

# InBrief

News from Gloucestershire County Council Trading Standards Service

Spring 2008

## Eddie Unveils New VISION

**On his first day as the new Head of Trading Standards, Eddie Coventry officially re-launched our VISION food hall project at Brockworth Enterprise School.**

VISION (Virtual Interactive Shopping Information ONline) is a web based food and nutrition tool centred around the Food Standard Agency's eat well plate. The site has been up and running for a while but it has recently undergone a radical refurbishment. We hope the new site will be used as an educational tool in promoting eating a balanced diet and cutting obesity in both children and adults.

Visitors to the site have a choice of either exploring the virtual food hall or taking up the "Are you Balanced" Challenge. When exploring the hall, all of the food, both on shelves or virtually manned counters, is linked to pop-up text boxes that give more



Pupils explore VISION while Eddie looks on.

details on the item highlighted. In challenge mode, the user is asked to select items they would typically choose to eat during one day, then they are graded on how balanced their selection is. Points are awarded for selections and we are offering a prize for the first month for whoever scores highest.

Eddie commented: "I am delighted to be involved in such an exciting project and I would like to thank Brockworth School for allowing us to share this with them. This website is about raising awareness of the issues surrounding food and balanced diets and I believe it has the right ingredients for success. Community leadership is one of Gloucestershire County Council's key aims and helping people to help themselves with tools like this website demonstrates our commitment."

Cllr Will Windsor Clive, cabinet member with responsibility for Community Safety, added: "Trading Standards has always been concerned with food composition and labelling and this excellent resource encourages people to look at food labels to make informed choices."

### A Steady Hand

We extend a warm welcome to Eddie Coventry who takes over from Roger Marles as Head of Trading Standards, Registration and Coroners Service.

Eddie comes to us from the Emergency Management Service which under his stewardship led Gloucestershire's seven councils in March last year in a successful bid to achieve Beacon Status, a prestigious national award recognising the way they plan for and respond to major emergencies. In announcing Eddie's appointment Terry Standing, Community Safety Group Director, said: "It goes

without saying that trying to find a replacement for the excellent job carried out by Roger Marles was

never going to be an easy one. It has always been my intention to find the right person to continue the good work progressed by Roger and to continue to support and develop staff in exactly the same vein. I am confident Eddie's experience will ensure a smooth transition and I know you will join with me in congratulating Eddie on this important appointment."



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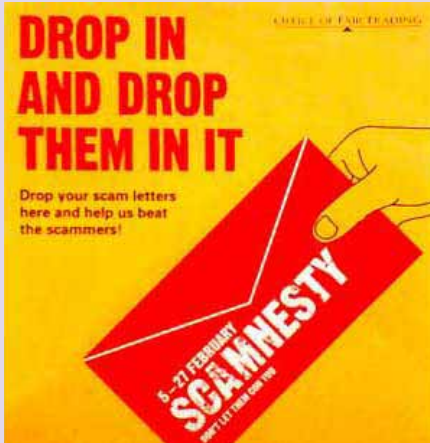
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**As part of a national campaign to tackle scams we asked consumers in February to drop scam mailings in special 'Scamnesty' collecting boxes across the county.**

Every year an estimated three million people fall victim to mass marketed scams such as bogus lotteries, deceptive prize draws and sweepstakes, fake psychics, get-rich-quick schemes and miracle health cures.

Many of these scams are sent through the post, as well as by email or over the phone, and target the elderly and vulnerable. Research suggests that less than 5% of victims report the scam to the authorities.

As part of Scams Awareness Month, the Office of Fair Trading (OFT), in partnership with over 50 local authority trading standards services, asked members of the public to collect any potential scam mailings they have received and drop them into designated 'Scamnesty' bins or boxes at local libraries and other public areas across the country.

We regularly receive enquiries about prize draw mailings and other scams. While a lot of people have come to recognise scams there are still many who fall prey to these exploitative mailings.

Among the assortment of toffee papers collected in the bins we also collected a large quantity of junk mailings, including 80 from one consumer, received over a two week period.

