

Meeting of:	Shared Regulatory Services Joint Committee
Date of Meeting:	Wednesday, 20 March 2024
Relevant Scrutiny Committee:	All Scrutiny Committees
Report Title:	Shared Regulatory Services Overview and Update Report
Purpose of Report:	This report provides an update on the work undertaken by the Shared Regulatory Service (SRS)
Report Owner:	Director of Environment and Housing
Responsible Officer:	Head of Shared Regulatory Services
Elected Member and Officer Consultation:	No Elected Members have been consulted. The following officers have been consulted; Assistant Director Street Scene, Cardiff Council, Chief Officer Legal, Regulatory and Human Resources, Bridgend County Borough Council
Policy Framework:	This is a matter delegated to the Joint Committee
Executive Summary:	<ul style="list-style-type: none"> The report appraises the Joint Committee of the work of the service and progress toward completing the actions contained in the SRS Business Plans.

Recommendation

1. The Joint Committee is asked to consider, note, and agree the contents of this report.

Reason for Recommendation

1. The report appraises the Committee of the work of the service and the progress toward completing the actions contained in the SRS Business Plans.

1. Background

- 1.1** SRS Business Plans are developed in consultation with stakeholders; they inform and direct the work of the service and contribute toward the corporate priorities of each partner Council. The service has five key aims, namely:

- Improving Health and Wellbeing
- Safeguarding the Vulnerable
- Protecting the Environment
- Supporting the Local Economy
- Maximising the use of resources

This report contains information outlining how the service is working to achieve better outcomes for residents and businesses within the region through a series of different actions and work programmes. The report provides an overview of activities undertaken in the period December 2023 to February 2024 as well as Q3 performance.

2. Key Issues for Consideration

Human Resources

- 2.1** The sickness absence level for the Service at the end of Quarter 3 was 3.99 days per FTE person overall.

When compared with Q3 of 2022/23, the 2023-24 figure shows a significant improvement in the overall FTE absence figure, as shown in the table below. Q3 tends to see some of the highest absence figures throughout the year, and so it is particularly pleasing to see a 50% improvement overall (3.99 days per FTE compared with 8.47 days in the previous year), and a 70% improvement in respect of the long-term sickness absence figure (1.86 days per FTE compared with 6.29 days in the previous year).

	Short Term Days Lost per FTE	Long Term Days Lost per FTE	Total Days lost Per FTE
Q3 2023-24	2.13	1.86	3.99
Q3 2022-23	2.17	6.29	8.47
Q3 2021-22	1.38	5.39	6.77
Q3 2020-21	1.34	4.02	5.35
Q3 2019-20	1.92	4.64	6.56

2.2 At its extraordinary meeting at the end of January 2024, the Joint Committee agreed that a 3% level of saving would be found from the SRS core budget for 2024-25. Work has been underway since that meeting to map out exactly how the £182k saving will be achieved. A total of three posts will be deleted across the Service with the remainder of the savings coming through the exploitation of further income generation opportunities, and some reduction in supplies and services budgets.

2.3 The agreed 2024-25 budget settlement also included a reduction in one aspect of Bridgend County Borough Council’s authority specific funding, however, this will have no effect on the funding of posts.

2.4 While recruitment difficulties within the Service have eased to some extent recently, work continues to improve the visibility of what SRS has to offer potential candidates and this links to a wider Attraction Strategy being developed by the host authority. At the same time, the Level 4 Regulatory apprenticeship for Wales moves closer with the qualification fully developed ahead of consultation. Thought now turns to the development of Level 6 apprenticeships for the professional disciplines of Environmental Health and Trading Standards. Having these degree level apprenticeships in place will be a huge benefit to Regulatory Services in developing staff through a blend of both on-the-job as well as academic training. Where these level 6 apprenticeships have been introduced elsewhere (England), they are proving popular with apprentices as a means of entering well respected and critically important professional disciplines without the need to run up tens of thousands of pounds in student debt.

Financial Position Quarter 3

- 2.5** Full financial monitoring for the period 1st April to 31st December 2023 is attached at **Appendix 1**.

Performance Monitoring

- 2.6** Joint Committee members are provided with data on activity levels to help reassure local members at each council that SRS activity continues to tackle issues across the region. Performance data for quarter 3 of 2023-24 is set out at **Appendix 2** and reported to each Council in line with their performance management regimes and existing service plans. Officers will provide more details on the Q3 performance at the Joint Committee meeting.

Members will recall the challenges faced by the Service in recovering lost ground in respect of the full food programme required by the Food Law Code of Practice. Between September 2021 and March 2023, officers worked hard in delivering against the Food Standards Agency COVID recovery plan for local authorities. Since 1st April 2023, delivery against the full food programme has resumed, and the shortfall in budgeted posts (compared to the number needed to meet the demands placed on the service in complying with the Food Law Code of Practice) continues to be plugged through the use of contractors, paid on a per-visit basis. The net result at the end of Q3 is a very positive picture as illustrated by the various performance metrics for food.

- 2.7** The Service updates below provide more detail and context for the Joint Committee on some of the key areas of work during the quarter.

Improving Public Health

Health Protection

- 2.8** Members will recall the previously reported Welsh Government review of the health protection system in Wales, and how, building upon the success of the co-production approach of partner agencies through the COVID-19 pandemic, the review recognised the central role that local authorities play in the system. Welsh Government Health Protection Partnership funding has recently been confirmed for 2024-25, and this will enable SRS to continue to fulfil this role through its small but very effective Health Protection team, alongside Cardiff and the Vale University Health Board, Public Health Wales and other partners.

At the same time, the recently published Cardiff and Vale Health Board Health Protection Plan has been developed by the partner organisations to describe how they work together under this umbrella to prevent and mitigate risk from

communicable disease. It is good to see the key role played in the partnership by Shared Regulatory Services being reflected throughout the Plan.

Sunbed safety

2.9 The use of tanning equipment has been linked to an elevated risk of developing melanoma, and by many accounts this is thought to be in the order of a 20% increase in likelihood. A study undertaken in 2005 however, cites a 75% increase in the risk of melanoma when the use of sunbeds started during adolescence or young adulthood (under 25 years of age).

2.10 A recent survey has been conducted to establish the extent to which tanning salons across the SRS region are complying with Welsh Government sunbed safety requirements. The work followed an undercover investigation of tanning salons by the BBC Wales consumer programme *X-Ray*, in which it was revealed that businesses in Cardiff had permitted two under 18s to pay for tanning sessions and have access to restricted zones to be shown how equipment worked, without any identification checks to verify their age. As it was not possible to obtain details of these premises from the BBC, the SRS survey was designed to identify all active providers of tanning facilities and was conducted in two phases.

2.11 The initial phase of the intervention saw salons receiving advice and the offer of support from Officers, in order to achieve compliance with the law through safe salon operating practices. Moving into the second phase of work, twenty-two tanning salons were subject to unannounced visits across the SRS footprint. The full survey report is provided as **Appendix 3**, with the main findings being as follows:

- 18% of premises were being operated by supervisors who were not considered to be adequately competent
- 23% of businesses *failed to display* the prescribed health information in all restricted zones and / or in the reception area. The required format for displaying this prescribed health information is a poster, at least A3 in size and comprising black lettering on a yellow background
- 27% of businesses *failed to provide* clients with the prescribed health information in the required format on each occasion (at least A4 in size comprising black lettering on a yellow background)
- 1 business (5%) displayed a poster on the premises extolling the health benefits of sunbed use (this was taken down immediately),
- 23% of businesses failed to adequately assist customers with their skin assessments taking into account factors such as previous experience, changes in medication, and changes in skin condition

- 18% of businesses provided an inadequate level of advice to clients once their skin type had been determined
- All premises had eye protection available for clients, but 18% failed to actively check if clients had eye protection prior to using the tanning equipment
- 23% of businesses were not applying cleaning products to the tanning equipment for the correct contact time, and 14% did not have hazard data sheets for the cleaning products in use,
- 14% of salons did not have any documented evidence of on-going equipment maintenance,
- On a more positive note, all 22 businesses were found to have adequate arrangements in place for the supply, fitting and monitoring of the sunbed tubes, and
- All but once of the businesses visited were found to have adequate arrangements in place to verify the age of clients.

2.12 Appropriate enforcement action has been taken where failings were identified, and the necessary improvements secured. It is thought that as the cost-of-living crisis eases, businesses having suspended the provision of tanning facilities will be more likely to return to the market. The Service will monitor this position, particularly in the hairdresser, barber and beauty sectors, to ensure that operators are fully aware of their responsibilities in law.

Special Procedures

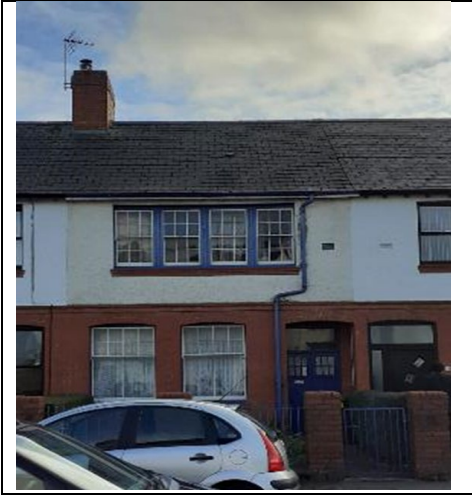
2.13 Welsh Government consultation has begun on draft regulations and statutory guidance which will see the mandatory licensing scheme for acupuncture, body piercing, electrolysis and tattooing become a reality. The draft statutory guidance sets out the matters local authorities are to take into account in deciding whether and to what extent an applicant practitioner's fitness to perform a special procedure has been called into question. The consultation is due to close on 8th April 2024.

2.14 The anticipated effective date for the Special Procedures regime has recently been put back from June 2024 to October 2024. Ahead of October, arrangements will be put in place across the Service to manage the transition of practitioners and premises onto the new mandatory licensing framework. This is a significant task with unfortunately no additional funding to assist in it being resourced. In addition, Welsh Government awareness raising has begun to take place with Licensing Committees, members of which will consider representations and certain applications under the new regime.

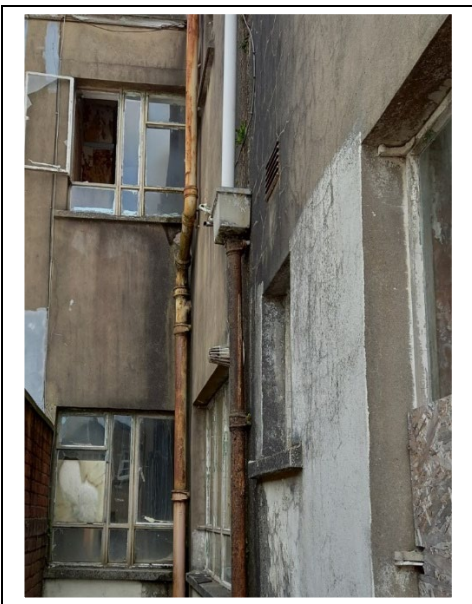
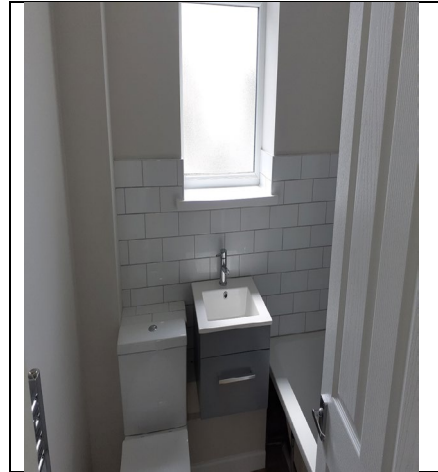
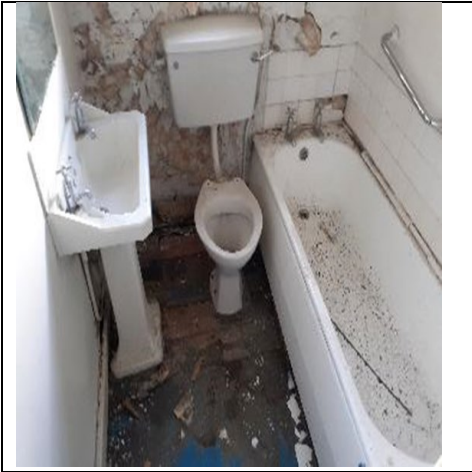
Empty Homes

- 2.15** Members will recall from previous updates to the Joint Committee that the SRS has a group of Officers within its Housing Enforcement teams focussing on tackling private sector empty homes, supported by additional resources made possible by the Council tax premium. The Vale of Glamorgan Council has provided additional resource to the SRS in this financial year, and we have successfully recruited an additional officer to work exclusively within the Vale on this topic. It is anticipated that we will be able to provide regular reports to the Joint Committee highlighting progress as it is made by this team.
- 2.16** We currently write to all known owners of empty properties listed on Council Tax, to offer advice and assistance on how to bring the property back into use. The team gathers property-specific information and identifies areas for bespoke advice. They assist through site meetings, advice regarding property standards and rental requirements, referrals and signposting to other departments and avenues of financial assistance.
- 2.17** The management of empty homes requires a whole authority approach and a key role that SRS undertakes is to pull together the various stakeholders across the partner authorities to ensure a co-ordinated strategy is brought to bear to bring empty properties back into beneficial use. This has proved to be extremely successful and in Bridgend and Cardiff, an Action Plan, submitted to and agreed by Welsh Government, identified the most problematic empty properties and prioritised associated actions. Targeted enforcement of these problem properties is yielding positive results with several properties now occupied, cases progressing with the service of enforcement notices and works in default being completed with the aim of enforcing sale of the property if the debt is not paid.
- 2.18** The following images illustrate some examples of the end result of the team's work and how we are utilising the legislation to make progress with properties where we have longstanding issues associated with them remaining vacant.

Before



After



Protecting the Environment

Air Quality

- 2.19** During the last year, SRS ensured that Bridgend, Cardiff, and the Vale of Glamorgan Councils met their statutory duties under Part 4 of the Environment Act 1995 by producing the 2023 Annual Progress Reports (APRs) detailing the results for the previous year's (2022) data for each area and reporting these to the respective Cabinets. Failure to produce these reports can lead to the receipt of a Welsh Government direction under Section 85(3) of the Environment Act 1995.
- 2.20** In **Bridgend** the 2023 APR demonstrated that only two sites, both located within Park Street Air Quality Management Area (AQMA) exceeded the air quality objective for nitrogen dioxide NO₂ as prescribed in the Air Quality (Wales) Regulations 2000 and the Air Quality (Amendment) (Wales) Regulations 2002. All other locations within Bridgend County Borough continued to meet all other relevant air quality objectives. Both locations recorded annual average figures in 2022 of 47.2 µg/m³ & 45.5 µg/m³ respectively. This represented a reduction in NO₂ concentrations of 12% and 17% at these locations since 2019. Furthermore, provisional results for 2023 show a further reduction in NO₂ concentrations at these locations. Further assurance and data ratification is required, and the results will be confirmed in the 2024 APR.
- 2.21** The 2023 APR also provided an update to Cabinet members on the progression of the Action Plan for the AQMA on Park Street. The final AQAP will provide a full implementation timeline of any additional measures, and also a projected year of compliance, as ongoing assessments were being completed at the time the APR was presented to Cabinet. The final AQAP will be approved by Bridgend Cabinet in March (TBC).
- 2.22** In **Cardiff**, the 2023 APR demonstrated that out of the 135 non automatic monitoring locations across the entire City, no monitoring sites recorded exceedances of the annual average objective set for NO₂ of 40 µg/m³.
- 2.23** The APR provided an overview of the concentrations within each of the 4 AQMAs in Cardiff. Monitoring in the AQMAs demonstrated compliance was being achieved in each of the 4 AQMAs, although one location in the Llandaff AQMA, was close to exceeding the annual mean for NO₂ (39 µg/m³) and there has been a slight increasing trend in NO₂ concentrations since 2020 at this location.
- 2.24** The report detailed that owing to the continued increase of NO₂ concentrations at this location it will be necessary for the Council to consider additional specific actions for the Llandaff AQMA. That said results for 2023 show an improved picture at this monitoring location with a provisional result of 34 µg/m³.

- 2.25** The APR also gave a further update on the ongoing work on Castle Street in relation to the Welsh Government Air Quality Direction. At the time of the Cabinet Report, the Council had submitted an updated Final Plan, which was being reviewed by Welsh Government's Expert Panel, and a final decision on funding for the Castle Street Scheme is anticipated by the end of March 2024.
- 2.26** In the **Vale of Glamorgan**, the 2023 APR demonstrated that there were 50 specifically allocated non-automatic monitoring sites across the Vale of Glamorgan which monitored levels of nitrogen dioxide (NO₂). From the 50 locations monitored throughout the Vale with the use of passive diffusion tubes, no sites breached the national NO₂ annual objective of 40 µg/m³ or the NO₂ 1-hour objective (200 µg/m³ not to be exceeded more than 18 times per year). Overall, the Vale of Glamorgan has seen a downward trend in NO₂ levels since before the Covid-19 pandemic.
- 2.27** The report also provided an update on a successful application to the Local Air Quality Management support fund from Welsh Government, for funding to upgrade and enhance the current real time air quality monitoring capabilities within the Vale. The bid enables the Vale to install an additional 5 monitors and the locations will be decided using a risk-based approach in line with relevant technical guidance.

XL Bully Ban

- 2.28** The ban on XL Bully dogs, introduced last year, came into full force on 1st February 2024.

- 2.29** Owners of XL Bully's wishing to keep their dog(s) and comply with the Dangerous Dogs Act must have:



- Applied for a certificate of exemption – this should have been done by 1st February 2024 as the application process has now closed.
- Obtained third party public liability insurance.
- Neutered their XL bully dog, via castration or spaying. Depending on age of the dog, this must have been carried out by 30 June or 31 December 2024 and proof provided to Defra. The certificate of exemption is not valid, if the dog is not neutered.
- Microchip the XL Bully and provide this information to Defra by 31 March 2024. If the XL Bully was unfit to be microchipped at the time of application, a veterinary certificate stating this must be provided to Defra by 31 March 2024. The XL Bully must then be microchipped, and number provided to Defra within 28 days of the expiry date of the veterinary certificate.
- A new certificate of exemption will be provided by Defra with the microchip number.

2.30 In addition to the above, from 31st December 2023 it has been an offence under the Dangerous Dogs Act to:

- Not keep an XL Bully dog on a lead and muzzled when in public.
- To rehome, buy, sell, transfer ownership, breed or allow an XL Bully dog to stray.

2.31 SRS Animal Wardens are working with both of our stray dog kennelling providers Cardiff Dogs Home and Hope Rescue, and South Wales Police to confirm the process for typing and assessing any strays that are suspected of being XL Bully's.

Supporting the Local Economy - Primary Authority Update

2.32 Members will be familiar with the Primary Authority principle that allows a business to enter into a statutory partnership with a local authority of its choice (its Primary Authority), and it is through these partnerships that assured advice can be provided. Primary Authorities are able to charge partner businesses for the work undertaken in the course of such partnerships, and this is permissible on a cost recovery basis.

2.33 Primary Authority partnerships can be hugely beneficial for businesses, not least the fact that they are able to take and act upon advice from one local authority rather than facing the resource intensive alternative of having to deal with a multitude of local authorities and, potentially, inconsistent or conflicting advice. In addition, where a Primary Authority has given assured advice to a Primary Authority business partner on a particular area of law or a particular scenario, then provided the assured advice is followed by the business concerned, the Primary Authority is able to challenge any intended enforcement action by other local authorities.

2.34 SRS has continued to expand our Primary Authority partnerships and has increased these further by negotiating a further two partnerships bringing our total to 36 partnerships. One of these new partnerships, is with the pub chain Martons, who have over 200 pubs in Wales, with around 60 of them with the SRS region, and the partnership relates to devolved Welsh matters.

Supporting the Local Economy - Training Update

2.35 One of the key areas where SRS supports local business is through the provision of our accredited and non-accredited training courses. We also offer tailored/bespoke training and have delivered numerous training courses, tailored to business needs. These include consumer rights training for businesses, bespoke HACCP coaching and training and food safety which also includes bespoke training to meet any specific business needs.

- 2.36** In Q3, 12 training courses were provided by SRS, and included Level 1 and Level 2 in Food Safety for Catering, Level 3 in Management of Allergens in Catering and also the Level 2 Award in Infection Prevention and Control for Special Procedures Practitioners. Overall, 219 delegates attended our training courses in Q3 alone, and we had a 100% pass rate on all accredited courses.
- 2.37** In addition, in Q3 SRS launched a new course which is the accredited Level Two Infection Control in Health and Care Settings course, which deals with the fundamentals and principles involved in preventing healthcare associated infections. This has enabled SRS to expand its offer of accredited courses to eleven, as detailed below:
- Level One Food Safety and Hygiene in catering
 - Level Two Food Safety and Hygiene in catering
 - Level Three Food Safety and Hygiene in catering
 - Level Four Food Safety and Hygiene in catering
 - Level Two Health and Safety at Work
 - Level Two HACCP
 - Level Two Allergen Awareness
 - Level Three Management of Allergens
 - Level Two Award in the Prevention & Control of Infection for Special Procedures
 - Level Two Award in Infection Control for Health and Care settings
 - Level Two Award in the Prevention of Underage Sales¹
- 2.38** This demonstrates how our training provision has evolved from the small number of Food Safety courses provided when SRS was first formed in 2015. The continued expansion of the training provided by SRS remains a key business plan objective and will be vital to provide future income generation opportunities for the service.
- 2.39** In addition to the above training, SRS also delivered two live webinars to trainees in the home improvement sector entitled ‘Getting your paperwork right’ and ‘Promoting your business the right way.’ These sessions were designed to help new businesses/sole traders to ensure they are complying with consumer law right from when they launch their business. This is part of an agreed series of 4 webinars. A further two are to be delivered in Q4.
- 2.40** Further information on our training courses is available on our website, <https://www.srs.wales/en/Training/Training-Courses.aspx> and we would encourage any internal departments and schools to approach SRS in the first instance when regulatory training needs have been identified.

