non-automatic weighing machines \leq 30kg | G Length measures |
| D Non automatic weighing machines $>$ 30kg \leq 5000kg | H Intoxicating Liquor Measuring Instruments |

Other List on return only 1 or more failed : other categories may include : water meters, bulk fuel meters, sand and ballast measures, simple capacity vessels etc. There may be some aspect of double counting as some equipment that is initially subject to a 28 day notice may later have the verification mark removed. The numbers concerned will not affect the national picture.

Measuring Metrological Compliance in Transactions

Type of Business	No of businesses liable to inspection	No of businesses visited	Total no of businesses compliant
Packaging Plants	3	2	2
Importers of packaged goods	7	6	5
Business selling bulk products by weight/volume	300	95	70
Retail Outlets	800	483	413

APRIL 2007 - MARCH 2008

Infringe No.	Name	Offence	Fine	Costs
I.321 & I.325	Memon Ltd	A remote control toy car was test purchased as part of a regional project. When tested, the transformer failed to comply with the safety regulations as it melted during test. The defendant had imported the toy from China and when asked for test reports, produced reports for a different toy Consumer Protection Act 1987 s.12 The Electrical Equipment (Safety) Regs 5,10,.11 and 14	£2,000	£1,538.00
I.380	Mr B K Naik	Sold a cigarette lighter refill canister containing butane or a substance with butane as a constituent part to a person under 18 Cigarette Lighter Refill (safety) Regs 1999 Consumer Protection Act 1987 s.12	£400	£286
I.367	Mr N Vijayalingam	Sold by the hand of a shop assistant two cans of cider containing alcohol to a person under 18 years Licensing Act 2003 s.146(1)	£250	£250
I.300	Mr B Deol	Supply of cosmetic products not correctly marked with list of ingredients and EU name and address details. (4 Offences) Consumer Protection Act 1987 s.12 Cosmetic Products (Safety) Regs 2004 Reg 7	1. £500 2. £2,000 3. £250 4. £1,000	£777
I.364/ 365/366	SAS Meegalla	Sold alcohol to a person under 18 years Licensing Act 2003 s.146(1)	£300	£286

Infringe No.	Name	Offence	Fine	Costs
I.352	F Ismail	Sale of counterfeit designer clothes and footwear. Trade Marks Act 1994 section 92(1)(c)	£400	£286 + Forfeiture of goods
I.389	W Cho	As the licence premises holder, sold by the hand of a shop assistant a bottle of Smirnoff Ice Red, containing alcohol, to an individual aged under 18 years Licensing Act 2003 s.146(1)	£300	£286
I.387	K Sivaharan	Sold alcohol to a person under 18 years Licensing Act 2003 s.146(1)	£100	£286
I.350	A Johnson	Applied a false trade description as to the mileage of a car by means of an advertisement published on the Auto Trader website. Trade Descriptions Act 1968 s.1(1)(a)	6 months Conditional Discharge	£2,488.50
I.390	R R Bastiampillai	Sold alcohol to a person under 18 years Licensing Act 2003 s.146(1)	£500	£286 + £15 Order
I.400	U Ananthamoorthy	Sold alcohol to a person under 18 years Licensing Act 2003 s.146(1)	£300	£286 + £15 Surcharge

Infringe No.	Name	Offence	Fine	Costs
I.413	F A Reza	Selling DVDs which were a mix of counterfeit copies of recent films and pornographic films. 4 offences Trade Marks Act s.92(1)(b) & s.92(1)(c) Video Recordings Act s.9(1)	4 x £37.50 = £150	£150
I.391	CEX Limited	Charged a higher price for a DVD box set than was displayed on the DVD. Consumer Protection Act 1987 s.20(1) (2 offences)	1. £400 2. £600 = £1,000	£796 Compensation £3 + £15 surcharge
I.421	K Patel	Supplied an adult firework outside of the permitted times without a licence Section 11(1) The Fireworks Act 2003 Regulation 9(1)(as amended) Firework Regulations 2004	12 month Conditional Discharge	£315

Royal Borough of Kingston upon Thames
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www.kingston.gov.uk/trading

June 2008