These have been forwarded to the OFT which hopes that gathering such mailings from all over the country will provide crucial intelligence to help inform future investigations, and prevent others from being scammed.

# The ADVICE SQUAD



More examples of complaints and enquiries resolved by our consumer advisers



## laptop warranty lapsed

A consumer bought a new laptop, which developed a fault with the hard drive a year later. The manufacturer and the retailer said he would have to pay for a repair as it was out of warranty.

On our advice he asked the retailer in writing to test the computer.

The test revealed faults but the consumer was not happy with the retailer's insistence that he pay for a repair first and reclaim later. After Liz contacted the company they agreed that as the product was faulty the cost of repair should be borne by the retailer.

Any product you buy should last a reasonable time so a claim that it is defective can be made after the guarantee has expired. If the seller disputes the claim, proof will be needed that the goods are faulty and have failed prematurely and this may need an independent report by a person with skill and knowledge in the particular product.



## sofa no good

A Gloucester consumer noticed the colour of a new sofa was fading less than six months after purchase. Although the shop inspected the furniture and agreed to replace it, the replacement did not arrive as the manufacturers refused to accept the sofa was faulty.



An expert report can be needed where a problem is disputed. It is always worth telling the trader of your intention to obtain an independent report in any dispute especially if you intend to use this as evidence in a potential court claim.

The finance company accepted the manufacturer's verdict and refused to help. John advised the consumer that he would need an independent expert's report, which confirmed a manufacturing defect. The company would not accept the report, and only after our advice that the

consumer should state in writing his intention to start legal proceedings, did they agree to replace the sofa.



## the wrong box

A consumer ordered a toolbox on the internet. When it had not arrived within the promised 7 day

delivery period he emailed to exercise his right to cancel. The toolbox arrived a week later, but was not as described, and the trader would not give a refund or respond to the consumer's letters. Paul contacted the trader who refused to discuss the matter even after Paul sent photos to demonstrate that the product was not as shown on the website and that when the package was opened the product was found to be faulty. The trader also refused to give the proper name and address of the business. We advised the consumer on taking legal action. After sending the goods back and writing a letter before action he finally received a refund.

The trader was in breach of the Sale of Goods Act and the Distance Selling Regulations. His refusal to give business ownership details is a criminal offence under the Business Names Act. The details have been sent to the trader's local trading standards service to assist them in any action they are able to take.





## briefCASES

a snapshot of some of the cases brought before the courts since the last issue



### Cruelty to Cattle

A farmer was banned from keeping livestock for five years and ordered to pay £10,000 when she appeared before Cheltenham Magistrates on 14th March 2008, following an investigation by Animal Health Inspectors.

The farmer was convicted of five charges of causing unnecessary suffering to cattle and a further four charges relating to the way the cattle were kept. She is the third member of her family to be banned from keeping animals.

Her parents are both disqualified after being found guilty of animal cruelty.

### Counterfeiter in Court

A Birmingham man was found guilty on 9 counts of possession of counterfeit goods in a case involving officers from Gloucestershire and Birmingham Trading Standards and West Midlands Police.

The fake goods included clothing with designer names such as Dolce and Gabanna, Kangol, Burberry and Quicksilver, and had an estimated street value in excess of £13,000. The Judge awarded full forfeiture of the fakes for destruction and has asked for reports on the defendant before sentencing.



### Second Sting at Stores

Two cases of shops selling alcohol to children have resulted in court appearances. The owner and licensee of Berry Hill News in Coleford appeared before Gloucester magistrates following a second failed test purchase at his premises. His staff sold alcohol to a 13-year-old female volunteer. Magistrates fined him £1000 and awarded costs of £500.

A Tewkesbury shopkeeper was fined £500 after his staff sold a bottle of Wkd Irn Bru to a 14-year-old female who was working under the supervision of Trading Standards Officers. Again this was the second time a sale had been made at his store, Northway News in Lee Road, Tewkesbury. Cheltenham magistrates also ordered him to pay £500 towards prosecution costs, and warned him that should his shop fail a further test purchase, then he could lose his licence to sell alcohol altogether.