¹ To date this course has been piloted with Primary Authority business – wider launch will take place in 2024-25

Trading Standards Impacts and Outcomes

2.41 In 2018, the Association of Chief Trading Standards Officers (ACTSO) launched its *Impacts and Outcomes* framework as a means of demonstrating the vital contribution of Trading Standards Services in England and Wales in:

- Tackling Detriment and Preventing Harm
- Supporting the Local Economy, and
- Promoting Health and Wellbeing

Rather than following a 'league table' format, the Impacts and Outcomes framework reports annually on the *combined* effect of Trading Standards Services across a range of key outputs. SRS has contributed performance data into the framework each year since its launch and it was pleasing to see the significant contribution of the Service when a stand-alone Impacts and Outcomes report was released recently, detailing the work of local authorities in Wales during the 2022-23 financial year. The Wales-only report is included for information in **Appendix 4**, along with the summary infographic for Wales.

2.42 By way of example, and leading on from 2.32 above, in 2022-23, there were 75 Primary Authority partnerships across Wales. Of these, 34 (45%) had been formed between SRS and the relevant business. The report also illustrates how an impressive 58% of the hours' advice given at an enterprise level to Primary Authority businesses in Wales was provided by SRS.

Enforcement Activity

2.43 Details of recent cases investigated by the SRS that have resulted in prosecution are set out in **Appendix 5** to this report.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 The Well-being of Future Generations Act requires the SRS to underpin decision making by contributing to the seven well-being goals of the Act, following the five ways of working, and consequently undertaking actions that will have a positive impact on people living in the future as well as those living today. Consequently, SRS seeks to work in the following ways:

- Looking to the long term
- Taking an integrated approach;
- Involving a diversity of the population in the decisions affecting them;
- Working with others in a collaborative way to find shared sustainable solutions
- Acting to prevent problems from occurring or getting worse.

- 3.2** The fundamental purpose of the SRS (here defined as trading standards, environmental health and licensing) is to protect residents, consumers, businesses and communities. The broad range of responsibilities can make it difficult to demonstrate succinctly their impact and value in terms of the wellbeing; the SRS Business Plans provide members with detail and articulate how those statutory responsibilities, and subsequent activities, contribute toward wellbeing across the region. This update report reflects some of the activities undertaken in recent months to promote the sustainable development principle.

4. Climate Change and Nature Implications

- 4.1** One of the key strategic themes for the Shared Regulatory Service is *Protecting the Local Environment*.
- 4.2** The SRS Business Plan articulates the work carried out under this theme to deliver on the corporate priorities for the participant Councils, including their ambitions to minimise climate change and impacts on the natural environment.
- 4.3** In this context, the Joint Committee is regularly updated on the contribution of the Shared Service to this agenda, for example through its work in the areas of animal health and welfare, air quality, contaminated land, energy efficiency in the private rented sector and investigating greenwashing claims or environmental fraud.

5. Resources and Legal Considerations

Financial

- 5.1** The Participants' contribution towards the Shared Regulatory Service is recharged on a quarterly basis, based upon the approved budgets for 2022/23. Accounting for the full year is reported to the Committee at the Annual General Meeting.

Employment

- 5.2** There are no immediate employment implications associated with this report.

Legal (Including Equalities)

- 5.3** There are no immediate legal implications associated with this report.

6. Background Papers

Appendices:

- Appendix 1 Q3 2023-24 Financial monitoring
- Appendix 2 SRS Performance measures – Q3 2023-24
- Appendix 3 SRS survey report on health and safety in the tanning salon sector
- Appendix 4 Trading Standards Impacts and Outcomes report / infographic for Wales
- Appendix 5 Details of SRS prosecutions

Meeting of:	Shared Regulatory Services Joint Committee
Date of Meeting:	Wednesday, 20 March 2024
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Q3 2023/24 Shared Regulatory Services Revenue Monitoring Report
Purpose of Report:	To Provide the Partner Authorities with the Financial Performance of Shared Regulatory Services
Report Owner:	Matt Bowmer - Head of Service/s151 Officer
Responsible Officer:	Miles Punter – Director of Environment and Housing
Elected Member and Officer Consultation:	Head of Service for Shared Regulatory Services
Policy Framework:	This is a matter for Shared Regulatory Services

Executive Summary:

The £8.645m 2023/24 Shared Regulatory Services (SRS) Budget was agreed by Committee on the 9th February 2023. The net budget increase of £314k included an assumed 5% pay award of plus an adjustment in respect of the previous year’s pay shortfall, less agreed savings.

- As at Q3, the SRS is forecasting an overall overspend of £266k. This position includes an historical Cardiff Authority Specific budget shortfall in the order of £200k relating to Licensing. The forecast outturn position is illustrated on the following table;

	Gross Budget	Forecast Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	1,914	1,929	(15)
Cardiff	5,009	5,256	(247)
Vale	1,722	1,726	(4)
Total Gross Expenditure	8,645	8,911	(266)

- The reported position includes mitigation of £183k being down from reserves to partially offset the forecast overspends within both Animal Services and Food Services within Core, as set out in the Q2 report.

Recommendations

1. That the position with regard to the 2023/24 forecast outturn position is noted. That the proposed use of SRS reserves as illustrated in Table 4 of point 2.24 of this report be noted.
2. That the Q3 forecast Core overspend of £44k be noted. The funding in respect of this position will be explored further within the Q4 report.

Reasons for Recommendations

1. That the members are aware of the position with regard to the 2023/24 forecast outturn position pertinent to the Board and relevant Scrutiny Committee.
2. Once the 2023/24 accounts have been signed off by Audit Wales, a paper will be brought to this Committee to determine the treatment to be progressed in respect of any under or overspend relating to the individual partners final closing position.
3. In prior years, under/overspends occurring within Authority Specific Services have been returned/recovered directly to/ from each individual partner authority.
4. Committee will determine whether there is to be a retention from the Core underspend and the associated value(s). These funds are to be retained by SRS and drawn upon when required in future periods. Should the outturn be an overspend position, no retention will be sought, and the overspend will be recovered from the partners in line with their budgeted contributions for the year.

1. Background

- 1.1 The 2023/24 Shared Regulatory Services (SRS) Gross Revenue Budget was approved on the 9th February 2023.
- 1.2 The revenue position for 2023/24 continues to be challenging for the SRS both operationally and financially due to the ongoing implications of the Cost-of-Living Crisis. The impact of rising prices continues to intensify pressure on existing budgets.

The previous impact of the Covid-19 pandemic on our ability to generate income has gradually receded and the service continues to recover and make up for this lost income.
- 1.3 Two members of staff remain on secondments out of the Service. The associated cost of these secondments is being recovered from Welsh Government and Monmouthshire County Council. This has enabled staff to act up into more senior roles.
- 1.4 A small group of officers from across the Service continue to be seconded to support the regional Health Protection Officers (HPO) team supporting the Cardiff and Vale Health Board.

2. Key Issues for Consideration

2.1 The Gross Revenue Budget and forecast outturn position for 2023/24 are shown in the tables below, with the position in respect of each of the partners detailed to include both Authority Specific and Core expenditure positions. As at Q3, the Service is forecasting a £266k overspend against a gross revenue budget of £8.645m, as illustrated in the following table:

Table 1.

	Gross Budget	Forecast Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	1,914	1,929	(15)
Cardiff	5,009	5,256	(247)
Vale	1,722	1,726	(4)
Total Gross Expenditure	8,645	8,911	(266)

2.2 Over the last few quarters, the ability of the Service to recruit into key roles has improved and retention levels have been more encouraging than in recent years. Given the difficult recruitment landscapes for regulatory services across the country however, there is no room for complacency. The 'growing our own' approach is now firmly embedded with staff being developed both in their roles and in the gaining of professional qualifications, enabling them to progress within the Service as future vacancies arise.

2.3 A full breakdown of the forecast outturn position is shown in **Annex 1**.

Authority Specific Services

- 2.4 The approved gross budget of £2.567m in respect of Authority Specific (AS) Services has a forecast overspend of £222k, as detailed in the following table:

Table 2.

	Gross Budget	Forecast Outturn	Outturn Variance
Authority	£'000's	£'000's	£'000's
Bridgend	461	466	(5)
Cardiff	1,562	1,783	(221)
Vale	544	540	4
Total AS Services	2,567	2,789	(222)

Bridgend

- 2.5 The overall £5k forecast underspend at Bridgend, relates directly to a £26k overspend within the Bridgend Licensing Team which has been partially offset by the forecasted combined underspends of £21k within both Bridgend Empty Homes plus Kennelling and Vets. This position is very much consistent to activity levels experienced in previous years.

Cardiff

- 2.6 The £221k overspend at Cardiff predominantly relates to a forecasted £218k overspend within the Licensing Section which is consistent with performance in previous years.
- 2.7 The combined £4k underspend within HMO Cathays and HMO Plasnewydd teams relates to smaller variances within these teams.
- 2.8 The forecasted £7k overspend within Night-Time Noise relates to a marginal uplift in demand due to an increase in service usage along with the salary award being in excess of budget.

Vale

- 2.9 Overall, the Vale is forecasted an aggregate £4k underspend.
- 2.10 Taxi Licensing has a forecast overspend of £19k which is due to increased staffing costs resulting from a small increase in staff hours therefore enabling staff to successfully navigate an increased workload.
- 2.11 Burials is forecasting a £7k overspend which is due to demand being excess of budget.

2.12 There is a forecast underspend of £18k within Pest Control, which is due to an underspend in the overall budgeted costs of the service.

2.13 Kennelling and Vets are forecasting a £12k underspend, which is consistent with performance in previous years.

Core Services

2.14 The approved Core Services Budget for 2023/24 is £6.078m, which at Q3 is forecasting an overall overspend of £44k. The Core Service's budget is allocated in line with the population split across the participating authorities, as illustrated in the following table:

Table 3.

Authority	%	Gross	Forecast	Outturn
		Budget	Outturn	Variance
		£'000's	£'000's	£'000's
Bridgend	23.90%	1,453	1,463	(10)
Cardiff	56.72%	3,447	3,473	(26)
Vale	19.38%	1,178	1,186	(8)
Total Core		6,078	6,122	(44)

2.15 The £25k overspend within Animal Services is due to the increased costs resulting from a number of dog seizures. Significant expenditure has been incurred in the support of these seizures. This position includes a drawdown of £83k from the SRS Trading Standards Reserve, as established in the Q2 report.

2.16 Environmental Services are currently forecasting an underspend of £9k, which is made up of smaller variances forecasted within this heading.

2.17 Food Services are currently forecasting a £45k overspend, which is due to agency costs being incurred to enable the team to clear the backlog of outstanding food hygiene visits. The actual forecasted overspend for Food Services is £145k, however, the Service has utilised a drawdown of £100k from the SRS General Fund Reserve in order to alleviate the pressures within this area, as established in the Q2 report.

2.18 Housing Services is currently forecasting an overspend of £14k. The overspend is the result of the impact of the agreed 2023/24 pay award against the available budget.

2.19 Health & Safety and Communicable Disease Services are currently forecasting a £36k overspend which is driven by an increase in the provision of support provided within certain elements of the service.

- 2.20 Pollution Services are currently forecasting a balanced budget.
- 2.21 The £67k Trading Standards underspend, is as a result of staffing costs being less than initially forecasted. The Service has also made use of funds held on the balance sheet which were generated from successful court cases undertaken in previous periods totalling £60k. These funds have now been released in the year to offset some of the costs incurred elsewhere on the budget. The Trading Standards discipline within the SRS consists of both Consumer Protection activities alongside the field of Trading Standards, with the multiple teams working with both the general public and businesses, whilst ensuring both compliance with best practice and with legislation.

Reserves

- 2.22 The Shared Regulatory Service have built up some reserves which can be utilised to fund planned investment in service expenditure but also emerging pressures within the service.
- 2.23 There are a number of planned drawdowns from Reserves referred to in this report which are further detailed in the table below.

Table 4.

	Opening Balance	Planned Drawdown	Transfer to Reserves	Forecast Balance
	01/04/2023			31/03/2024
Reserve	£'000's	£'000's	£'000's	£'000's
SRS General Fund Reserve	613	(100)	0	513
Specific Legal Reserve	71	(60)	0	11
Trading Standards Reserve	83	(83)	0	0
Total Usable Reserves	767	(243)	0	524

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The revenue budget has been set in order to support services in the delivery of the SRS Well-being objectives. It is therefore important for expenditure to be monitored to ensure that these objectives are being delivered.

- 3.2 The revenue budget has been set and is monitored to reflect the 5 ways of working.
- 3.3 **Looking to the long term** – The setting of the revenue budget requires planning for the future and takes a strategic approach to ensure services are sustainable and that future need and demand for services are understood.
- 3.4 **Taking an integrated approach** – The revenue budgets include services which work closely with other organisations to deliver services such as Cardiff & Vale e.g. Health Boards via Health Protection Support Officers (HPO's).
- 3.5 **Involving partners in decisions** – As part of the revenue budget setting process there is open engagement between the SRS partners.
- 3.6 **Working in a collaborative way** – The SRS was created as a collaborative service in 2015, with the split of funding split in line with the population data which is updated on an annual basis.
- 3.7 **Understanding the root cause of issues and preventing them** – Monitoring the revenue budget is a proactive way of understanding the financial position of services in order to tackle issues at source and as soon as they become apparent.

4. Climate Change and Nature Implications

- 4.1 The SRS Annual Business Plan details illustrates how the Service is working towards reducing the carbon footprint of the service with consideration also given to nature implications, such as investigating noise and air emissions through environmental monitoring, including regulating emissions from industrial processes.

5. Resources and Legal Considerations

Financial

- 5.1 As detailed in the body of the report.

Employment

- 5.2 There are no employment implications

Legal (Including Equalities)

- 5.3 There are no legal implications.

6. Background Papers

None

Gross Expenditure Breakdown as of 31st December 2023

Annex 1

	Bridgend			Cardiff			Vale			Total		
	Budget	Outturn	Variance	Budget	Outturn	Variance	Budget	Outturn	Variance	Budget	Outturn	Variance
<u>Authority Specific</u>												
Bridgend Licensing	373	399	(26)							373	399	(26)
Bridgend Empty Homes	41	40	1							41	40	1
Vets & Kennelling Fees (Vale)	47	27	20							47	27	20
Cardiff Licensing				757	975	(218)				757	975	(218)
HMO Cathays				217	206	11				217	206	11
HMO Plasnewydd				296	303	(7)				296	303	(7)
Student Liason				70	70	0				70	70	0
Night Time Noise				67	74	(7)				67	74	(7)
Cardiff Port Health				155	155	0				155	155	0
Vale Licensing							409	428	(19)	409	428	(19)
Burials							1	8	(7)	1	8	(7)
Pest Control							114	96	18	114	96	18
Kennelling & Vets							20	8	12	20	8	12
Sub total	461	466	(5)	1,562	1,783	(221)	544	540	4	2,567	2,789	(222)
<u>Core Services</u>												
Animal Services	102	107	(5)	238	254	(16)	82	86	(4)	422	447	(25)
Environmental	57	55	2	136	131	5	47	45	2	240	231	9
Food Services	373	383	(10)	884	910	(26)	302	311	(9)	1,559	1,604	(45)
Housing Services	149	153	(4)	355	362	(7)	121	124	(3)	625	639	(14)
HS & CD	159	168	(9)	378	398	(20)	129	136	(7)	666	702	(36)
Pollution Services	223	223	0	530	530	0	181	181	0	934	934	0
Trading Stds	390	374	16	926	888	38	316	303	13	1,632	1,565	67
Sub total	1,453	1,463	(10)	3,447	3,473	(26)	1,178	1,186	(8)	6,078	6,122	(44)
Gross Expenditure Budget	1,914	1,929	(15)	5,009	5,256	(247)	1,722	1,726	(4)	8,645	8,911	(266)

Shared Regulatory Services

Quarterly Performance Report 2023/24

Quarter 3



Shared
Regulatory
Services

Gwasanaethau
Rheoliadol
a Rennir



High Risk Food Hygiene Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/FH/001	Qtr 3	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	22	28	78.57%	Amber	In line with our priorities agreed with the Food Standards Agency, all but one high risk businesses rated A and B due an inspection by the end of Qtr 3 were completed at premises that were operating and available for inspection. The one outstanding B rated inspection was partially carried out at the beginning of Qtr 4 following a previous cancellation by the business owner, however at the time of that inspection the business was not producing, so a full inspection has been arranged for mid January.	100%
2023-24	Cardiff	SRS/FH/001	Qtr 3	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	81	169	47.93%	Green	In line with our priorities agreed with the Food Standards Agency, all high risk businesses rated A and B due an inspection by the end of Qtr 3 were completed at premises that were operating and available for inspection.	100%
2023-24	Vale of Glam	SRS/FH/001	Qtr 3	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	47	63	74.60%	Green	In line with our priorities agreed with the Food Standards Agency, all high risk businesses rated A and B due an inspection by the end of Qtr 3 were completed at premises that were operating and available for inspection.	100%
2023-24	SRS	SRS/FH/001	Qtr 3	The percentage of high risk businesses (Cat A & B) that were liable to a programmed inspection that were inspected for food hygiene.	150	260	57.69%	Amber	In line with our priorities agreed with the Food Standards Agency, all high risk businesses rated A and B due an inspection by the end of Qtr 3 were completed at premises that were operating and available for inspection in Cardiff and the Vale of Glamorgan. One B rated inspection remains outstanding in Bridgend and is due to be completed in mid January.	100%

High Risk Food Hygiene Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/FH/002	Qtr 3	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	333	402	82.84%	Amber	The results for Qtr 3 show excellent progress in tackling the backlog of C rated inspections with results showing significant improvement compared to the same period last year. The service continues to prioritise those C rated inspections due at businesses with a food hygiene rating score of 0-4, and all non broadly compliant businesses due an inspection have been inspected.	90%
2023-24	Cardiff	SRS/FH/002	Qtr 3	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	709	825	85.94%	Amber	The results for Qtr 3 show excellent progress in tackling the backlog of C rated inspections with results showing significant improvement compared to the same period last year. The service continues to prioritise those C rated inspections due at businesses with a food hygiene rating score of 0-4, and all non broadly compliant businesses due an inspection have been inspected.	90%
2023-24	Vale of Glam	SRS/FH/002	Qtr 3	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	285	335	85.07%	Amber	The results for Qtr 3 show excellent progress in tackling the backlog of C rated inspections with results showing significant improvement compared to the same period last year. The service continues to prioritise those C rated inspections due at businesses with a food hygiene rating score of 0-4, and all non broadly compliant businesses due an inspection have been inspected.	90%
2023-24	SRS	SRS/FH/002	Qtr 3	The percentage of high risk businesses (Cat C) that were liable to a programmed inspection that were inspected for food hygiene.	1327	1562	84.96%	Amber	The results for Qtr 3 show excellent progress in tackling the backlog of C rated inspections with results showing significant improvement compared to the same period last year. The service continues to prioritise those C rated inspections due at businesses with a food hygiene rating score of 0-4, and all non broadly compliant businesses due an inspection have been inspected.	90%

New Businesses—Food Hygiene

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/FH/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	159	212	75.00%	Red	The results for Qtr 3 show excellent progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	90%
2023-24	Cardiff	SRS/FH/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	463	645	71.78%	Red	The results for Qtr 3 show excellent progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	90%
2023-24	Vale of Glam	SRS/FH/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	152	205	74.15%	Red	The results for Qtr 3 show excellent progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	90%
2023-24	SRS	SRS/FH/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment during the year for food hygiene.	774	1062	72.88%	Red	The results for Qtr 3 show excellent progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	90%

Broadly Compliant Food Premises

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	PAM/23	Qtr 3	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	1291	1317	98.03%	Green	Target exceeded.	94%
2023-24	Cardiff	PAM/23	Qtr 3	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	3127	3278	95.39%	Green	Target exceeded.	94%
2023-24	Vale of Glam	PAM/23	Qtr 3	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	1215	1258	96.58%	Green	Target exceeded.	94%
2023-24	SRS	PAM/23	Qtr 3	Percentage of food establishments which are 'broadly compliant' with food hygiene standards.	5633	5853	96.24%	Green	Target exceeded.	94%

High Risk Trading Standards Inspections

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/TS/001	Qtr 3	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	5	12	41.67%	Red	All planned inspections due by the end of Qtr 3 with the exception of 4 inspections at 2 businesses have been completed at open and operational businesses. The 4 outstanding inspections were not completed due to access issues, but will be completed mid January.	100%
2023-24	Cardiff	SRS/TS/001	Qtr 3	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	7	16	43.75%	Green	All planned inspections due by the end of Qtr 3 have been completed at open and operational businesses.	100%
2023-24	Vale of Glam	SRS/TS/001	Qtr 3	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	6	8	75.00%	Green	All planned inspections due by the end of Qtr 3 have been completed at open and operational businesses.	100%
2023-24	SRS	SRS/TS/001	Qtr 3	The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for trading standards.	18	36	50.00%	Red	All planned inspections due by the end of Qtr 3 with the exception of 4 inspections at 2 businesses in Bridgend have been completed. The 4 outstanding inspections were not completed due to access issues, but will be completed mid January.	100%

New business—Trading Standards

Year	Authority	Ref	Quarter	Title	No. carried out	No. due	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/TS/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment visit during the year, for food standards and animal feed.	161	281	57.30%	Red	The results for Qtr 3 show good progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	80%
2023-24	Cardiff	SRS/TS/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment visit during the year, for food standards and animal feed.	375	1037	36.16%	Red	The results for Qtr 3 show some good progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	80%
2023-24	Vale of Glam	SRS/TS/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment visit during the year, for food standards and animal feed.	152	378	40.21%	Red	The results for Qtr 3 show some good progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	80%
2023-24	SRS	SRS/TS/003	Qtr 3	The percentage of new businesses identified which were subject to a risk assessment visit during the year, for food standards and animal feed.	688	1696	40.57%	Red	The results for Qtr 3 show some good progress in tackling the backlog of new business inspections with results showing significant improvement compared to the same period last year.	80%

Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. re- sponded to within tar- get	No. re- ceived	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/LC/008	Qtr 3	Percentage of domestic noise and air complaints responded to within 3 working days.	81	90	90.00%	Green	Target achieved.	90%
2023-24	Cardiff	SRS/LC/008	Qtr 3	Percentage of domestic noise and air complaints responded to within 3 working days.	300	319	94.04%	Green	Target exceeded.	90%
2023-24	Vale of Glam	SRS/LC/008	Qtr 3	Percentage of domestic noise and air complaints responded to within 3 working days.	72	72	100.00%	Green	Target exceeded.	90%
2023-24	SRS	SRS/LC/008	Qtr 3	Percentage of domestic noise and air complaints responded to within 3 working days.	453	481	94.18%	Green	Target exceeded.	90%

Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. re- sponded to within tar- get	No. re- ceived	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/LC/009	Qtr 3	Percentage of commercial and industrial noise and air complaints responded to within one working day.	33	35	94.29%	Green	Target exceeded.	75%
2023-24	Cardiff	SRS/LC/009	Qtr 3	Percentage of commercial and industrial noise and air complaints responded to within one working day.	82	118	69.49%	Amber	The shortfall against target represents 7 complaints that failed to reach target. This is largely due to current demands on the service and the lack of resource available, further exacerbated by delays in the logging of complaints.	75%
2023-24	Vale of Glam	SRS/LC/009	Qtr 3	Percentage of commercial and industrial noise and air complaints responded to within one working day.	32	37	86.49%	Green	Target exceeded.	75%
2023-24	SRS	SRS/LC/009	Qtr 3	Percentage of commercial and industrial noise and air complaints responded to within one working day.	147	190	77.37%	Green	Target exceeded.	75%

Noise and Air Pollution

Year	Authority	Ref	Quarter	Title	No. re- sponded to within tar- get	No. re- ceived	Percentage achieved	RAG Status	Comment
2023-24	Bridgend	SRS/LC/010	Qtr 3	Percentage of alarm complaints responded to within one day.	2	2	100.00%	Green	Target exceeded.
2023-24	Cardiff	SRS/LC/010	Qtr 3	Percentage of alarm complaints responded to within one day.	12	12	100.00%	Green	Target exceeded.
2023-24	Vale of Glam	SRS/LC/010	Qtr 3	Percentage of alarm complaints responded to within one day.	2	2	100.00%	Green	Target exceeded.
2023-24	SRS	SRS/LC/010	Qtr 3	Percentage of alarm complaints responded to within one day.	16	16	100.00%	Green	Target exceeded.

Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/LC/004	Qtr 3	Percentage of licensed premises applications received and determined within 2 months.	36	36	100.00%	Green	Target achieved.	100%
2023-24	Cardiff	SRS/LC/004	Qtr 3	Percentage of licensed premises applications received and determined within 2 months.	129	132	97.73%	Amber	The result for Qtr 3 was slightly off target as a result of 3 applications that were due to be considered by the Licensing Sub-Committee which due to industrial action were not able to be held within the required 28 days.	100%
2023-24	Vale of Glam	SRS/LC/004	Qtr 3	Percentage of licensed premises applications received and determined within 2 months.	33	33	100.00%	Green	Target achieved.	100%
2023-24	SRS	SRS/LC/004	Qtr 3	Percentage of licensed premises applications received and determined within 2 months.	198	201	98.51%	Amber	The result for Qtr 3 was slightly off target as a result of 3 Cardiff applications that were due to be considered by the Licensing Sub-Committee which due to industrial action were not able to be held within the required 28 days.	100%

Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/LC/005	Qtr 3	Percentage of licensed personal applications received and determined within 2 months.	13	13	100.00%	Green	Target achieved.	100%
2023-24	Cardiff	SRS/LC/005	Qtr 3	Percentage of licensed personal applications received and determined within 2 months.	65	65	100.00%	Green	Target achieved.	100%
2023-24	Vale of Glam	SRS/LC/005	Qtr 3	Percentage of licensed personal applications received and determined within 2 months.	8	8	100.00%	Green	Target achieved.	100%
2023-24	SRS	SRS/LC/005	Qtr 3	Percentage of licensed personal applications received and determined within 2 months.	86	86	100.00%	Green	Target achieved.	100%

Licensing

Year	Authority	Ref	Quarter	Title	No deter- mined	No. received	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/LC/006	Qtr 3	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2023-24	Cardiff	SRS/LC/006	Qtr 3	Percentage of Gambling Premises applications received and determined within 2 months.	2	2	100.00%	Green	Target achieved.	100%
2023-24	Vale of Glam	SRS/LC/006	Qtr 3	Percentage of Gambling Premises applications received and determined within 2 months.	0	0	0.00%	Green	No applications received.	100%
2023-24	SRS	SRS/LC/006	Qtr 3	Percentage of Gambling Premises applications received and determined within 2 months.	2	2	100.00%	Green	No applications received.	100%

Minimum Energy Efficiency Standards

Year	Authority	Ref	Quarter	Title	No. improved to an E or above EPC	No of properties where engagement has taken place with landlord	Percentage achieved	RAG Status	Comment	Target
2023-24	Bridgend	SRS/MEES/001	Qtr 3	Percentage of private rented sector properties where energy efficiency has been improved through direct action from SRS.	42	84	50.00%	N/A	During Qtr 3, further engagement was made with landlords newly identified as renting properties with F and G rated EPCs, As a result of this and previous engagement with all those with F and G rated properties, a number of new certificates continue to be received rated C to E. The estimated reduction in carbon dioxide (CO2) produced from these properties as a result of improved EPCs equates to approx 162 tonnes, together with a reduction of 143,225 KWh in energy needed for heating. This is based on information provided in EPCs where available, but improvements are thought to be higher. In addition a small section of landlords(50) identified as renting properties with no EPC were engaged with and this resulted in a further 11 certificates being received rated C to E equating to 22% of those contacted.	Baseline being set
2023-24	Cardiff	SRS/MEES/001	Qtr 3	Percentage of private rented sector properties where energy efficiency has been improved through direct action from SRS.	39	78	50.00%	N/A	During Qtr 3, further engagement was made with landlords newly identified as renting properties with F and G rated EPCs, As a result of this and previous engagement with all those with F and G rated properties, a number of new certificates continue to be received rated B to E. The estimated reduction in carbon dioxide (CO2) produced from these properties as a result of improved EPCs equates to approx 75.5 tonnes, together with a reduction of 86911 KWh in energy needed for heating. This is based on information provided in original EPCs where available, so improvements are thought to be higher. In addition a small section of landlords(200) identified as renting properties with no EPC were engaged with and this resulted in a further 73 certificates being received rated B to E equating to 37% of those contacted.	Baseline being set
2023-24	Vale of Glam	SRS/MEES/001	Qtr 3	Percentage of private rented sector properties where energy efficiency has been improved through direct action from SRS.	37	102	36.27%	N/A	During Qtr 3, further engagement was made with landlords newly identified as renting properties with F and G rated EPCs, As a result of this and previous engagement with all those with F and G rated properties, a number of new certificates continue to be received rated C to E. The estimated reduction in carbon dioxide (CO2) produced from these properties as a result of improved EPCs equates to approx 101.8 tonnes, together with a reduction of 127284 KWh in energy needed for heating. This is based on information provided in original EPCs where available, so improvements are thought to be higher. In addition a small section of landlords(50) identified as renting properties with no EPC were engaged with and this resulted in a further 16 certificates being received rated B to E equating to 32% of those contacted.	Baseline being set
2023-24	SRS	SRS/MEES/001	Qtr 3	Percentage of private rented sector properties where energy efficiency has been improved through direct action from SRS.	118	264	44.70%	N/A	During Qtr 3, further engagement was made with landlords newly identified as renting properties with F and G rated EPCs, As a result of this and previous engagement with all those with F and G rated properties, a number of new certificates continue to be received rated B to E. The estimated reduction in carbon dioxide (CO2) produced from these properties as a result of improved EPCs equates to approx 339.3 tonnes, together with a reduction of 357420 KWh in energy needed for heating. This is based on information provided in original EPCs where available, so improvements are thought to be higher. In addition a small section of landlords(300) identified as renting properties with no EPC were engaged with and this resulted in a further 100 certificates being received rated B to E equating to 33.44% of those contacted.	Baseline being set

Prosecutions

Year	Team	Authority	Ref	Quarter	Title	No. of prosecutions cases in court	No. concluded successfully	Percentage achieved	RAG Status	Comment	Target
2023-24	SRS	Bridgend	SRS/PRO/001	Qtr 3	Percentage of SRS investigations resulting in prosecution that were successfully concluded.	1	1	100.00%	Green	One case was concluded in Bridgend during Qtr 3 relating to a number of food hygiene offences at a restaurant. This case resulted from a complaint being received claiming rats had been seen inside the restaurant. On inspection, officers discovered an active pest infestation with notable lack of effective pest control procedures in place. Rat droppings were found in the front dining room, back storerooms where food equipment and open food items were stored posing a high risk of direct contamination. In addition the general hygiene and cleanliness throughout the premises was poor together with the lack of controls for personal hygiene.	Baseline being set
2023-24	SRS	Cardiff	SRS/PRO/001	Qtr 3	Percentage of SRS investigations resulting in prosecution that were successfully concluded.	7	7	100.00%	Green	Seven cases were concluded in Cardiff during Qtr 3 consisting of one case of illegal money lending, 4 relating to non compliance with smoking requirements, and 2 in relation to taxi licensing. One of the taxi licensing cases concerned an unlicensed hackney carriage driver and vehicle which had the appearance of a taxi but was not licensed. When stopped by Police, the defendant was found to have 4 female passengers in the vehicle and his behaviour demonstrated clear intent to trick unsuspecting passengers into believing both he and the vehicle were properly licensed.	Baseline being set
2023-24	SRS	Vale of Glam	SRS/PRO/001	Qtr 3	Percentage of SRS investigations resulting in prosecution that were successfully concluded.	1	1	100.00%	Green	One case was concluded in the Vale during Qtr 3 relating to an animal welfare case where puppies bred for financial gain were left unattended at a property in filthy conditions and without food and water. A number of the dogs had serious health issues including cherry eye, genetic conditions and rectal prolapse. Such was the suffering that 4 dogs had to be euthanised. The male defendant was sentenced to 22 weeks imprisonment suspended for 12 months with 180 hours of unpaid work, a 10 day rehabilitation requirement and disqualified from keeping dogs for a period of 8 years. The female defendant was sentenced to 14 weeks imprisonment suspended for 12 months, with 120 hours unpaid work requirement and an 8 day rehabilitation requirement. Both defendants were ordered to pay costs of £4000 each.	Baseline being set
2023-24	SRS	SRS	SRS/PRO/001	Qtr 3	Percentage of SRS investigations resulting in prosecution that were successfully concluded.	9	9	100.00%	Green	9 cases were successfully concluded across the SRS region during Qtr 3 relating to a range of offences including animal welfare, food hygiene, taxi licensing and non compliance with smoking legislation. A range of fines and sentences were applied in all cases, with one case resulting in a defendant being permanently prohibited from participating in the management of any food business, and another defendant being disqualified from keeping dogs for a period of 8 years.	Baseline being set



UV Tanning Equipment Intervention 2023/24

Assessment of duty holder compliance with Welsh Sunbed Legislation in tanning salons across Bridgend, Cardiff & Vale of Glamorgan between April & June 2023



Background and Evidence Base

The Shared Regulatory Services Health and Safety service plan for 2023-24 is directed by Local Authority Circular (LAC) 67/2 (revision 12), "Setting Local Authority Priorities and Targeting Interventions", which is guidance made under Section 18 of the Health and Safety at Work etc. Act 1974 and assists Local Authorities (LAs) target its finite resources with a clear focus on delivering specific outcomes. To facilitate a more consistent and proportionate approach to regulatory interventions, LAC 67/2 sets out the Government expectations of a risk-based approach to targeting and sets out principles to enable LAs to comply with the requirements of the National Local Authority Enforcement Code. The document also incorporates an annual list of national planning priorities within its Annex A, as well as a list of specific work activities considered to be suitable for proactive inspection (Annex B). LAC 67/2 also recognises that LAs will have access to local level intelligence about poor performers, matters of evident concern and specific local priorities.

The Shared Regulatory Services Communicable Disease service plan also makes a commitment to improve the health and well-being of service users, and safeguard more vulnerable members of society, through the delivery of public health interventions.

The strategic priorities illustrated below are aligned with the principles of the **Well-being of Future Generations (Wales) Act 2015** and contribute to the National Enforcement Priorities for Wales for Local Regulatory Delivery. They also embody the corporate priorities and outcomes of the 3 legacy Authorities, thereby focusing on priorities that meet local, specific needs.



Following an undercover investigation of tanning salons by the BBC Wales consumer programme "X-Ray" in 2022, it was revealed that businesses in Cardiff had permitted two minors to pay for tanning sessions and have access to restricted zones to be shown how equipment worked, without any identification checks to verify their age. A failure to ensure that the prospective clients were aged 18 years or over was a clear breach of **The Sunbeds (Regulation) Act 2010 and The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011** and would potentially put vulnerable individuals at risk of harm (see Appendix 1).

As the Service had not received any complaints about tanning salons since an earlier intervention in 2016/17, the findings of the "X-Ray" test purchase exercise provided Shared Regulatory Services (SRS) with the necessary evidence-base to re-engage with this sector across the region. Phase 1 was completed during August/September 2022 and comprised of a non-face-to-face intervention where known duty holders of commercial tanning studios were sent a formal warning letter to remind them of their legal duties and clarify the enforcement expectations of SRS. This correspondence was accompanied by a new guidance leaflet (see Appendix 2) which included links to Welsh Government literature. Phase 2 would focus on unannounced site visits and would be undertaken during the 2023/24 business year.

HAZARDS ASSOCIATED WITH SUNBED USE

Commercial tanning equipment gives out ultraviolet (UV) radiation, seen as blue light by the human eye, which has a wavelength range of between 100nm and 400nm and are broadly categorised into ultraviolet A light (315-400 nm), ultraviolet B (280-315 nm), and ultraviolet C (100-280 nm). Modern indoor tanning equipment mainly emits light in the UVA range, with less than 5% in the UVB range, but can be 10-15 times stronger than the midday sunlight in the Mediterranean. Repeated and regular skin exposures to large amounts of UV radiation in short periods of 10-20 minutes can therefore induce a range of negative health effects; particularly for those with fair or sensitive skin, skin features such as moles and freckles, medical conditions that are exacerbated by sunlight (*e.g. Vitiligo*), family histories of skin cancer, a history of sunburn as a child, or are taking medications with a possible contraindication of skin photosensitivity. The outcome of prolonged or repeated exposures can range from mild burning to life threatening conditions.

Each year there are around 100,000 new cases of non-melanoma skin cancer in the UK. Malignant melanoma is the most dangerous form of skin cancer as it can spread to other organs and is responsible for the most deaths from skin cancer. Of significance, malignant melanoma is the second most common cancer in the 15-24 year old cohort in the UK.

In 2009, the International Agency for Research on Cancer classified the whole ultraviolet spectrum and indoor tanning devices as a group 1 carcinogen to humans based on evidence of empirical studies and epidemiological research. Data has shown that human exposure to UVA and UVB radiation induces DNA damage in skin cells and can weaken the immune system, creating vulnerabilities to cancer as well as other diseases. The use of tanning equipment has been linked to an increased risk of developing melanoma cancer by up to 20%, with one study undertaken in 2005 citing a 75% increase in risk of melanoma when the use of sunbeds started during adolescence or young adulthood (*under 25 years of age*). This is of significant concern since cases of cutaneous malignant melanoma can have a poor prognosis if diagnosed at an advanced stage.



Less obvious negative impacts to health associated with sunbed use include sunbed 'rash', which can be a reaction to skin products (*e.g. tanning accelerators*) or cleaning products used on the bed; a consequence of the heat produced by the equipment; or transmission of an infection from a previous customer.

Eye damage can also be considerable, particularly if customers elect not to wear appropriate eye protection. Reported eye conditions associated with sunbed use include Pterygium (*a benign growth on the eye*); Photokeratitis (*sunburn of the cornea*); cataracts (*clouding of the cornea*); Conjunctivitis (*redness or inflammation of the eye*); and Uveal Melanomas (*eye cancer*).

Legislative Background & Key Requirements

The legislation governing the use of sunbeds in Wales is contained in **The Sunbeds (Regulation) Act 2010 and The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011**.

The key requirements of the legislation are:

- To prevent the use (or offer of use) of sunbeds in commercial premises by anyone under the age of 18, including businesses operating from a domestic setting.
- To prevent any person under the age of 18 from accessing a restricted zone in a premises.
- To prohibit the sale or hire of sunbeds to anyone under the age of 18.
- Tanning salons must be supervised at all times by a competent supervisor who will assist clients carry out skin assessments, provide the prescribed health information to clients, provide advice and guidance taking into account the client's skin type and any other medical conditions disclosed to them, explain how to use UV tanning equipment correctly, ensure that appropriate eye protection is available and used, and verify the age of clients to ensure they are over the age of 18.
- To provide and display prescribed health information to users in the prescribed format.
- To prohibit the display of materials relating to health effects of sunbed use, other than the prescribed health information.
- To mandate the provision and use of protective eyewear to users.

This sector-specific legislation includes its own powers of entry for authorised officers, offences (including obstruction of an authorised officer) and due diligence defences.

The control and management of wider health and safety hazards associated within commercial tanning salons would be in accordance with the provisions of **The Health and Safety at Work etc. Act 1974, The Management of Health and Safety at Work Regulations 1999 (as amended), The Control of Substances Hazardous to Health Regulations 2002, and The Electricity at Work Regulations 1989**.

Key aims of the intervention.

- To educate sunbed operators about their legal duties when operating UV tanning salons (Phase 1 mailshot).
- To determine if businesses throughout Bridgend, Cardiff, and Vale of Glamorgan were operating in compliance with the provisions of The Sunbeds (Regulation) Act 2010 and The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 (Phase 2 visits).
- To determine if businesses throughout Bridgend, Cardiff and Vale of Glamorgan were operating in compliance with the Health and Safety at Work etc. Act 1974, and the Regulations made thereunder (Phase 2 visits).
- To identify matters of evident concern for referral to Trading Standards (Phase 2 visits).

Preparation and Scope of the Intervention Visits

As a sector, commercial tanning operators had not been subject to any enforcement intervention since 2017 so it was unclear how accurate the Authority's database would be, particularly considering the impact of the COVID-19 pandemic and on-going cost of living crisis. An initial scoping exercise of the Tascomi database, internet searches and collation of local intelligence initially identified a total of **48 premises** across the region that purported to offer UV tanning facilities: **BRIDGEND (16); CARDIFF (24); and VALE (8)**. These premises included high street sunbed salons in addition to a range of other types of businesses where sunbeds were available as a subsidiary part of the undertaking (e.g. barber shops, hairdressers, gyms). All premises identified for inclusion in the intervention fell within scope of Schedule 1 of the Health and Safety (Enforcing Authority) Regulations 1998, with the main activity being enforced by the Local Authority for health and safety matters.

Most businesses identified through this scoping exercise were sent an advisory letter with a copy of the SRS guidance leaflet (Appendix 2) in August/September 2022. This correspondence signposted duty holders to links on the Welsh Government website should they require access to more detailed operator guidance and reiterated the enforcement expectations of SRS. Only a couple of additional businesses were subsequently identified and included in the list of premises receiving Officer visits. Since the legislation had been in force for 12 years, there was an expectation that duty holders should be complying with requirements to a high standard, and consequently any flagrant breaches of the law would be dealt in accordance with the Service's Compliance and Enforcement Policy.

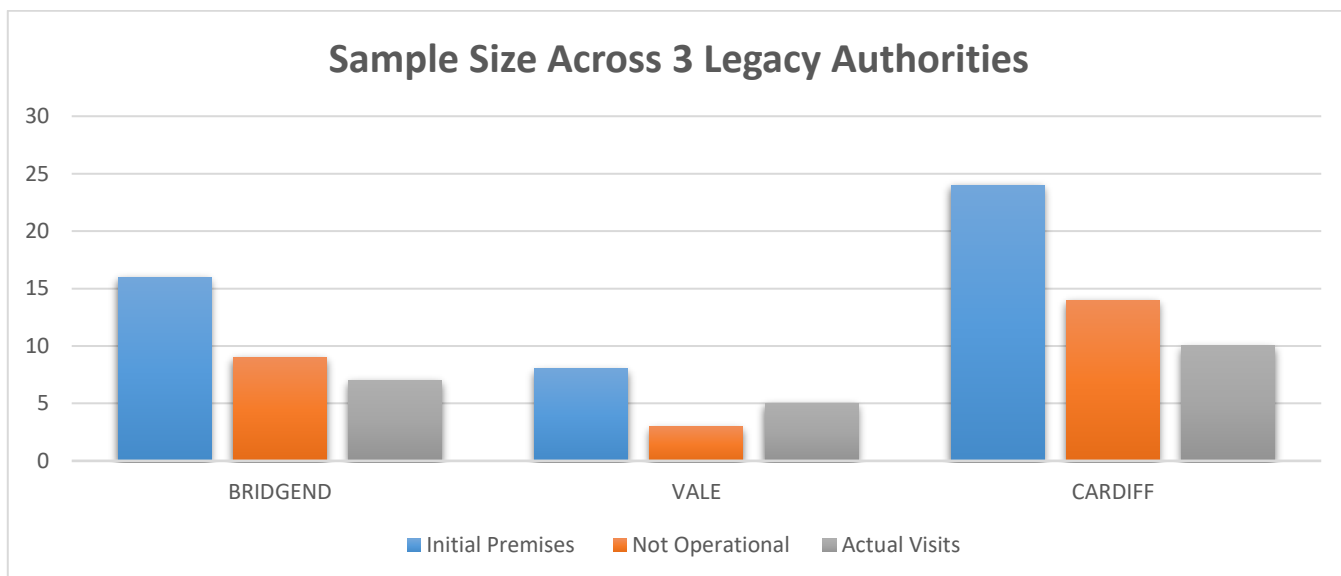
A project work plan, and visit proforma, were developed to promote consistency amongst all Officers engaged with site visits.

All Officers allocated project visits attended a briefing session on TEAMS with the allocated Project Lead prior to visits starting to discuss the work plan, including the wider health and safety themes to be prioritised whilst on site; namely:

- Management arrangements for the business – including standard operating procedures, maintenance records, emergency procedures and electrical safety.
- Cleaning and disinfection procedures.

Significant Findings of the Intervention Visits

A total of **22 premises** containing sunbeds out of the initial sample of 48 were inspected as part of the project intervention – **Bridgend (7); Cardiff (10) and Vale (5)**. The impact of the COVID-19 pandemic and current cost of living crisis meant that just over half of businesses had either ceased trading or elected to decommission their sunbeds for the foreseeable future. Where Officers identified that installations had been taken out of use, duty holders were signposted to key guidance documents and provided with relevant advice should the UV tanning equipment be re-commissioned in due course.



- **Restricting the Use of UV Tanning Equipment by Children**

Throughout the duration of the intervention, **all but 1 of the 22 businesses** visited were found to have adequate management arrangements in place to verify the age of clients to ensure they were over the age of 18 years before using UV tanning equipment. Staff were generally well drilled in the need to check photograph ID of clients prior to allowing anyone in a restricted zone. The sole Bridgend-based business which failed to verify the age of clients at the time of the visit also failed to comply with other key duties that should be administered by a suitably competent supervisor.

- **Competent Supervision of Sunbed Use**

All 22 businesses visited had a staff member on shift who was in attendance during trading hours. However, **4 (18%) of the premises were being operated by supervisors that were not considered to be adequately competent** based on the adequacy of their knowledge of the relevant legal requirements and observations made by Officers whilst on site. In one instance the staff member stated they had misunderstood their role and considered themselves to be a customer assistant as opposed to a supervisor; however, this was not supported by the duty holder when staff designations were verified.

In the 4 premises concerned (*2 Bridgend; 2 Cardiff*) employee training arrangements could not be robustly evidenced through records, which reinforced a lack of awareness about verifying client ages; providing health information; assisting with skin assessments and ensuring protective eyewear was provided and used.

- **Provision and Display of Prescribed Health Information**

Any person operating a sunbed business is legally required to provide the prescribed health information to each person **every time** they use, or seek to use, a sunbed under their control. The information must be at least A4 in size and contain black characters on a yellow background.

Duty holders must also prominently display, in a position where it will be readily visible to clients who use, or seek to use a sunbed, a poster of at least A3 size which details the prescribed health information. The poster must be easily seen on entering the premises **AND** in each restricted zone (*i.e. space, room or part of a room where a sunbed is located*).



Of the 22 premises visited, **5 (23%) businesses were failing to display the prescribed health information in all restricted zones and/or in the reception area.** Of the 5 businesses, 1 was in Bridgend; 2 in Cardiff; and 2 in the Vale of Glamorgan.

Of the 22 premises visited, **6 (27%) businesses were failing to provide clients with the prescribed health information during each visit,** with staff assuming customers only had to read it during their initial registration visit. A failure to provide the prescribed health information each visit could mean that clients would not consider the risks associated with over-use of tanning equipment; changes to dermal features such as moles; or contraindications associated with changes to medication.

Of the 6 businesses, 2 were in Bridgend; 2 in Cardiff; and 2 in the Vale of Glamorgan.

The legislation further prohibits the display of materials that make beneficial health claims associated with the use of UV tanning equipment. Throughout the course of undertaking Phase 2 visits, **only 1 of the 22 premises (5%) was displaying a health benefits poster** which was removed whilst the Officer was on site.



The poster advertised to clients that “Now It’s Official! 0.3 Tanning is Safe! And Good for Your Health!” The material encouraged customers to get their healthy dose today, and extolled the benefits of Vitamin D that is produced through exposure to UV. The advertised health benefits were purported to include:

- Help reduce cancer and autoimmune diseases.
- Strengthen bones.
- Help cure acne, eczema and psoriasis.
- Relieve stress.

- **Assisting Clients with Skin Assessments and Provision of Advice**

The legislation and accompanying Welsh Government non-statutory guidance states that a supervisor must assist each client assess their own skin type and subsequently provide advice about their suitability to use UV tanning equipment, and if so, provide guidance on the number of minutes for each session. The advice provided by a supervisor should be informed by a client's skin type; skin conditions; and any medical condition or medication that may increase photosensitivity. Where a supervisor identifies an increased risk of possible contraindications, the client should be advised to seek medical advice before using UV tanning equipment.

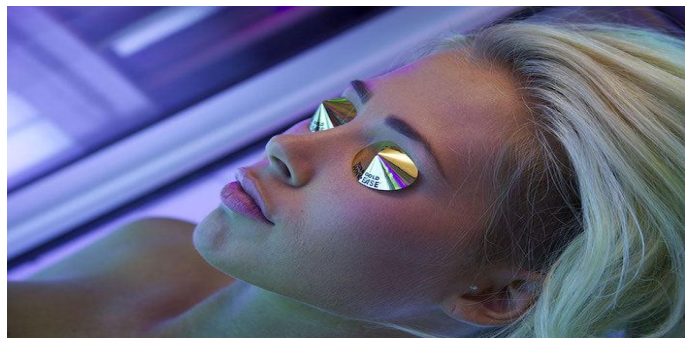
Skin is broadly categorised into 6 types and can be assessed by using a tool such as the Fitzpatrick Skin Type Chart that is illustrated in Appendix 3. Due to an increased risk of burning, any clients with skin types I or II should be advised not to use UV tanning equipment and this advice should be logged on their record card. Customers over the age of 18 may elect to continue with their booking but should do so with a full comprehension of the risks this may pose.

Of the 22 premises visited, **5 (23%) businesses failed to adequately assist customers with their skin assessments** and were not using the Fitzpatrick Skin Type Chart or an equivalent method. Consequently clients may be electing to use UV tanning equipment without fully understanding the risks associated with their particular skin type. Of those businesses that failed to assist its clients with their skin assessments, 2 were in Bridgend; 2 in Cardiff; and 1 in the Vale of Glamorgan.

It was not uncommon for skin assessments to only be carried out during a client's initial induction session, thereby failing to review equipment use, or exposure duration, based on previous experience; changes to medication; or changes to skin features or conditions. Client failure to dynamically review their skin assessment could significantly increase the risk of negative health effects associated with the use of sunbeds.

Of the 22 premises visited, **4 (18%) businesses provided an inadequate level of advice to clients once their skin type had been determined**, and in 1 instance, a supervisor was providing incorrect guidance to clients with skin types I and II. It was commonplace for businesses not to keep a record of those clients with skin types I and II who had made a personal choice to proceed against advice provided by staff.

- **To Make Available and Mandate the Use of Protective Eyewear**

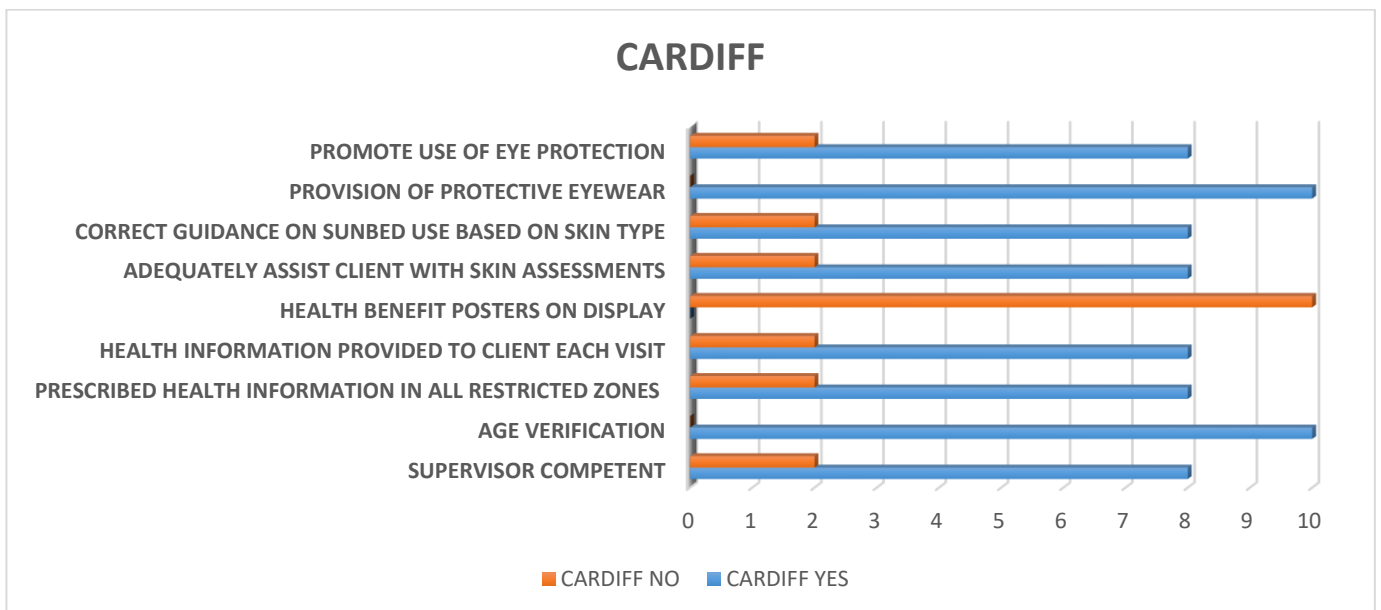
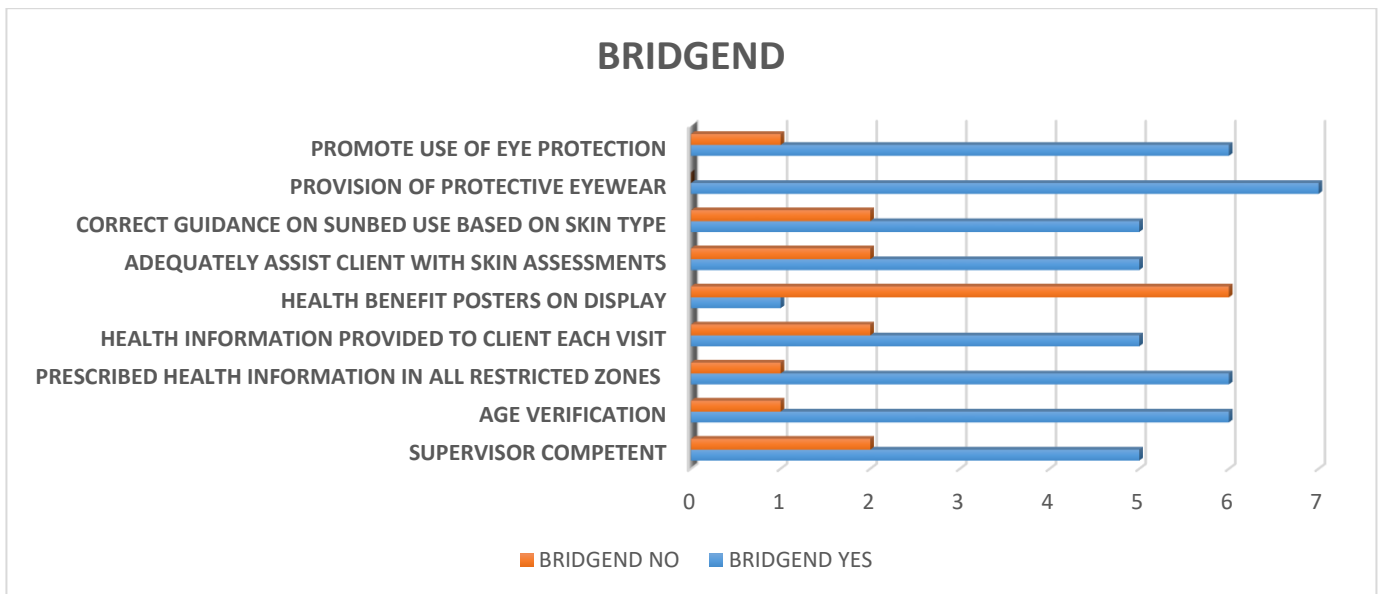


Anyone operating a sunbed business must make protective eyewear available to customers every time they seek to use a sunbed under their control. Alternatively, duty holders must ensure that customers have suitable protective eyewear with them **every time** they wish to use UV tanning equipment on their premises. Duty holders must also take **all steps reasonably practicable** to ensure that customers wear the protective eyewear provided to them, or wear what eyewear they brought with them.

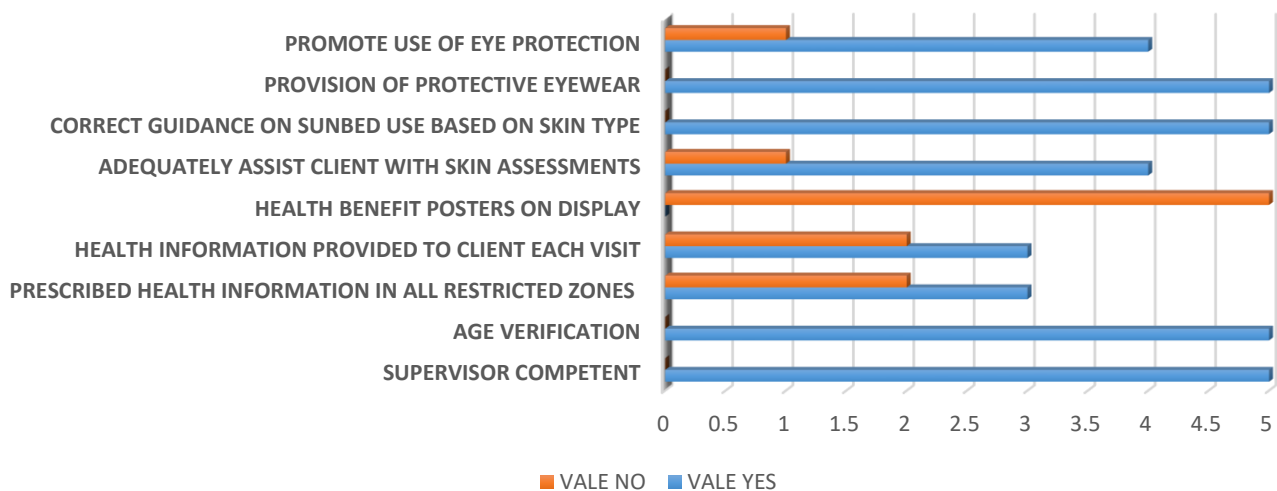
Protective eyewear can be single use eye cones, such as the popular Wink Ease, or multi-use goggles that must be effectively sanitised between clients.

All 22 premises visited had either single-use eye protection and/or reusable goggles available for clients to use. However, 4 (18%) premises visited failed to actively check if clients had eye protection with them prior to using the UV tanning equipment.

A comparison of the performance of duty holders across the 3 legacy Authority areas is illustrated below.



VALE OF GLAMORGAN



Wider Health and Safety Compliance

- **Controlling the Risk of Exposure to Biological Hazards**

The Control of Substances Hazardous to Health Regulations 2002 require duty holders to assess and prevent, or control, exposure to harmful materials in the workplace that can cause harms to health to both employees and anyone else who may not be at work but may be affected by an employer's work activities. Harmful substances include exposures to biological hazards as well as chemical products.

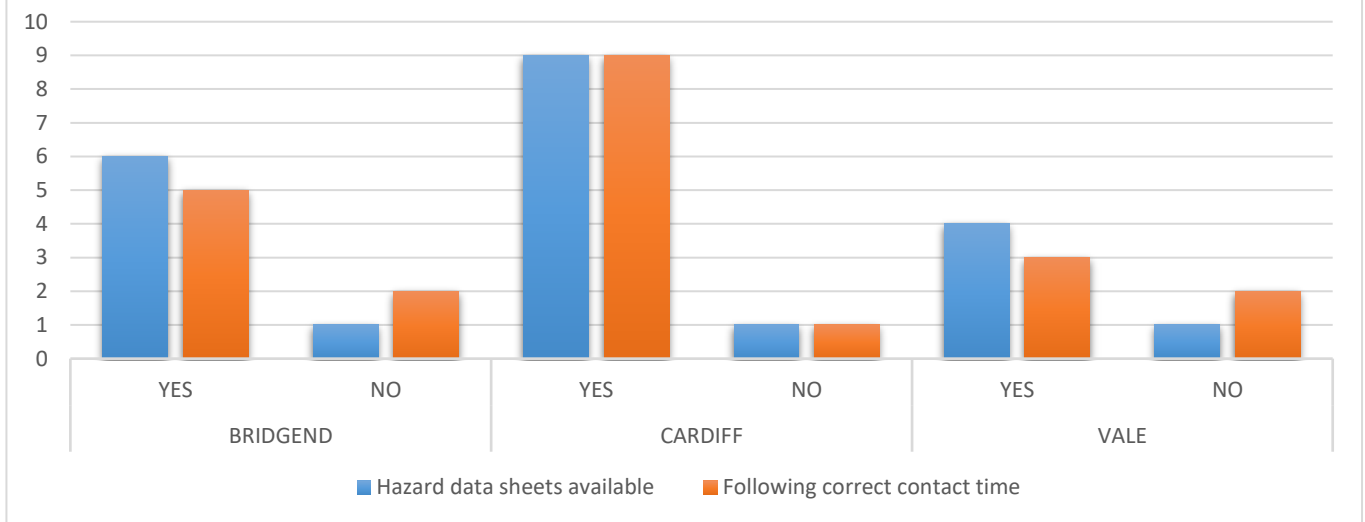
Since users of UV tanning equipment are in direct contact with sunbed surfaces, there is a realistic prospect of skin infections from bacteria, viruses and fungus if cleaning and disinfection arrangements between customers are inadequate. Use of inappropriate cleaning chemicals can also increase the risk of allergies, rashes and burns.

During the visits Officers assessed the suitability of cleaning products available for use; if the chemicals were being applied correctly; and if cleaning frequencies were sufficient to mitigate the risk of harm. Of the 22 premises visited, **3 (14%) did not have any hazard data sheets for their cleaning products** available on site, and **5 (23%) premises were not applying the cleaning product for the correct contact time**, thereby compromising the effectiveness of the cleaning and disinfection process.

Other concerns identified during visits included:

- Unlabelled or incorrectly labelled cleaning chemical bottles available for use.
- Sanitising products in use only being effective against bacteria, not viruses or fungus.
- Mixing of different chemical products.

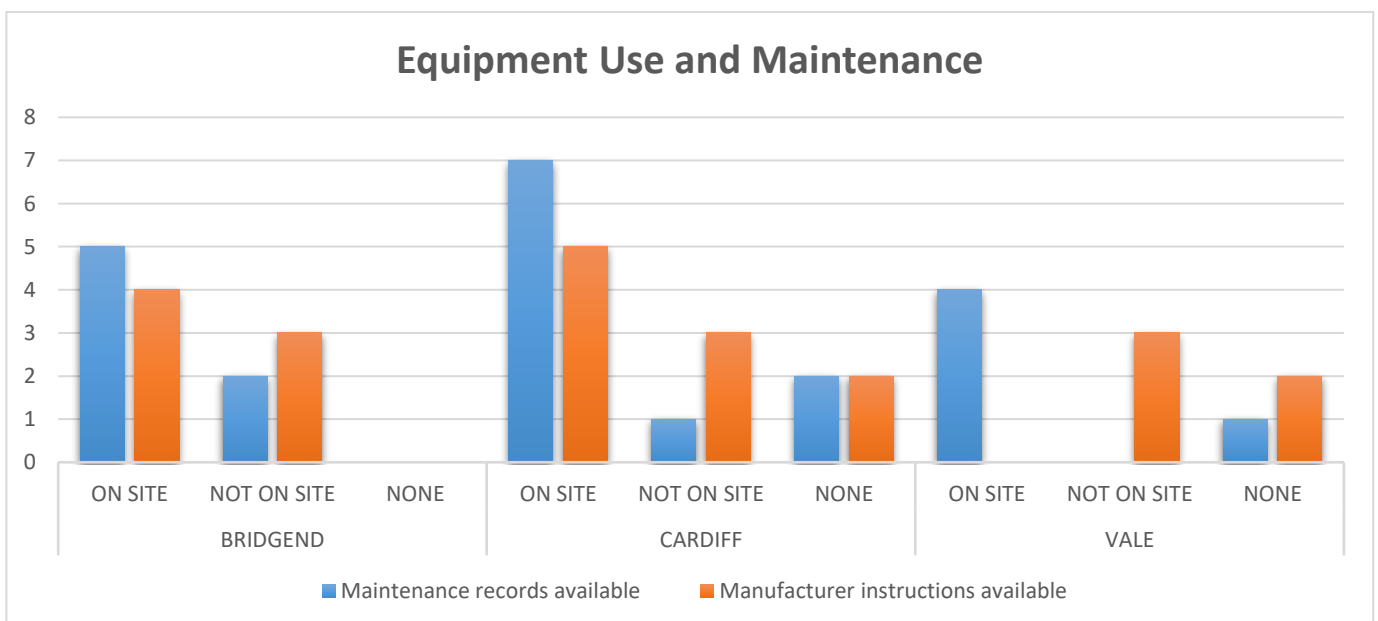
Cleaning & Disinfection Arrangements



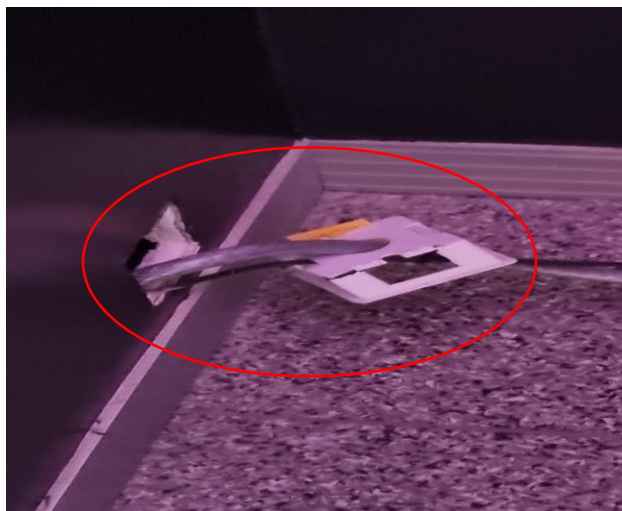
- **Equipment Use and Maintenance**

Part of the duties of a competent supervisor is to advise all clients on the correct use of the UV tanning equipment. Whilst this should be included as part of the supervisor training, reference to the manufacturer's instructions may be subsequently necessary to fully respond to any customer queries. The primary visits undertaken to the 22 businesses across the SRS region identified that **4 (18%) businesses did not have the manufacturer's instructions** for the sunbeds in use, whilst **a further 9 (41%) business did not have access to the manufacturer's instructions at the premises** when asked by the Officer.

Equipment Use and Maintenance



The repair and on-going maintenance of UV tanning equipment is critical for ensuring they operate both safely and efficiently. The sunbeds seen during the inspection were generally found to be in a visibly good state of repair, except for 1 Cardiff-based salon where visible cracks and temporary repairs were evident.



Maintenance records were not universally available at businesses, with **3 (14%) salons not having any documented evidence of on-going maintenance**, and **3 (14%) salons not having records readily available on request** of the inspecting Officer.

BS EN 60335-2-27: 2010 specifies that appliances having UV emitters shall not emit radiation having a total effective irradiance exceeding 0.3 Watts per square metre (0.3W/m²), requiring businesses to ensure that tubes are purchased from a legitimate seller and conform to CE or UKCA standards. The supply, fitting and monitoring of tubes was discussed with staff during site visits, including a discussion about the reduction of tanning times immediately after new tubes had been fitted. Officers also assessed the adequacy of the restricted zones where sunbeds were located to ensure that staff and other people inside the premises were not being accidentally exposed to UV radiation. All 22 business were found to have adequate arrangements in place for the supply, fitting and monitoring of the sunbed tubes.

- **Adequate Management Arrangements**

For employers seeking to comply with their general duties under the Health and Safety at Work etc. Act 1974 and attendant Regulations, it is essential that effective management arrangements are in place. Whilst the requirements to document arrangements only applies when an employer has 5 or more employees, health and safety arrangements would generally include a company health and safety policy; risk assessments; standard operating procedures; emergency action plans; and staff training. From a due diligence perspective, employers should be able to readily evidence that all steps reasonably practicable have been taken to secure the health and safety of both workers and anyone else at the premises who may be impacted by the work activities. Whilst many of the salons visited were members of the Sunbed Association, which gave access to policies and training materials, Officers did note some area of improvement with the management arrangements they observed in use.

- Health and safety policy documents not effectively communicated to staff.
- Workplace hazards not being suitably and sufficiently risk assessed.
- Lack of emergency procedures, particularly in relation to staff being able to access restricted zones if a client reported an issue and fire safety precautions.
- Inadequate or complete lack of staff training records to evidence current competencies.
- Inadequate detail on client records.

Enforcement Actions Taken

The majority of the 22 tanning salons visited were provided with either verbal advice or a Confirmation of Intervention form to confirm minor issues that required attention. Where several contraventions were observed, a formal warning letter was sent to the duty holder to confirm what legislation had been breached and what actions were required to secure the required level of compliance. A total of **10 premises received formal warning letters - Bridgend (2); Cardiff (4); and Vale of Glamorgan (4)**. Duty holders were either required to provide a detailed action plan to confirm how issues would be resolved or were subject to an Officer revisit after a specified period.

1 premises in Cardiff was served with a Health and Safety Improvement Notice because of the lack of evidence of on-going maintenance of the electrical installation to prove it was suitably constructed and maintained to prevent danger.

1 premises in Bridgend was issued with a Departmental Warning as a consequence of the concerns noted during the initial inspection. The supervisor was failing to verify the age of clients; failed to assist clients with their skin assessments; failed to ensure that the prescribed health information was understood by customers; and failed to ensure that protective eyewear was provided. Legal proceedings were not pursued due to the duty holder fully engaging with the Officer and rapidly resolving the breaches.

1 premises in Bridgend was subject to escalated enforcement action because of the concerns noted during the initial inspection and a lack of engagement by the duty holder. The company was invited to make written representations under caution to explain the reason for breaches observed by Officers; however, the director elected not to make any representations.

Conclusion

The documentation used by Officers was found to be fit for purpose and the method applied to engage with sunbed operators was found to be appropriate.

The intervention identified that the impact of the COVID-19 pandemic and current cost of living crisis had resulted in several businesses either closing or decommissioning their sunbeds for the foreseeable future.

The final sample of 22 businesses included both smaller, independent operators and larger operators such as Lextan Limited and Gloden Limited. Unsurprisingly the salons operated by larger companies were more likely to receive verbal advice or a Confirmation of Intervention form for minor issues as opposed to a formal warning letter.

Despite the publicity of the “X-Ray” consumer programme in 2022, and the subsequent mailshot by SRS, several sunbed salons were continuing to operate in breach of the requirements of **The Sunbeds (Regulation) Act 2010 and The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011**. The completion of formal training did not necessarily mean that staff had a greater level of competency in practice, with a lack of awareness of the risks associated with sunbed use being noted in several salons.

Standard operating procedures, policies, and risk assessments were not always available on site and were not always being effectively communicated to staff. In some instances, procedures had not been updated to reflect operational changes.

A small proportion of operators were found to have inadequate control measures in place to protect clients from the risks associated with sunbed use. In these instances, appropriate and proportionate enforcement action was taken, as directed by the Service’s Compliance and Enforcement Policy, to secure all necessary improvements.

Next Steps

As the cost-of-living crisis eases it is plausible that more businesses will consider including commercial UV tanning equipment as an additional service to clients, particularly in hairdressers, barber shops, and beauty salons. The Communicable Disease, Health and Safety Team will continue to monitor for new operators through the review of local intelligence, investigation of complaints, service requests referrals, and whilst visiting skin piercing practitioners. Where new operators are identified, arrangements will be made to signpost operators to the relevant legal standards and clarify the enforcement expectations of Shared Regulatory Services.

Appendix 1

Article published by BBC Wales "X-Ray" following a test purchasing exercise in 2022.

Tanning salons in Wales are breaking the law.

Tanning salons in Wales are breaking the law by letting under-18s use their sunbeds, an undercover BBC investigation has found.

Research undertaken by X-Ray shows salons in Newport and Cardiff letting in two underage teenage girls without any ID checks whatsoever.

In 2011, it became illegal for any sunbed salon business to let anyone under the age of 18 use a sunbed. The law came about after fears of increased cancer in younger people. Recent figures from England suggest that thousands of children there are still using them, so the Welsh consumer series set out to discover if the same was happening this side of the border.

Of the twelve salons the programme visited, five (just over 40%) took money from the underage girls and showed them how to use the sunbeds, before the girls made their excuses and left. Professor Christian Aldridge, a consultant dermatologist based at Prince Charles Hospital in Merthyr Tydfil, says "We've had a considerable number of cases of particularly young women under 25, who've come in as a result of mole changes on their skin. Sometimes other family members are unaware that they're using sunbeds because they're underage."

The programme features 26-year-old Paris Tippett from Reading. Miss Tippett was diagnosed with Stage 2 Melanoma after finding a new freckle on her leg after prolonged sunbed use. A large chunk of her leg was removed, along with her lymph nodes, in order to treat the cancer. When asked about her underage sunbed use she says, "I may have even been 16 actually. Because they used to ask you for your date of birth and I'd just say it and they'd let you go in and just believe it. So you just kind of practice a date of birth and there was no ID. And actually I have shown my sister's ID before and they just took me in."

The secret filming footage captured by X-Ray shows multiple breaches of the regulations. Julie Barratt, President of the Chartered Institute of Environmental Health, was shown the footage and said: "It doesn't matter how young people look or how old people look, the requirement is they produce ID. And they weren't asked to. And certainly there was no proof of ID. And that's very concerning."

The programme also contacted Cardiff and Newport Councils about their findings. Cardiff said they take the regulation of age restricted products very seriously and will be reviewing the practices of tanning salons within their area to ensure compliance with the law. Newport asked anyone aware of underage tanning taking place to contact their environmental health team.

Appendix 2

SRS letter and guidance leaflet prepared and circulated during Phase 1 intervention – August/September 2022



Guidance for people who own, manage or have control of premises where sunbeds are available for use



The Sunbeds (Regulation) Act 2010 places a legal duty on sunbed businesses to prevent any person under the age of 18 using a sunbed or entering a restricted zone where sunbeds are present. Operators must take all reasonable steps to ensure the sunbed user is over the age of 18 years, which may include:

Age verification check

Verify the age of the sunbed user by requesting an identity card that includes the PASS (Proof of Age Standards Scheme) hologram or other acceptable form of ID such as a valid passport or photo driving licence.

Operating a challenge 25 policy

Challenge all sunbed users who appear to look under the age of 25, requesting to see an acceptable form of ID.

Staff training and use of signage

Ensure staff are regularly trained and display signage reminding staff and customers of the age-restriction in place. Maintain records of procedures, regular staff training and log all incidents including refusals to demonstrate reasonable precautions and due diligence have been taken.

Equipment safety

All ultraviolet (UV) tanning equipment should be in good working order and maintained in accordance with the manufacturers instructions. The General Product Safety Regulations 2005 require all products that are intended for, or are likely to be used by consumers are safe. Information should also be provided to the consumer in relation to any potential risks in using such product. This includes offering the use of a sunbed to consumers.

UV tanning equipment should conform to standards set out in BS EN 60335-2-27: 2013 and must not exceed the maximum irradiance level of 0.3 watts per square metre (0.3 W/m²). Tanning at this level will significantly reduce the risk of burning. However, when replacing UV tubes, session times should be reduced.

All mains electrical equipment should conform to requirements set out in The Electrical Equipment (Safety) Regulations 2016 which also implement the Low Voltage Directive (2006/95/EC) placing duties on the design, manufacture and supply of electrical equipment with a voltage range between 50–1000 volts ac or 75–1500 volts dc.

Further Information

Sunbed legal age restriction: www.businesscompanion.info/en/quick-guides/underage-sales/sunbeds-w

Product safety: www.businesscompanion.info/en/quick-guides/product-safety

Product safety-due diligence: www.businesscompanion.info/en/quick-guides/product-safety/product-safety-due-diligence

The General Product Safety Regulations 2005:

www.gov.uk/government/publications/general-product-safety-regulations-2005/general-product-safety-regulations-2005-great-britain



The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 requires businesses to have adequate systems in place to avoid committing an offence.

Businesses must ensure:

- The sunbed user is over the age of 18 and steps are taken to verify their age.
- The premises are supervised by a competent person and they are present at times where a person is using, or seeking to use, a sunbed.
- Assistance is provided to the sunbed user to assess their skin type.
- Guidance is provided to the sunbed user to make them aware of the risks with consideration given to skin type, skin/medical conditions and any medication that may react with exposure to UV radiation. **Persons with Type I and II skin should be advised not to use UV tanning equipment.**
- The sunbed user is advised of the safe operation of the sunbed including how many minutes they should limit their session to.
- The prescribed health information leaflet is provided to each sunbed user.
- The prescribed health information poster is displayed within immediate view of entering the sunbed premises and is at least A3 in size. No other material containing information in relation to the health effects of sunbed use should be provided or placed on display.
- Protective eyewear is provided and used by the sunbed user.

Appropriate Cleaning and Disinfection

- Procedures should be in place for both routine cleaning and more thorough cleaning.
- Tanning equipment must be cleaned and disinfected immediately after each use. Hand contact surfaces and toilet facilities should be routinely cleaned and disinfected throughout the day. Single use eyewear must be disposed of after use and any reusable eyewear must be thoroughly sanitised between uses. Equipment fans should be cleaned regularly, after ensuring the electrical supply has been isolated and fans can be accessed safely.
- Cleaning products should comply with **BS EN 1276** (preventing the growth and spread of harmful bacteria) and **BS EN 14476** (contains appropriate ingredients to eliminate viruses).
- Cleaning products must be suitable for use on sunbeds and not cause harm to persons using them. Products should be diluted according to manufacturer's instructions and be applied for the correct contact time for the particular dilution being used.
- Hand washing/drying facilities should be provided and maintained with an adequate supply of liquid/foam soap and single-use, disposable paper towels.
- Products should be made up fresh regularly (ideally every day) for maximum effectiveness. The use of disposable cloths/paper towels and mop heads are best practice when cleaning. If not single use, they must be changed regularly. Cleaning equipment that is not single-use and disposable (i.e. buckets), should be cleaned and disinfected after each use. Effective cleaning will not be achieved if dirty equipment is being used.
- To reduce the risk of infection, disposable floor mats can be used in standing beds, these should be changed between each user. Always assume that all body fluid contamination is infectious.

Further Information

Prescribed health information leaflet:
www.gov.wales/sites/default/files/publications/2019-04/health-information-for-sunbed-users.pdf

Prescribed health information poster:
www.gov.wales/sites/default/files/publications/2019-04/sunbed-a3-poster.pdf
Guidance: www.gov.wales/sites/default/files/publications/2019-04/the-sunbeds-regulation-act-2010-wales-regulations-2011.pdf



Shared Regulatory Services
Gwasanaethau Rheoliadol a Rennir



www.srs.wales



0300 123 6696



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**Gwasanaethau Rheoliadol a Rennir /
Shared Regulatory Services**
Deialu uniongyrchol/Direct line:
Gofynnwch am / Ask for:
Ein cyf / Our ref:
Dyddiad / Date:

Dear Sir/Madam,

**RE: THE SUNBEDS (REGULATION) ACT 2010
THE SUNBEDS (REGULATION) ACT 2010 (WALES) REGULATIONS 2011
HEALTH AND SAFETY AT WORK ETC. ACT 1974**

Each year there are around 100,000 new cases of non-melanoma skin cancer in the UK. Malignant melanoma is the most dangerous form of skin cancer as it can spread to other organs and is responsible for the most deaths from skin cancer. Significantly, malignant melanoma is the second most common cancer in 15-24 year olds in the UK. Growing concerns about the association between skin cancer and sunbeds led to the introduction of legislation in 2010 to regulate the use of sunbeds in Wales.

The Sunbeds (Regulation) Act 2010 requires businesses to ensure that no person under the age of 18 years:

- uses a sunbed;
- is offered the use of a sunbed, or
- is present in a restricted zone

Failure to comply with the Act is a criminal offence and a penalty of up to £20,000 may be applied.

The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 introduced additional controls from 31st October 2011 which are highlighted in the enclosed guidance sheet.

Further information about the legislation detailed above can be found on the Welsh Government website via the links detailed below.

<https://gov.wales/sites/default/files/publications/2019-04/guidance-on-the-implementation-of-the-sunbeds-regulation-act-2010.pdf>

<https://gov.wales/sites/default/files/publications/2019-04/the-sunbeds-regulation-act-2010-wales-regulations-2011.pdf>

Shared Regulatory Services (SRS), which covers the Local Authority areas of Bridgend, Cardiff and the Vale of Glamorgan, has recently been advised that some businesses across the region have been permitting young persons under the age of 18 to use sunbeds at their commercial premises after failing to check an acceptable form of identification. The service has also heard concerns that operators have not been helping customers assess their skin type prior to using a

sunbed which could significantly increase the risk of skin damage; particularly if new UV tubes have been fitted.

We are therefore contacting you, as a sunbed operator in the SRS region, to remind you of your legal duties under the 2010 Act and the Regulations made under this piece of legislation. You should use this opportunity to revisit the Welsh Government guidance and review your current procedures to ensure that you are taking all necessary steps to operate your sunbed in accordance with the law.

This legislation has been in force for 12 years so there is an expectation that operators will be complying with requirements to a high standard. Please be advised that flagrant non-compliances with the law will be dealt with as a serious matter.

Should you require general advice or guidance relating to any health and safety matter, you are directed to the Health and Safety Executive website at www.hse.gov.uk

Should you wish to discuss this letter further, please contact the Authority on telephone number 0300 123 6696 or email the team at HealthandSafetyEnforcement@cardiff.gov.uk .

Yours faithfully,


**Commercial Services Officer (Environmental Health) & Acting Team Manager
Communicable Disease, Health & Safety Team**

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact welshstandards@valeofglamorgan.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â welshstandards@valeofglamorgan.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Freedom of Information Act -The content of this report may be disclosed to third parties upon request. If you believe that it is in not in the public interest to release this information please specify your objection in writing to the Group Leader Food Safety at the address on the bottom of the first page.

Data Protection & Information Sharing -The information that the Council holds in relation to Inspection Reports maybe shared with other Council Services in accordance with the requirements of Data Protection legislation. If you have any queries please contact: The Information Governance Team at the Vale of Glamorgan Council, Civic Offices in Barry.

Appendix 3

The Fitzpatrick Skin-Type Chart

You can use this skin-type chart for self-assessment, by adding up the score for each of the questions you've answered. At the end there is a scale providing a range for each of the six skin-type categories. Following the scale is an explanation of each of the skin types. You can quickly and easily determine which skin type you are.

Genetic Disposition

Score	0	1	2	3	4
What is the colour of your eyes?	Light blue, Grey, Green	Blue, Grey or Green	Blue	Dark Brown	Brownish Black
What is the natural colour of your hair?	Sandy Red	Blond	Chestnut/Dark Blond	Dark Brown	Black
What is the colour of your skin (non-exposed areas)?	Reddish	Very Pale	Pale with Beige tint	Light Brown	Dark Brown
Do you have freckles on unexposed areas?	Many	Several	Few	Incidental	none

Total score for Genetic Disposition: _____

Reaction to Sun Exposure

Score	0	1	2	3	4
What happens when you stay in the sun too long?	Painful redness, blistering, peeling	Blistering followed by peeling	Burns sometimes followed by peeling	Rare burns	Never had burns
To What degree do you turn brown?	Hardly or not at all	Light colour tan	Reasonable tan	Tan very easy	Turn dark brown quickly
Do you turn brown within several hours after sun exposure?	Never	Seldom	Sometimes	Often	Always
How does your face react to the sun?	Very sensitive	Sensitive	Normal	Very resistant	Never had a problem

Total score for Reaction to Sun Exposure: _____

Tanning Habits					
Score	0	1	2	3	4
When did you last expose your body to sun (or artificial sunlamp/tanning cream)?	More than 3 months ago	2-3 months ago	1-2 months ago	Less than a month ago	Less than 2 weeks ago
Did you expose the area to be treated to the sun?	Never	Hardly ever	Sometimes	Often	Always

Total score for Tanning Habits: _____

Add up the total scores for each of the three sections for your Skin Type Score.

Skin Type Score - Fitzpatrick Skin Type

0-7	I
8-16	II
17-25	III
25-30	IV
over 30	V -VI

TYPE 1: Highly sensitive, always burns, never tans. Example: Red hair with freckles

TYPE 2: Very sun sensitive, burns easily, tans minimally. Example: Fair skinned, fair-haired Caucasians

TYPE 3: Sun sensitive skin, sometimes burns, slowly tans to light brown. Example: Darker Caucasians.

TYPE 4: Minimally sun sensitive, burns minimally, always tans to moderate brown.
Example: Mediterranean type Caucasians, some Hispanics.

TYPE 5: Sun insensitive skin, rarely burns, tans well. Example: Some Hispanics, some Blacks

TYPE 6: Sun insensitive, never burns, deeply pigmented. Example: Darker Blacks.

Skin Type	Skin Description	Reaction to Tanning
1	Very fair Usually lots of freckles, red or sandy hair; blue or grey eyes	High burn risk; skin turns red and peels. Advised not to tan in sunlight Do NOT use a sunbed
2	Fair Possibly with freckles; blond to brown hair, green and grey eyes	High burn risk. Great care should be taken in tanning. Tanning tends to be light

3	Fair to light brown No freckles; dark blond or brown hair, grey or green eyes	Medium risk of burning. Capable of building up a moderate tan
4	Light brown Dark brown hair and eyes	Burning is rare; tanning is rapid and deep See additional note below
5	Deep brown skin Dark hair and eyes	Burning is seldom; tanning is rapid and deep. This type of skin has its own natural protection. See additional note below
6	Very dark skin Black hair and dark eyes	Never burns in natural sunlight.

Protecting the Public and Supporting Business – The Cost of Living Crisis and local Trading Standards continuing response

ACTSO
Association of
Chief Trading Standards Officers

Safonau Masnach Cymru
Trading Standards Wales

The Impacts and Outcomes of
Local Trading Standards Services
in Wales 2022/23



FOREWORD

The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. The purpose of this third specific report of its kind is to highlight the collective impact of Trading Standards Services in Wales during 2022/23.

During 2022/23, the cost of living crisis continued to impact both consumers and businesses. As such the need for effective business advice and fair competition remains very important for businesses. Consumers looking for bargains remain at risk from unsafe, illicit, and fake goods as well as false claims relating to prices and energy costs, in particular. Trading Standards are vital to addressing all those risks whilst also having a key role in local authority net zero programmes.

As well as the usual three themes of Tackling Detriment and Preventing Harm, Supporting the Local Economy, and Promoting Health and Wellbeing, we have devoted specific sections to environmental regulation and work to support consumers and businesses with the cost of living crisis.

While Local Trading Standards Services remain stretched in terms of funding and staffing, they continue to have a big impact in protecting consumers and helping businesses. The headlines from this year's report for Wales are:

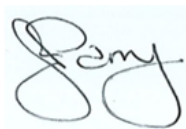
- **Nearly £10 million of detriment was prevented by Trading Standards' actions.**
- **Revenue budgets were just over £11 million, a similar figure to last year which translates to a cut in real terms, particularly when consideration is given to current inflationary trends.**
- **Overall staff numbers have dropped from 2021/22's figure of 257.** There remains an ageing workforce and recruitment challenges are being faced across the country. This has been highlighted to the Welsh Government via the Directors of Public Protection Wales's report 'Public Protection Services in Wales - Building for the Future'. The Regulatory Apprenticeship discussion is also progressing with Welsh Government, and it is hoped that this will assist in future workforce planning for Trading Standards.
- **The demand on the service, measured by the number of referrals from Citizens Advice, 24,838, decreased by 40% from 2021/22 when it was abnormally high at 34,587 following the pandemic, bringing it back to pre-2020/21 levels.**
- **This year 70 people or businesses were convicted of offences.** This is slightly down on last year when 87 people or businesses were convicted of offences. This is likely to be caused by resource constraints at local authority level, a focus on more serious cases, and delays and complexity within the justice system.

- **Trading Standards obtained almost £2.8 million scams related redress for consumers.** This has stayed the same more or less since 2021/22. With local authorities looking at alternatives to formal Court actions, this often results in agreements to pay redress. The potential introduction of conditional and discretionary cautions may well assist in this respect.
- **The amount of money saved for scam victims was almost £3 million, an increase of £0.5 million on last year which shows the prevalence of scams with high financial losses to vulnerable individuals.**
- **Trading Standards provided over 1,300 hours of advice to businesses through Primary Authority partnerships to 75 businesses.** This is similar to the figures for last year. The total number of Primary Authority partnerships also increased by 7% from last year. Advice to businesses outside of Primary Authority Partnerships remained similar to pre-pandemic levels.
- **Over 11,000 compliance checks were carried out to ensure businesses meet their legal responsibilities and to provide them with advice on site.** This is similar to last year's levels.

In summary, most activity levels are recovering to pre-pandemic levels. Trading Standards continued to demonstrate its huge value in protecting consumers, legitimate businesses, public health, and the environment.

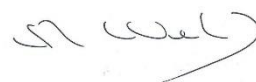
The impact of this work, alongside that which is delivered via National Trading Standards, highlights the results that Trading Standards achieves. Trading Standards is unique in having an infrastructure that can operate at local, regional, and national levels in this way and this is key to its success.

We want this report to inform both the Welsh Government and Westminster's policy development, including funding for services, and to raise the profile of Trading Standards' work within local authorities.



Judith Parry

Chair - Trading Standards Wales and Association of Chief Trading Standards Officers Welsh Representative



Richard Webb

Chair of the Association of Chief Trading Standards Officers



BACKGROUND AND METHODOLOGY

Local authorities in Wales were asked to submit data for the financial year 2022/23. The indicators measure demand and resourcing alongside key outputs and outcomes from Trading Standards' activity.

Seventeen services contributed, covering 19 trading standards services based serving a total of 22 local authorities in Wales. The responses cover an area with a population of 2.7 million, or 87% of the population of Wales.

To illustrate the estimated national impact of Trading Standards, figures have been adjusted to account for both population and the response rate for each question. The resultant figures estimate impact and activity levels for the whole of Wales.

DEMAND AND RESOURCING

The approximate revenue budget allocated to Trading Standards was just over £11 million, a similar figure to that reported for 2021/22 but a cut in real terms when rapidly increasing inflation is taken into account.

Approximately **227 full time employees** are employed on Trading Standards' work. This was not dissimilar to last year. Of those, **88%** are "operational" staff.

Trading Standards received over 33,000 referrals and notifications to their services from various sources. Whilst down significantly on last year, it has to be taken into account that throughout the pandemic there were a whole range of issues that affected consumers, such as travel refunds, which no longer feature in the statistics. This demonstrates how many members of the public are seeking advice and support from Trading Standards on consumer related problems and issues.

SECTION ONE: TACKLING DETRIMENT AND PREVENTING HARM

The Government's 2022 Consumer Protection Study estimated that there was £54 billion in unaddressed detriment across Great Britain. One of the key functions of Trading Standards is to prevent consumer and business detriment and tackle the criminal behaviour that leads to it and support victims.

Trading Standards' work can include providing advice and support to the public on how to avoid being victimised, as well as disrupting and taking enforcement action against criminal behaviour, to prevent harm and financial detriment. The former may be limited due to the financial constraints faced by local services and the need to focus on statutory activity.

1.1 Stopping Fraudulent, Illegal and Unfair Trading

As a last resort, Trading Standards Services do have to take formal enforcement action. This is usually where people deliberately break the law, have caused serious harm, or have repeatedly ignored advice from officers. Trading Standards legislation carries a variety of penalties including prison; fines; forfeiture of assets; fixed penalties; and undertakings to stop future non-compliance. Serious investigations are complex, lengthy and can take several years to bring to trial. This is being exacerbated by ongoing serious backlogs in the Court system. Government is now legislating for more use of improvement and compliance notices by Trading Standards, although this currently only applies to limited elements of the regulatory framework enforced.

Last year,

- **70 defendants were prosecuted and convicted.**
- **Prison sentences of over 19 years were handed down.**
- **Defendants were ordered to pay almost £67,000 in fines and over £45,000 in costs.**
- **Defendants were ordered to pay almost £4,000 in Proceeds of Crime.**

The use of **Enterprise Act undertakings**, which can only be used for a narrow set of Trading Standards work, remains very low with only 2 being implemented.

1.2 Detriment and Redress

Trading Standards can ask for the Court to issue a compensation order for victims as part of a prosecution process or get redress for victims through a variety of other means. In .2022/23, it is estimated that the actions of Trading Standards Services resulted in:

- **Over £64,500 compensation being awarded to victims by the courts.**
- **Over £596,000 prevented from being handed over to criminals.**
- **Over £206,000 was gained for victims through advice and intervention.**

Compensation via other processes increased by 17%. Other levels were similar to last year.

Overall Trading Standards actions prevented almost £10 million of detriment to consumers and businesses, more than 3 times greater than last year.

This shows that Trading Standards continues to provide a low cost but very important service for local communities and individuals, and demonstrates the seriousness of the offending being tackled by the service.

1.3 Supporting Scam Victims

Recent reports show that fraud remains one of the most widespread crimes in the UK. Trading Standards identify and support victims of scams, especially the most vulnerable and often elderly victims of fraud. With so many pressures on household budgets, it has been increasingly vital that hard pressed consumers do not lose any of their money to scammers and fraudsters.

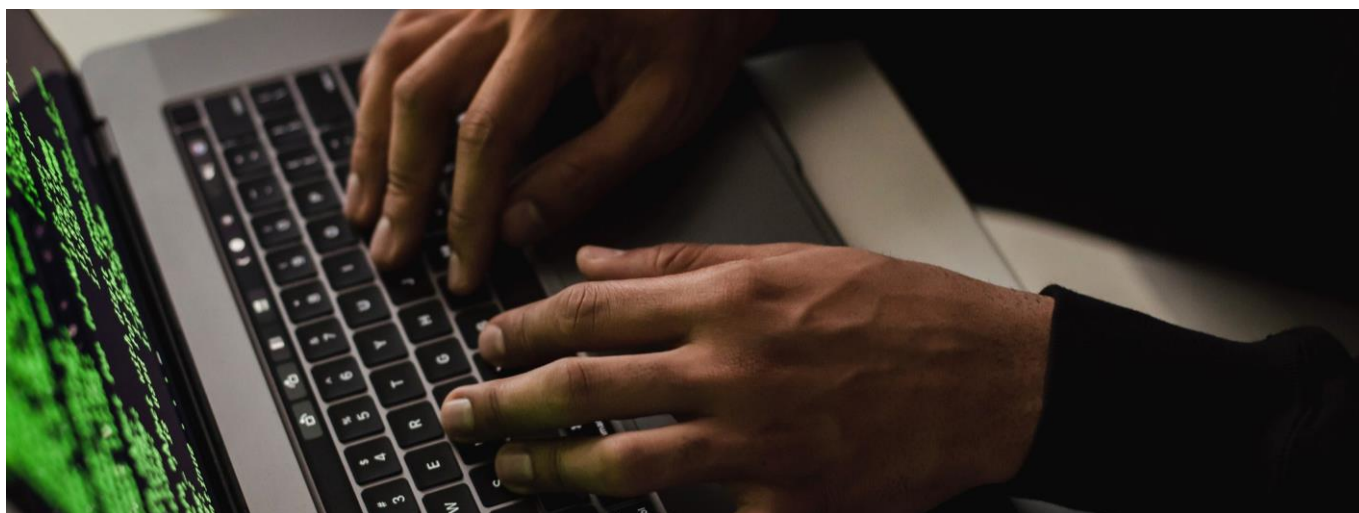
Trading Standards help victims get the support they need to stop them responding to scams. This includes the installation of call blocking devices, work with other safeguarding agencies, and making referrals to the National Trading Standards Scam and E Crime Teams to undertake disruption work such as getting payment systems removed or taking down content from the internet.

However, it must be recognised that most scams emanate from overseas and thus, in practice, are out of reach of Trading Standards enforcement.

In 2022/23, it is estimated that across Wales:

- **Local authority Trading Standards provided support to almost 1,300 scam victims.**
- **Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail etc saved consumers almost £2.75 million.**

While the number of scam victims supported has reduced this year, the savings have increased. This shows that the disruption work to prevent people becoming victims in the first place crucial.



Pembrokeshire County Council: Prosecution of rogue used car dealer

Pembrokeshire Trading Standards took a successful prosecution against a used car dealer, resulting in a suspended sentence. The dealer advertised vehicles on the roadside and via social media whilst claiming to be a private seller; at times also advertising via friends' Facebook profiles. Over a two-year period, 43 advertisements were collected as evidence by Trading Standards. Cars were often bought for scrap value and sold soon after without necessary repair work being carried out. One car was bought for £330 and sold the next day in the same condition for £950. Two vehicles were in a dangerous and unsafe condition. Victims included an elderly man and a teenager. Fraudulent claims were also made about the condition and length of remaining MOTs.

Rhondda Cynon Taf – Young Friends against Scams initiative

Rhondda Cynon Taf Trading Standards have commenced working with both English and Welsh medium schools to deliver the Young Friends training. Feedback from the pilot school was very positive in respect of the theme and materials provided. The teacher stated, 'The PowerPoint prompted great discussion with my year 6 pupils and they were all very engaged in the topic. I linked it to our current theme of 'enterprise' where the pupils have been learning about handling money and budgets, and prioritising spending. The scams lesson was a perfect fit and it allowed us to achieve some of our wellbeing (PSE) skills'. Pupil feedback included: 'I enjoyed the lesson; it helped me understand more about scamming and I can help explain things to my parents' and 'I learned that I need to be careful on random websites'.

Newport City Council: Friends Against Scams

Since September 2022, 13 Friends Against Scams talks have been delivered, the majority in partnership with Age Cymru. 94 members of the public have attended. It is estimated that the combined detriment saved because of equipping them with the requisite scam avoidance information is £5,452.00. In addition, 56 visits have been made to scam victims identified by NTSST referrals. The combined estimated detriment saved is calculated to be £3,248.00.

Blaenau Gwent County Borough Council: Preventative Doorstep Crime work

Blaenau Gwent's Trading Standards Service places a high priority on protecting the borough's most vulnerable residents. The service operates a Doorstep Crime Rapid Response Protocol in conjunction with Gwent Police which ensures that as soon as a complaint is received of an incident, a Police and Trading Standards Officer attend the incident immediately, investigate the complaint and provide any further support required. The service has also set up 5 No Cold Calling Zones in Blaenau Gwent in areas that have been identified as being a target by rogue traders in the past. When victims of traders are identified and appear vulnerable, often repeat victim's referrals are made to the Authority's Community Safety Section and security measures are put in place by means of a referral to Care and Repair and Gwent Police.

City and County of Swansea: Prosecution of rogue roofer

In September 2019, Swansea Trading Standards received a complaint in relation to poor roofing work carried out by a roofing company based in Carmarthenshire. This was the start of 17 complaints in total from consumers across South Wales regarding roofing work which was either unnecessary or of very poor standard, and in the majority of cases, unfinished. On investigating these complaints, Swansea Trading Standards identified one individual who was linked to all of the complaints. That individual tried to evade detection by continually changing his company name, business address and contact numbers including providing false names for himself.

In total, these consumers paid £182,067.88 – which consisted of £104,062 originally paid to the individual, followed by £78,005.89 in rectification work to a genuine third party.

Sentencing, Judge Timothy Petts told the defendant “You left 17 victims in a state of extreme distress and the impact on their lives and homes cannot be underestimated. You fleeced them of hundreds and thousands of pounds and the work required to put it right will cost tens of thousand pounds more.”

The individual concerned was sentenced to 5 years in prison (minus 130 days whilst spent on tag), a Criminal Behaviour Order was granted to prevent him from participating in this line of business again until such time as he applies to the Court to have it removed.

Blaenau Gwent County Borough Council: Rogue Traders targeting the vulnerable

Rogue traders carrying out roofing repair work targeted a number of elderly residents in two Blaenau Gwent towns, charging extortionate prices for repairs. Most residents have been targeted previously and the householders' details, in all probability, passed on. All residents were visited and details taken of the traders involved for further criminal investigation purposes which included Trading Standards contact with the trader in question along with the submission of the intelligence relating to each incident onto the National Trading Standards Intelligence database which allows for regional criminal investigation work targeting organised rogue trader criminal groups.

Additionally, all householders targeted were referred by Trading Standards to the Community Safety Team for a further referral to Care and Repair for the installation of relevant target hardening support packages (security measures) at each address.

SECTION TWO: SUPPORTING THE LOCAL ECONOMY

Trading Standards helps businesses to comply with the laws designed to ensure that they trade fairly and that their products are safe. This year, as businesses have faced significant inflationary impacts and some sectors are still feeling the aftermath of the pandemic, the ability to access the correct advice and have confidence that they are not being undercut by unscrupulous competitors who are willing to break the law has never been more important.

2.1 Businesses Get the Help and Support they need to Thrive and Grow

Having a thriving local business community is a key priority for all local authorities. Trading Standards role in providing advice and support to businesses has never been more important.

Trading Standards Services provided over 1,300 hours of advice to businesses via Primary Authority Partnerships. **75 businesses** are covered by Primary Authority Partnerships.

In 2022/23, it is estimated that across Wales::

- **Over 1,300 hours** were provided by Trading Standards **advising Primary Authority businesses**
 - Trading Standards responded to **almost 1,500 requests** for advice from businesses that were not part of the Primary Authority scheme. This is similar to pre-pandemic levels.
-

2.2 Creating and Maintaining a Level Playing Field for Safe and Fair Competition

In any economy, fair competition is crucial for businesses. Being undercut by those who do not meet proper standards and regulations will cause legitimate businesses to fail, putting people out of work and causing risks for workers and consumers.

Trading Standards Services follow an intelligence-led model where action is taken according to risk. This can include providing advice, seizing counterfeit, illicit, and unsafe products, or taking formal enforcement action.

Compliance visits have increased significantly from 2021/22 when 2,500 such visits were undertaken and are moving back towards pre-pandemic levels.

In 2022/23, it is estimated that across Wales:

- **Over 11,000 visits were carried out to businesses to ensure they comply with the law and provide advice to help them fix any non-compliance..**

- **Over 3,600 businesses were subject to an intervention**, such as advice, investigation, or referral.
- **59%** of Trading Standards services operate an **assured trader scheme to help increase consumer confidence**. These tend to be targeted at specific trade sectors.
- **Over 12,300 counterfeit products with a market value of over £217,000**, which breach the intellectual property of legitimate businesses, were seized.

Seizures of counterfeit goods reduced by nearly 50% from 2021/22. The trade in counterfeit goods damages legitimate businesses who manufacture, distribute, and buy licences to sell legitimate products. Often counterfeiting is run by international organised criminal gangs who use the profits from sales to fund other criminal activity. Therefore, it should not be regarded as a victimless crime.



Blaenau Gwent County Borough Council: Provision of support via its Partnership Group

Blaenau Gwent Trading Standards regularly participates in quarterly "Blaenau Gwent Partnership Group" Meetings take place which bring together support services for new businesses such as Business Innovation and Regeneration Officers, financial support such as Investment Banking partners, Community Banks, local universities, Federation of Small Businesses and many more.

Organised by the Council's Business and Innovation Team, the sessions link organisations who aim to assist and support new and growing businesses. Trading Standards participation in this group helps to ensure that new businesses receiving support from any of the organisations can also be referred to obtain advice from Trading Standards and other regulators at an early stage. This helps to avoid wasted effort and spending by the business on, for example, incorrect labels or production of non-compliant products.

In addition to the meetings, the Council's Regeneration Team regularly support businesses with grant funding and Trading Standards links with the team to ensure that grant funding is not provided to non-compliant/rogue businesses.

Caerphilly County Borough Council: Strategic and Business Support Plans

At the heart of the Trading Standards Strategic Plan is the protection of residents and support of local businesses. This is achieved by providing a comprehensive service to both consumers in the form of Consumer Advice in response to referrals from the Citizens Advice Consumer Service (CACS), if necessary, followed up by interventions, and also, just as importantly, to businesses. Caerphilly's Trading Standards Service doesn't wait for businesses to contact them for advice, but actively engage with them face to face. It has a risk-based programme of active support for businesses, with greater priority given to new businesses and smaller enterprises who have greater need and assistance. The Business Support Plan is formulated through both strategic and tactical planning, with regular reviews throughout the year, to be able to divert resource and offer support where needed. 99% of businesses receiving support and advice were satisfied with the service provided; quotes included; "The officer was very helpful and provided information that was easy to understand and explained really well. She also gave us a further training course and the course has been completed by my staff who found it very informative. Thank you for making it a pleasant experience", "Enjoyed the visit, gave us lots of information and some constructive advice" and "This was our first visit from Trading Standards. The officer was very supportive and took time to go through everything, informing us how to get support if needed". Feedback from business is used to review our service plan and also to shape future planning. The process is concentrated on helping business get things right first time, for their benefit and that of consumers. The savings are unquantifiable.

Isle of Anglesey Council: working with Holyhead Port and other partner agencies to control the importation of illegal products

Trading Standards services have concentrated on vapes due to the number of illegal and non-compliant vapes available on the market. These goods have a potential to be unsafe and have an unknown health detriment.

Coupled with the ongoing work in the vape sector – working relationships are being created with colleagues at UK Border Force (UKBF) in Holyhead to look at products coming into the UK to ascertain if unsafe and illegal products can be prevented from entering.

Port authorities, such as Anglesey, have a unique opportunity to support not only the local economy of where they are based but that of the UK as a whole, in relation to the importation of non-compliant goods and placing them on the UK market.

Following EU exit, Anglesey Trading Standards has increased spot checks in relation to the importation of goods and has forged stronger links with partners such as UKBF and Special Branch who have permanent teams located at the port and also the associated Inland Border Facility.

Despite being the second largest roll on roll off (RORO) port in the UK, after Dover, accounting for 1.4m tonnes of accompanied freight in 2021; Holyhead has always been regarded as low risk nationally due to most imports originating from Ireland and not requiring import declarations.

Checks on manifest data are unreliable as most consignments are listed as groupage and illicit goods are often mis-declared on the manifest. Intelligence would suggest that new trade routes have been developed, with an increase in consignments being imported to Holyhead via Dublin, which originated from China/Netherlands. Between January and March 2023, 2 consignments consisting of a total of 231,920 non-compliant disposable nicotine inhaling devices (vapes), with a recommended retail price of £2.3m, were seized from the Port/Inland Border Facility by Anglesey Trading Standards, having originally been stopped by UKBF and found to be declared as cakes and atomisers. All devices had tank capacities in excess of the maximum 2ml permitted in the UK, had not been notified to MHRA and had non-compliant labelling. Despite their value, both consignments were abandoned by the importers and have subsequently been sent for destruction. Such action, to remove from circulation and destruct the product, from the point of entry, not only disrupts the illicit trade but prevents re-importation elsewhere and their supply at retail throughout the UK, although the importer's willingness to abandon valuable cargo would suggest that it is regarded as an acceptable consequential loss and that it is still commercially viable to continue with this illegal trade.

SECTION THREE: PROMOTING HEALTH AND WELLBEING

Trading Standards undertake a wide range of activities to protect and promote the health and wellbeing of local communities. This includes ensuring consumer products meet safety standards, food is correctly labelled and animal health and welfare standards are maintained.

Stopping the supply of age restricted products, such as vaping products, tobacco, alcohol, and knives, are a key priority in many local authorities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

3.1 Ensuring the Safety of Consumer Products

Legislation and product standards are designed to ensure that products are safe and do not cause injuries or fires. Unsafe toys, electrical goods, make-up, and other products can cause serious problems and even risk lives. Trading Standards use intelligence to detect and seize unsafe products at both ports of entry and on sale within Wales.

This year the number of items removed from the market has increased by 52% and, as such, is returning to pre-pandemic levels.

In 2022/23, it is estimated that across Wales:

- **Nearly 22,500 unsafe or non-compliant products were seized or removed from the market place following Trading Standards' interventions.**
- **The savings to society, in terms of product value and injuries and fires prevented, is over £835,000.**

3.2 Protecting the food chain

Food inflation has been at record levels. This can result in adulterated or falsely labelled food where unscrupulous businesses seek to get an unfair competitive advantage. Consumers need to be able to trust what they eat and get good value for money. The substitution of cheap, sub-standard ingredients, undeclared allergens and misdescribed food, all damage health and cause consumer detriment.

In 2022/23, it is estimated that across Wales:

- **Over 1,500 businesses were identified as supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components, or was involved in food fraud.** This was not dissimilar to last year.

- **Ensuring animal health and welfare has a key role in protecting the rural economy and helps protect the quality of the food chain.**

In 2022/23, it is estimated that across Wales:

- **Over 850 businesses were found to be in breach of animal health and welfare legislation.**

This is slightly down from 1,100 last year primarily due to incidences of avian flu last year.



3.3 Reducing the risk of children accessing age restricted products

Trading Standards Services provide training and advice to businesses and conduct test purchases to ensure businesses do not sell age restricted goods to children. Rules that prevent children from buying age restricted products, such as vaping products, alcohol, tobacco, knives, and fireworks are designed to protect them and their local communities from both immediate and long-term harm. This year there has been a significant national focus on the problems caused by the sale of vaping products to children.

In 2022/23, across Wales:

- **128 premises were tested for alcohol sales.**
- **The average failure rate for alcohol test purchases was 16.4%.**
- **20 premises were tested for tobacco sales.**
- **The average failure rate for tobacco test purchases was 15%**

- **216 premises were tested for other products, including fireworks, gambling and knives.**
- **The average failure rate for other products was 24%.**
- **297 test purchases were made in relation to e-cigarettes**
- **The average failure rate in relation to e-cigarettes was 23%**

There has been a significant increase in the test-purchasing of “other” products. This is primarily due to the test-purchasing of vaping products but also includes fireworks, gambling and knives. Initial data suggests there were at least **258,000 disposable vaping products seized** with over **600 voluntarily surrendered**.

3.4 Reducing the availability of illicit products

Illicit tobacco, vaping products and alcohol can contain undeclared contaminants.

The presence of illicit tobacco in local shops undermines Government’s attempts to help people to cut down and quit smoking altogether as price is a critical factor in pushing people to give up. Illicit tobacco is significantly cheaper to buy, with packs of cigarettes being between half and a third of the price of legitimate products.

The amount of tobacco seized is similar to last year and much of the work is due to the investment HMRC has made into National Trading Standards, who commission local authorities to carry out activities to disrupt the local supply of illicit tobacco. Much of this activity is focussed on using detection dogs and can result in large scale seizures.

In 2022/23, across Wales:

- **1,412,527 illicit cigarettes were seized**
- **201.1kg of illicit hand-rolling tobacco was seized**
- **The combined illegal street value of these seizures is worth an estimated £385,307.75 whilst their legal value amounts to £1,005,930.20**
- **100 premises were tested for sales of illegal tobacco product, the failure rate was a staggering 88%**

The Licensing Act 2003 allows for a review, and potential removal of a licence, by a local authority Licensing Committee, where failures to comply with any of the four licensing objectives occur. These objectives are preventing crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Activities by Trading Standards across Wales have not resulted in any Licence Reviews being carried out.



Isle of Anglesey Council: tackling vapes at the border

In addition to the interventions at Holyhead Port and the Inland Border Facility, resulting in the destruction of 231,920 disposable vapes with a recommended retail price of £2.3m referred to in Section Two of this report, there has been significant work undertaken by Anglesey Trading Standards in relation to the accessibility of school children to nicotine inhaling devices.

Concerns were raised by secondary schools and Social Services on Anglesey in March 2023 in relation to the huge increase in school children that were vaping. The Education Service implemented a strict zero tolerance with any school child found vaping on school property being suspended. During the same period intelligence was received that some specific retailers in Holyhead were selling illegal vapes to children. Anglesey Trading Standards visited 48 businesses which sold vapes, targeting premises in proximity of the secondary schools, providing advice and guidance on age restricted sales, the Challenge 25 policy and identification of illicit vapes which were illegal for the UK market. Businesses were also sent letters reminding them of their obligations to prevent underage sales and advised that test purchasing would be undertaken by Anglesey Trading Standards. In early April 2023, 27 test purchases were undertaken resulting in 1 sale. Intelligence was also received that school children with links to local retailers were selling to classmates, which was referred back to Social Services as a safeguarding matter as potential child exploitation. Arrangements were made in March 2023 for those shops identified by means of intelligence to be visited in early April 2023, as a result of which 2,335 illegal disposable vapes worth a total recommended

retail price of £29,000 were waived by 2 retailers in Holyhead. Anglesey Trading Standards also facilitated a collaborative project between the Isle of Anglesey County Council, ASH Wales and Public Health Wales to gather evidence in relation to the vaping habits of school children, to steer future government proposals and legislation.

Newport City Council: use of Account Freezing Orders in relation to the sale of illegal tobacco

Newport City Council investigated a shop selling illicit tobacco that resulted in a criminal prosecution. The owner of the shop was subsequently found to be working in another shop, in a different local authority. This shop had been purchased from the Newport defendant and was found to be selling illicit tobacco. The new owner of the shop was prosecuted by the local authority for the sale of illicit tobacco. Criminal funds were identified because of financial intelligence received. Newport City Council's Accredited Financial Investigator used civil powers under the Proceeds of Crime Act to make an application to the Court for an Account Freezing Order under Section 303Z1(2) of POCA. The Account Freezing Order was for £22,435.56. A potential forfeiture application for the frozen assets may be made. This is a reliable tool to disrupt criminal activity.



Denbighshire County Council: fire safety in holiday accommodation

In response to a fire incident, officers have been working in partnership with the local fire authority to address product safety concerns in a holiday let environment entailing inspections of accommodation and safety certificates and labels to ascertain the overall safety of furniture.

North Wales Fire Service initially contacted officers as part of an ongoing investigation into a fire at a holiday venue. The fire involved a sofa bed located in a chalet and the sofa appeared to be the main seat of fire, which produced a visibly large amount of thick black smoke. Every chalet, over 800 on the site, had a similar sofa bed.

Officers from Trading Standards and the Fire Service inspected the sofa beds to determine whether they were compliant with the Furniture & Furnishings (Fire) (Safety) Regulations 1988. Both brand new sofa beds in storage and ones in use in the chalets were examined and it was noted that the specific fire safety labelling and information as required by the regulations was available. The holiday let company provided officers with test certificates for the sofa beds but officers felt that these test certificates were unreliable as the description of the samples tested did not fully match the sofa beds inspected. Fire Service officers took a small sample of the filling

and material from one of the sofa beds and at a later date carried out a basic 'non-scientific' test in which a naked flame was applied to the material and the findings were not as expected and caused some concern. Based on this information, Trading Standards officers suspected the sofa beds to be unsafe and instructed the company to urgently arrange testing of the sofa beds at a UKAS accredited test centre. Guidance on this process was given to the company. Officers further advised that whilst these tests were being conducted, the sofa beds should not be used. The company made arrangements for the testing and confirmed the sofa beds would not be used.

The test results concluded that the sofa beds failed to comply with the Furniture & Furnishings (Fire) (Safety) Regulations 1988 (as amended), and arrangements were made to remove and destroy all sofa beds on site. A follow up visit by officers involved confirmed all sofa beds had been removed and replaced with single beds.

SECTION FOUR: Net Zero, Energy Costs and Climate Change

The Net Zero and Climate Change agenda continues to be important to local authorities. Many have this issue as a key corporate priority.

The cost of living crisis has also meant that claims associated with energy efficiency and costs are attractive to consumers as they look to save money.

While there is no specific data collected on this issue, figures will be included within the totals for compliance checks, business advice and prosecution figures in previous chapters. For example, Trading Standards carry out work in relation to:

- Misleading claims on green energy products such as heat pumps and solar panels.
- Ensuring compliance with Energy Performance Certificates and Minimum Energy Efficient Standards.
- Misleading “greenwashing” claims.
- Enforcement of single use plastics bans.

Blaenau Gwent County Borough Council: Energy Performance of local authority owned buildings

Trading Standards Officers inspected local authority owned buildings and provided detailed advice to Local Authority Building Managers in respect of The Energy Performance of Buildings (England and Wales) Regulations 2012 and the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

Officers also entered into preparatory discussions with a neighbouring local authority in order to formulate an agreement for reciprocal enforcement arrangements required under the Regulations.



SECTION FIVE: COST OF LIVING CRISIS

As referenced throughout this report, the cost of living crisis has been a major influence on the work undertaken by Trading Standards this year. Similar to net zero, there is no specific data collected on this issue as figures are included within the totals for compliance checks, business advice and prosecution figures. However, the case studies below give examples of the type of work being undertaken.

Caerphilly County Borough Council: Facebook 'friend' grant fraud

During a visit to a sheltered housing complex, Trading Standards Officers were approached by a resident who had been contacted by a 'friend' on Facebook and told she was eligible to apply for a grant. Thinking she could secure some money for her family during a difficult time, she applied and was told she needed to pay about £320. The payment was made using the 'friends and family' option on PayPal, as the individual believed she was sending money to a friend. Realising she had been scammed, the victim complained to her bank and PayPal, but neither would help her. This was an incredibly distressing and upsetting situation for the victim, impacting on her confidence and diminishing her trust. Officers intervened and contacted PayPal, who did not properly respond to the complaint. With the victim's permission, it was escalated to the Financial Ombudsman Service, ultimately obtaining full reimbursement.

Newport City Council: Operation Cost of Living Action

Newport Trading Standards has instigated Operation Cost of Living Action. This involves the scrutiny of Citizens Advice referrals on a weekly basis. Historically, many local authorities had dedicated consumer advice staff that would intervene in circumstances where traders appeared to be unreasonably withholding refunds, trying to change their minds using the art of persuasion in the absence of any legal powers to do so. Local authorities never had a duty to do this, but it was seen as the right thing to do and offered the potential to improve business behaviour. In recent years most Trading Standards services have had to stop interventions in civil matters due to resourcing constraints. In this case, Newport Trading Standards identified suitable civil matters where it was considered that a Service intervention may possibly secure a refund or other suitable outcome. So far, 34 referrals have been identified, with a combined detriment of £339,611.

Blaenau Gwent County Borough Council: Cross Party Cost of Living Group

In response to the cost of living crisis, Blaenau Gwent County Borough Council formed a cross party cost of living group to establish what the local authority could do, with partners, to mitigate against the impact of the crisis for the people of Blaenau Gwent. Consequently, Blaenau Gwent Trading Standards participated in a special event on the crisis in November 2022, which brought staff together from across the council for two reasons:

- to share what has been done to date and what is planned in relation to the cost of living crisis for the people of Blaenau Gwent, and
- to gather intelligence from staff in relation to the support they already offer to the people of Blaenau Gwent which can contribute to the council's action plan.

The Group continues to operate, offering cost of living advice and support with links and signposting for areas such as debt advice, financial support schemes, food banks and warm hubs and Trading Standards Officers periodically distribute social media messaging in relation to cost of living scams.

Continuing to Protect the Public and Support Businesses in the Cost of Living Crisis

The Impacts and Outcomes of Local Trading Standards Services in Wales in 2022/23

The Association of Chief Trading Standards Officers (ACTSO) created the Impacts and Outcomes Framework in 2018/19 to provide national data for England and Wales on work done by local authority Trading Standards Services. This is the third report for Wales and this document contains a summary of the highlights of work done in 2022/23.

This year, across all areas of work, the risks associated with the cost of living crisis on consumers and businesses is apparent. The need for effective business advice and a level playing field for legitimate businesses is going to be crucial to keep them afloat in difficult times. Risks to consumers around the safety of cheap or illicit goods and false claims relating to prices, costs and energy efficiency are growing and the impact of losing money to scammers is bigger than ever.

In 2022/23 local Trading Standards Services have:

- Prevented almost **£10 million** of detriment to consumers
- Saved scam victims almost **£2.8 million**
- Provided over **1,300 hours** of advice to businesses through primary authority partnerships, similar to last year
- Seized **258,000** disposable vaping products
- Carried out over **11,000** compliance checks to ensure businesses meet their legal responsibilities and to provide them with advice on site

TACKLING DETRIMENT AND PREVENTING HARM

One of the key functions of Trading Standards is to prevent consumer and business detriment (financial and non-financial), tackle the criminal behaviour that leads to it and support victims. The Government's 2022 Consumer Protection Study estimated that there was £54 billion in unaddressed detriment across Great Britain.

Key statistics for 2022/23 included:



70 defendants were prosecuted



Prison sentences of over **19 years** were handed down. This includes both immediate and suspended sentences



Defendants were ordered to pay almost **£4,000 in Proceeds of Crime**



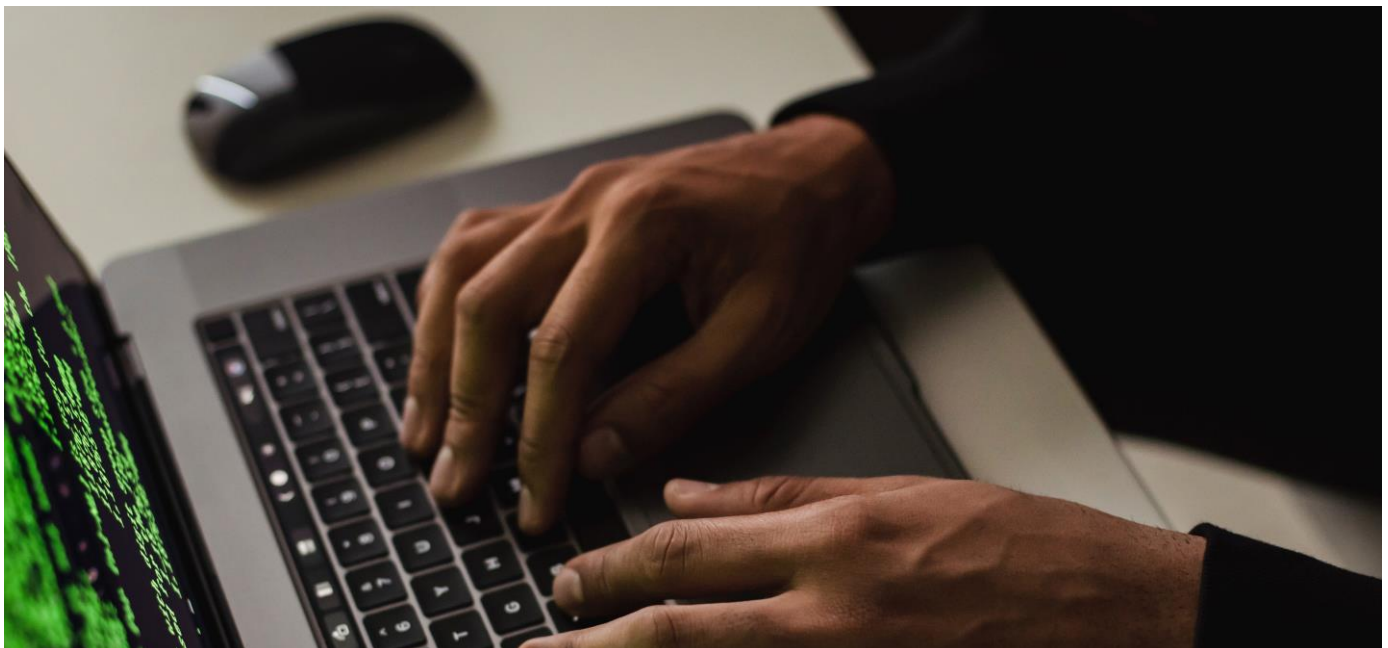
Local authority Trading Standards provided support to almost **1,300 scam victims**



Work to disrupt mass marketing fraud mailings, stop outgoing payments, mail, etc. **saved consumers about £2.75 million**



Over **£64,500 compensation** being awarded to victims by the courts



SUPPORTING THE LOCAL ECONOMY

Businesses have always needed advice and support from Trading Standards to help them navigate the range of laws that ensure they trade fairly and their products are safe. This year, as businesses continue to recover from the impacts of Covid, and face supply chain and energy cost issues, the ability to access the correct advice and have confidence has never been more important.

Key statistics for 2022/23 included:



Responded to almost **1,500 requests** for advice from businesses that were not part of the Primary Authority scheme, similar to pre-pandemic levels.



Over 11,000 **visits were carried out to businesses to ensure they comply with the law and provide advice** to help them fix any non-compliance



Almost **3,600 businesses were subject to an intervention**, such as advice, investigation or referral



Over **12,300 counterfeit products with a market value of £217,000**, which breach the intellectual property of legitimate businesses, were seized

PROMOTING HEALTH AND WELLBEING

Trading Standards undertake a wide range of activities to protect and promote the health and well-being of local communities including ensuring that products people buy are safe, that food is correctly labelled, and that the health and welfare of livestock is assured.

Age restricted products, including vaping products, tobacco and alcohol are also a significant area of focus for many authorities. Trading Standards enforce and advise on a very wide range of age restricted sales legislation to help to keep young people safe.

Key statistics for 2022/23 included:



Nearly **23,000 unsafe or non-compliant products were seized or removed from the market place** following Trading Standards' interventions.



The **savings to society**, in terms of product value and injuries and fires prevented, is over **£835,000**.



Over **1,500 businesses** were identified as **supplying food that was misdescribed, did not correctly declare allergens, contained toxic or illegal components or was involved in food fraud**. This was a **small increase** on last year.



Over **850 businesses** were found to be in **breach of animal health and welfare legislation**.



170 premises were tested for the under age sale of **alcohol**, the average failure rate was **13%**



23 premises were tested for the under age sale of **tobacco**, the average failure rate was **21%**



316 premises were tested for other products, including vaping products; the average failure rate for vapes was **23%**



Nearly **1.5 million illicit cigarettes** were seized, together with **201 kg of illicit hand-rolling tobacco** worth a combined street value of **£385,000**



100 premises were tested for sales of illegal tobacco. The failure rate was a staggering **88%**

SUPPORT FOR ENVIRONMENT AND NET ZERO

The Net Zero and Climate Change agenda are becoming more important each year, with the majority of local authorities seeing this issue as a key corporate priority.

Claims associated with energy usage and energy efficiency are going to be a real marketing point as energy costs rise so quickly and households will be looking to save money. More broadly "greenwashing" and green claims have become a concern and the Competition and Markets Authority issued a report on this.

There is no separate data collected on Trading Standards work to support this agenda, they will be included within the compliance checks, business advice and prosecution figures in the above figures.

COST OF LIVING

The continuing cost of living crisis has been a major influence on all of the work done by Trading Standards. In some localities specific projects have been undertaken to address issues such as pricing on groceries, accuracy of fuel deliveries and extra support to consumers who have been ripped off.

Appendix 5 - SRS prosecution cases concluding between December 2023 and the end of February 2024

The following prosecution cases arising from investigations conducted across the Shared Service, have been concluded recently.

Case	Court date	Offence(s)	Outcome
1	1.12.23	<p>When stopped by South Wales Police in the early hours of the morning, the defendant was found to be carrying four female passengers in the vehicle he was driving. It was soon established that he was an unlicensed taxi driver and the vehicle, while having the appearance of Hackney Carriage (black and white in colour and with an orange illuminated 'TAXI' sign on the roof) was not a licensed Hackney Carriage. The statements of two of the passengers give an insight into lengths the defendant went to in order to pick up passengers, i.e., waiting with other taxis outside a Cardiff Bay nightclub, and purporting, when asked, to have a card machine to take payment for the fare. His behaviour demonstrated his clear intent to trick unsuspecting passengers into believing both he and the vehicle were properly licensed.</p> <p>When the blue flashing lights were seen and the driver was being pulled over by the Police, he asked the passengers to lie to the Police so that he didn't get into trouble.</p>	<p>The defendant was found guilty of one offence of plying for hire without a licence under the Town and Police Clauses Act 1847.</p> <p>He was fined £440 and ordered to pay £150 in prosecution costs together with £176 for a court surcharge.</p>
2	1.12.23	<p>The defendant was charged with one offence of failing to use his taxi meter in breach of Cardiff Council byelaws, and one offence of charging more than the legal fare under the Town Police Clauses Act 1847.</p> <p>Using the Hackney Carriage fare tariff for Cardiff, the</p>	<p>The defendant was fined £120 in respect of each offence giving a total fine of £240. He was also ordered to pay £150 in prosecution costs and a £96 court surcharge.</p>

		<p>Investigating Officer calculated that the maximum fare that should have been charged for the half mile journey (Curran Embankment to the end of St Mary's Street in Cardiff city centre) was £5.77. Comparison of the permitted fare of £5.77 with the £10 fare actually charged by the defendant equates to a 73% overcharge.</p> <p>In mitigation, the defendant told the Court that the customers offered him £10 to take them and he accepted this without using the meter. He stated that he is no longer working as a taxi driver and is currently unemployed.</p>	
3	4.1.24	<p>The defendant did not attend court, and the case was proved in his absence.</p> <p>In January 2023, Shared Regulatory Services received a complaint about the lack of rainwater goods to the front elevation of one of the defendant's empty properties. Following a site visit, an enforcement notice was served under the Building Act 1984, requiring the installation of suitable rainwater goods to the front elevation of the property, within 6 weeks. A site visit was undertaken in April 2023, some weeks after the deadline had expired to check if work to the rainwater goods had been completed. There was no evidence of work having commenced and the notice had not been complied with.</p> <p>To confirm ownership of the empty property, a Requisition for Information notice had been served under s. 16 of the Local Government (Miscellaneous Provisions) Act 1976 which the defendant also failed to comply with.</p>	<p>The defendant was fined £660 for the damage by pests offences, £660 for the building act offence, £660 for the local government miscellaneous provisions offence and £220 for failing to comply with the order under the Building Act. This gave a total fine of £2200. He was also ordered to pay costs of £3250 together with a victim surcharge of £880.</p>

		<p>Around the same time, complaints were received about the presence of rats at another of the defendant's empty properties. This property had been unoccupied for more than 20 years was in a very poor state of repair. Officers served a Notice on the defendant requiring him to cut back the overgrowth to the garden areas and to dispose of the waste in an appropriate manner. A subsequent visit in May 2023 showed that the notice had not been complied with.</p> <p>The Magistrates found the case proved in respect of all charges (under the Prevention of Damage by Pests Act 1949, the Building Act 1984 and the Local Government (Miscellaneous Provisions) Act 1976.</p>	
4	4.1.24	<p>Two residents contracted with the defendant for new roofs as well as in one case chimney removal, and in the other case guttering and fascia replacement. Between them, the two homeowners paid more than £16,000 up front in the expectation that work would start on the dates agreed. Text messages exhibited by the complainants demonstrate how they have tried to get the defendant to start the work, but excuse after excuse followed and no work was done at either property. Likewise, no materials were delivered. In short, the residents were each defrauded of a significant amount of money.</p> <p>This case is unlike many of the rogue builder cases investigated by the Service, in that the residents were not cold called. Rather, the defendant was recommended to them by friends that he'd done work for previously while</p>	<p>The defendant was sentenced to 3 x12 months imprisonment suspended for 18 months, all concurrent. He was also required to do 200 hours unpaid work.</p> <p>A contribution to costs of £215 was required, together with a victim surcharge.</p>

		<p>employed by another firm. Once money had changed hands however, the defendant failed to turn up at the properties, citing a range of excuses as if straight out of the rogue trader playbook.</p> <p>In sentencing him for offences under the Fraud Act 2006, the Recorder told the defendant ‘you buried your head in the sand and you had to be tracked down. You have spun a tissue of lies, I have considered the texts and letters...it is quite clear you were playing the victims off at the same time and I can see how the messages interlink. You were unable to manage your business affairs and held yourself out asking people to place trust in you’.</p> <p>It was acknowledged that the defendant had insufficient means to pay back his victims and pay costs and this was recognised in the penalties imposed.</p>	
5	9.1.24	<p>The defendant in this case was the manager of a Cardiff kebab house selling traditional cooked meat, chips, salad and bread. He was convicted in the Magistrates Court, following a three day trial under the Food Hygiene (Wales) Regulations 2006.</p> <p>The premises was initially inspected in May 2021 when the Officer identified numerous food hygiene failings, namely</p> <ul style="list-style-type: none"> • No documented food safety management system was provided, and a few pages of temperature monitoring sheets were provided with some with 	<p>The defendant was sentenced to 6 months imprisonment, suspended for 18 months. The Recorder ordered a Hygiene Prohibition Order preventing him from being involved in the running of a food business and this will remain in force until further order. The Recorder felt that the prohibition order would manage the risk that the defendant posed to the public. He was also ordered to carry out 40 days of rehabilitation activity requirement, fined £1000 and ordered to make a contribution to the prosecution costs of £2000.</p>

		<p>dates and some without.</p> <ul style="list-style-type: none">• Lack of a functioning food safety management system• Rodent droppings found albeit a pest control contract was in place.• Major structural issues with the flooring throughout the premise.• Sub-standard cleaning throughout the premise.• Inadequate temperature controls <p>It was agreed that a 3 day deep clean was necessary at the premises and the officer monitored progress with a number of revisits. On one of these occasions, the officer noted poor food hygiene practices whereby staff were washing their hands in the sink and not the dedicated wash hand basin. In addition, food was stored in a refrigerator that was not working properly the day before.</p> <p>On 10th June 2021, during a further revisit, the Officer observed a mouse running in the kitchen area. The business was asked to close and chose to do this on a voluntary basis to carry out all work necessary to eradicate the pest issue, pest proofing and cleaning the premises.</p> <p>The Voluntary Closure was lifted on 15th June 2021. The defendant applied for a subsequent re-rating of the food hygiene rating which was zero. Further visits by Officers to assess the re-rating application in September 2021 and December 2021 revealed further food hygiene offences,</p>	
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		<p>namely:</p> <ul style="list-style-type: none"> • Inadequate implementation of the food safety management system • Temperature control issues. • A lack of food hygiene awareness amongst staff. • Out of date food. • Cleaning issues. • Partial completion of a food safety management system • Hand washing in general purpose sink instead of the dedicated wash basin. • Poor cleanliness to equipment such as the raw meat mincer. • Poor waste disposal (cardboard accumulations). 	
6	11.1.24	<p>In April 2023, Officers of SRS carried out a compliance check on the premises of a Bridgend sunbed operator. The visit followed the provision of detailed guidance on what was expected of the business under the Sunbeds (Regulation) Act 2010 and the Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011. The Director of the company acknowledged receipt of this information.</p> <p>When the Officers visited the premises, they observed a number of non-compliances which caused concern for customers paying to use the sunbed equipment and following an investigation into the circumstances, the</p>	<p>The defendant pleaded guilty and was fined £300 and ordered to pay costs of £400 and a victim surcharge of £120.</p>

		<p>company and its Director were charged with offences in respect of</p> <ul style="list-style-type: none"> • failing to take reasonable steps to ensure that a competent supervisor was present, • failing to ensure that customers are provided with the prescribed health information which is at least A4 in size and printed in black letters on a yellow background • failing to ensure that customers had the appropriate protective eyewear. 	
7	8.2.24	<p>The defendant had previously pleaded guilty to 24 offences under The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007. The offences were discovered by officers when they visited the defendant's House in Multiple Occupation in Grangetown, Cardiff, this being a four storey, Victorian terraced property converted into 4 self-contained flats.</p> <p>Inspections on 9th and 27th February 2023 revealed that the concerns extended to all the flats and included a defective fire alarm system that remained defective, items being stored on the escape route, dangerous electrics throughout, electricity meters that had not been fire protected and the kitchens were found to be in poor condition and inadequate. The most serious offences included:</p>	<p>The defendant was fined a total of £7000 and ordered to pay costs of £367.80 together with a court surcharge of £2000.</p>

		<ul style="list-style-type: none"> • Failure to keep the means of escape free from obstructions • Failure to ensure the means of escape is maintained and in good order • Failure to maintain the Fire Alarm System • Failure to adequately fire protect the electrical meters. <p>The court was advised that the defendant had been prosecuted in 2018 for offences under the Housing Act 2004 at another of his properties. In mitigation, the 82-year-old defendant explained that he was trying to help the Probation Service by taking certain tenants but this meant that he didn't know who was going to move in, and tenants can endanger themselves by doing things to the property.</p>	
8	8.2.24	<p>This was the first of two matters heard by the Magistrates Court which arose as a result of two SRS investigations. This case concerned food hygiene failings at a Clifton Street, Cardiff convenience store, and the defendants were the company running the business, and the company's sole Director.</p> <p>The court heard how there was no food safety management system in place, how the property was in a poor state of repair and there was a significant infestation of mice. When Officers visited on 20th July 2022, mouse droppings were found in storerooms and around and under packets of foods on the shelves of the shop. They also</p>	<p>The company was fined a total of £8000, ordered to pay costs of £1456.65 and a court surcharge of £2000.</p> <p>The company's sole Director was fined a total of £2900, ordered to pay costs of £1456.65 and a court surcharge of £1160.</p>

		<p>found gnawed packets of crisps and chocolates. It was deemed that there existed an imminent risk to health and the company Director agreed to voluntarily close the premises to allow effective cleaning to take place and a voluntary closure agreement was signed. However, on Saturday 23rd July 2022 officers discovered the premises open with customers inside. This necessitated a formal court order being obtained to require the premises to remain closed while the infestation was dealt with, and the store thoroughly cleaned.</p> <p>While guilty pleas were subsequently entered for the majority of the 16 food hygiene offences, the defendants maintained that they were not trading on Saturday 23rd July 2022, but simply taking in a delivery. This necessitated a Newton hearing in which the District Judge found the evidence presented persuasive and the prosecution case proved.</p> <p>In passing sentence on the food hygiene offences the District Judge stated that she was satisfied that the offences were committed with high culpability and posed a serious and imminent risk to the public. There was a significant infestation of mice, and the property was in a poor condition with numerous access points for pests. She also accepted that the company Director was of clean character, had only just taken over the business before the offences and had pleaded guilty to the majority of offences at an early stage.</p>	
9	8.2.24	Officers had visited the Cardiff store in February 2022 and	The company was fined a total of £1800 and ordered to

	<p>seized a quantity of non-compliant vapes. The business signed a voluntary surrender for the goods and received a warning letter and guidance. In February 2023, Officers made a test purchase of an ENE Legend 3500 puffs blueberry pomegranate disposable e-cigarette. A number of e-cigarettes were on display which appeared to be compliant, however the salesperson reached underneath the counter to get the ENE Legend vape requested by the test purchaser. This was non-compliant, and Officers seized a total of 142 non-compliant e-cigarettes, which were all located beneath the counter.</p> <p>In June 2023 officers sent a fifteen year old female volunteer into the store with instructions to attempt to buy an e-cigarette. The volunteer went to the cash desk and was sold a pink grapefruit Elfbar. She was not asked any questions to verify her age.</p> <p>In court, the company pleaded guilty to 2 offences of supplying a disposable electronic cigarette with a tank capacity greater than 2ml, contrary to Regulation 36(2) of the Tobacco and Related Products Regulations 2016 and to one offence of supplying a nicotine inhaling product to a person under the age of 18 years contrary to Regulation 3 of The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 and Section 92 of the Children and Families Act 2014. The company Director also pleaded guilty to the one offence concerning the underage sale.</p> <p>In passing sentence on the vape offences, the District</p>	<p>pay costs of £620 together with a court surcharge of £720.</p> <p>The company Director was fined £153 for the underage sale offence and ordered to pay costs of £620 together with a court surcharge of £61.</p>
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		Judge concluded that there had been a large number of non-compliant e-cigarettes, and a risk to the public from large capacity vapes. The defendant had not put in place an adequate system to avoid underage sales and staff hadn't been trained.	
10	9.2.24	<p>Following a complaint by a tenant, SRS Officers carried out an inspection at a 2 storey, Victorian end of terrace Cardiff property that has been converted into four self-contained flats. The inspection confirmed that the property had:</p> <ul style="list-style-type: none"> • no fire alarm system • defective fire doors • inner rooms with no escape route • unsafe kitchens, • penetrating damp • filthy stair carpet • unprotected electricity meters • unsafe windows, and • unsafe electrical installations <p>Five Improvement Notices under Part 1, Housing Act 2004 were served on the landlord, detailing works to be completed by March 2022. As the works were not carried out, proceedings were taken against her back in 2022, resulting in a £10,400 fine after pleading guilty in the</p>	The defendant was fined £20,000 and ordered to pay £1,000 towards the Council's costs together with a victim surcharge of £2,000.

		<p>Magistrates Court.</p> <p>Following that initial prosecution for failure to comply with the improvement notices, further visits to this property were subsequently carried out and it was established that the works had still not been completed.</p> <p>In the most recent proceedings for the ongoing failure to comply, the landlord pleaded guilty to the five offences but claimed that two of the tenants had been hostile and abusive towards her husband.</p>	
11	9.2.24	<p>The defendant, a rogue builder, appeared at Cardiff Crown Court after previously pleading guilty to one count under section 9 of the Fraud Act 2006. The particulars of the offence were that between 23rd November 2021 and 22nd July 2022 the defendant was knowingly a party to the carrying on of a home improvement/building business, which was carried on for a fraudulent purpose, namely the dishonest obtaining and conducting of work by:</p> <ul style="list-style-type: none"> • Presenting as a competent and professional builder when he was not • Claiming he was in a position to undertake contractual work at various addresses when he was not, • Grossly overcharging for work • Claiming work was required when it was not • Carrying out poor quality work • Claiming he would use money paid for a specific 	<p>The defendant was sentenced to 5 years imprisonment which was reduced for credit to 3 years and 9 months' imprisonment for the fraud offence. and 8 months' imprisonment for the firearm offence to run consecutively so giving a total of 4 years and 5 months. The judge was not able to award compensation to the victims as there were no funds.</p>

		<p>purpose but failing to do so</p> <ul style="list-style-type: none">• Failing to complete work despite being paid to do so• Refusing to provide refunds when customers were entitled to and requesting them• Making unwarranted demands from customers for payment to which he was not entitled• Sending threatening/inappropriate communications to consumers <p>The defendant had taken £113,000 from 4 victims and left them at a significant financial detriment. A building surveyor provided a detailed assessment of the properties worst affected, with two of these being deemed unsafe as a result of the actions of the defendant. The only work of value that had been carried out on one property was rendering to the second elevation.</p> <p>Victim impact statements were read out to the court, detailing how the defendant had used pressure tactics by threatening to stop work if further monies were not paid, not doing work because he claimed to be unwell, taking monies for kitchens which he never ordered or provided and even threatening to instigate legal action against his victims when they challenged him on work not done or goods not provided.</p> <p>Victims were caused enormous stress and anxiety, suffered from insomnia, and they were left out of pocket and in poor health due to the poor living conditions they were left in. Victims were 'ranted at' for more money by the defendant and were forced to borrow money to get the</p>	
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		<p>remedial works completed. Victims were left devastated and stated that hiring the defendant was the worst decision they had ever made. Compensation requests were applied for in relation to each victim.</p> <p>The defendant was also present in court for sentencing in relation to a police matter in relation to one count for possession of an imitation firearm. This offence had taken place whilst the defendant was on bail for the SRS fraud offence.</p> <p>In mitigation the court was told how the defendant had been a hard-working builder who had become overwhelmed by personal problems and had taken on too much work. He was overstretching himself and had strayed into criminal activity. He has long standing problems with gambling and alcohol, and this is where all the money had gone.</p> <p>In sentencing, the Judge stated that whilst it is accepted that he became overstretched and overcome by personal problems, that was of little comfort to his victims. He had failed to deliver what he had promised to do and had left chaos behind. He has caused considerable detrimental impact on the victims who were left with significant financial difficulties as a result of his shoddy and dangerous work.</p>	
12	14.2.24	The court heard how the defendant engaged in misleading and fraudulent trading practices in his dealings with his customers. They had been left out of pocket as a result of work not being carried and also the materials that they had	The defendant was sentenced to 22 weeks imprisonment, suspended for two years. He was also required to attend an alcohol treatment programme for 6 months and was subjected to a Community Order

		<p>paid for not having been purchased.</p> <p>As well as the financial pressure inflicted on the customers by his practices, the defendant did nothing to assist with the investigation or provide any resolution for those affected. Although all the victims were known to the defendant, he treated them as a rogue trader would treat any of their victims, giving them excuse after excuse for why work was yet to commence and how he would repay what he owed. None of his promises came to fruition.</p>	<p>requiring 100 hours unpaid work.</p> <p>Compensation orders were awarded to the three victims in the sums of</p> <p>Victim 1: £2,850</p> <p>Victim 2: £1,260</p> <p>Victim 3: £2,610</p> <p>He was also ordered to pay costs of £300</p>
13	15.2.24	<p>At a previous hearing, both the defendants had been found guilty in their absence in respect of an offence under the Animal Health Act for failing to retain Animal Transit Certificates (ATCs).</p> <p>The defendants, a married couple, had run an animal transport service from their home in Bridgend and carried pet animals across Ireland, the UK and Europe. SRS Officers had reason to attend the couple's property in connection with an application they had made to become approved pet boarders. During the inspection, they were asked to produce to the authorised Officer all Animal Transit Certificates (ATCs) for the previous twelve months but they were unable to do so.</p> <p>In mitigation, the court was told that the couple had brought animals over from Ireland and had been informed by officials in Ireland that they didn't need the certificates once they had crossed the border. The trauma and stress</p>	<p>The magistrates fined the husband £507 and ordered him to pay costs of £250 together with a court surcharge of £203.</p> <p>In addition, his wife was fined £120 and ordered to pay costs of £250 together with a court surcharge of £48.</p>

		of the business had affected their marriage and they had split up for a while but are now reunited.	
14	23.2.24	<p>As a result of an earlier SRS investigation into illegal dog breeding in Cardiff, the defendant was disqualified under the Animal Welfare Act from keeping any animals, dealing in them, owning them, keeping them, participating in keeping them and from being party to an arrangement under which he was entitled to control or influence the way in which they are kept, transporting them and arranging for the transport of them. That disqualification order was imposed by the court in July 2021 for a period of 8 years.</p> <p>The court heard that while investigating another illegal dog breeder, SRS Officers established that the defendant had breached the court order in June 2022. Mobile phones had been seized from the home of the other alleged illegal dog breeder and messages from these mobile phones were downloaded. Those messages involved the defendant in the current case, and indicated that he had been dealing with animals including being involved in the sale of puppies for £12,000.</p> <p>The defendant pleaded guilty to one charge of breaching his disqualification and the defence asserted in mitigation that this had been an isolated incident, as the defendant now earns his income from buying and selling cars as he is no longer involved in dog breeding.</p> <p>In sentencing, the District Judge told the defendant that he knows what he used to get up to and he won't be given a chance like this again if any further evidence comes to light</p>	The defendant was fined £1000 and ordered to pay costs of £590 together with a victim surcharge of £400

		that he is involved with animals.	
15	28.2.24	<p>As a result of a complaint, SRS Officers found tenants living in dreadful conditions at a Cardiff 3 storey mid terrace Victorian property which had been converted into 3 self-contained flats. Numerous hazards were identified, and these included</p> <ul style="list-style-type: none"> • damage to the front door allowing entry by intruders • intumescent strips and smoke seals were either missing or had been painted over • gaps between the doors and frames to all the flat doors • the detector head was missing from the second floor flat lobby area which contributed to a Fire Safety hazard • damp was also affecting the rear of all the flats due to defective external quoins • in two of the flats the cooking facilities were inadequate as a result of cooker control knobs being missing and a broken ignition to the gas hob • when turned on, the electric oven in the first floor flat tripped out the electricity supply to the property • hazards such as falls on stairs, falls on level surfaces, electrical safety, collision and entrapment were also identified. <p>In February 2022, the landlord of the property was served with a formal improvement notice under Part 1 of the Housing Act 2004. The notice required the necessary</p>	The defendant was fined £5,950 and ordered to pay costs of £3180 and a victim surcharge of £2000

		<p>works to be carried out no later than 9th June 2022.</p> <p>However, when Officers returned to the property on 17th August 2022, it was clear that the vast majority of the hazards remained, and as a result, an investigation followed, leading to the defendant being charged with failure to comply with the improvement notice.</p> <p>The Judge acknowledged the aggravating factors in the case and took this into consideration in sentencing.</p>	
16	29.2.24	<p>The defendant in this case is the landlord of a 2 storey, end of terrace Victorian property in Cardiff, which has been subdivided into four self-contained flats. It was later established that this conversion was carried out without planning permission or the involvement of Building Control.</p> <p>In April 2023 South Wales Police contacted South Wales Fire and Rescue Service as a result of concerns about the property. The Fire Service was advised that the fire alarm was not working, fire doors were defective and there were flammable materials in the common escape route.</p> <p>An initial inspection was undertaken between officers of the Fire Service and of the Housing Enforcement service area. This visit revealed that the property entrance door was insecure and accessible by intruders, and the electricity supply to the entire building had been disconnected by the electricity supplier due to attempts to bypass the meters.</p> <p>As a consequence of this, the property had no functional</p>	<p>The defendant was fined a total of £37,000 and ordered to pay costs of £461.84, together with a victim surcharge of £2,000.</p>

	<p>fire alarm, none of the flats had any heating, lighting or power for fridge freezers, cooking, etc.</p> <p>Further inspections of the property identified that</p> <ul style="list-style-type: none">• the fire doors to the flat entrances were defective and/or incomplete• the electricity meter cupboard was not properly protected from fire• there were flammable materials in the hallway• kitchen facilities were unacceptable and unsafe, and• there was a rodent infestation. <p>As a result of category 1 hazards being identified in the property and all four flats, Emergency Prohibition Orders were then made under Part 1, Housing Act 2004. The effect of these Emergency Prohibition Orders was that <i>the tenants of the flats were required to move out immediately.</i></p> <p>Notices under Section 16, Local Government (Miscellaneous Provisions) Act 1976 and Section 235, Housing Act 2004 were also served on the defendant requiring him to provide information regarding persons having an interest in the property and documents relating to the electrical installation, fire alarm, etc. However, these notices were not complied with.</p> <p>The defendant was prosecuted for failure to comply with the Licensing and Management of Houses in Multiple</p>	
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		<p>Occupation (Additional Provisions) (Wales) Regulations 2007, and for failure to comply with the Section 16 and Section 235 notices served upon him.</p> <p>He did not attend court and was found guilty in his absence.</p>	
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