## half term shopping



### Alcohol, cigarettes and knives were sold to children as young as 14 during the half term week.

Officers visited retailers in the county during the school holidays at the end of February to see if they would sell age restricted products to underage volunteers.

Two out of 11 shops tested in the Cotswolds, and another two out of 12 in Stroud made sales of alcohol to volunteers aged 14 and 15.

Another 11 premises in Cirencester, Stroud and Cheltenham were tested to see if they would sell knives and cigarettes. In Cheltenham, one shop sold cigarettes to a 15-year-old male volunteer, and another sold him a knife.

In the shops that made sales one seller was issued with an £80 fixed penalty notice, the others will face possible legal action, along with the owners of the shops.

However on a brighter note, although sales were made on each day of the operation, the majority of retailers asked the young people for proof of age.

# LORRYwatch news

The LorryWatch sign is now a familiar sight in Gloucestershire with the scheme running in twenty-five towns and parishes around the county.

The scheme, which has been in operation for six years, has helped to combat the illegal use of HGVs in areas protected by weight restrictions. These areas include those containing weak bridges,

schools, residential care homes, listed buildings or just built up areas that are unsuitable for large vehicles.

Now in response to requests for information on how the scheme is working in different parts of the county we are producing a new quarterly newsletter, the first edition of which should be landing on your mousemat very soon.

LorryWatch News contains a league table of the number of reports submitted by the top 10 members of the scheme, details of prosecutions undertaken and warnings issued last year as a result of members' reports, and a welcome to new members.

In addition each quarter we will be putting one of our LorryWatch scheme members under the spotlight, and the first edition features one of our oldest members, Mr Morgan who keeps an active watch on Fairford's Horcott Road. LorryWatch News is available on our website at:

[www.tradingstandards.gov.uk/glos](http://www.tradingstandards.gov.uk/glos)



## Commendation for flood campaign

The Trading Standards Service has been commended for its work in protecting flood victims from rogue traders. The service was selected from 173 entries in the local government magazine, the MJ Achievement Awards 2008, for a commendation. Our entry, Protecting Flood Victims from Rogue Traders, in the public protection category, narrowly missed out on a place in the national finals.

During the aftermath of the floods, concerns were raised about rogue traders or opportunist thieves posing as water officials targeting homes damaged by the water. We were keen to make

sure this did not happen. Our entry in the competition demonstrated how the county council worked with partners like the police, Severn Trent, Age Concern and Neighbourhood Watch to protect people from those who wanted to cash in on the crisis. Leaflets offering help and advice were distributed to all affected households, and press releases issued to the media warned flood victims if rogue traders were known to be operating.

The sixteen short listed projects will now go to a grand final ceremony in London's Hilton Hotel on 26<sup>th</sup> June which will be hosted by Channel 4 news presenter Jon Snow.



The Tewkesbury Food Festival is now in its fourth year and the two-day event attracted thousands of visitors who flocked to the festival's new site near the 12th century abbey to see and taste the wide range of quality local produce our region has to offer, ranging from cheese and sausages to chutneys and wines.

TV chef Paul Rankin and our own

Cotswold chef, Rob Rees, entertained visitors with cookery demonstrations throughout the festival, and chocolate artist Prudence Emma Staite demonstrated the art of chocolate sculpture. Officers from the food team attended the festival to showcase VISION, our web based virtual food hall, to a wider audience.

## more bogus collections



Once again we issued a warning in April about bogus clothing collectors targeting the county, after being contacted by members of the public who were concerned that collections being made on behalf of the Children's Welfare Foundation were not genuine. Contact with the charity confirmed that collections made in their name were not authorised.

Doorstep collections are a valuable source of donations for genuine

charities who rely on the generosity of the general public to raise money for needy causes. Bogus collections deny them this opportunity and may also result in profit making organisations benefiting from the intention of the homeowner to contribute to a good cause. Now the Charity Commission has produced an information leaflet in a drive to help people check whether a clothing collection is for charity or not. The aim is to ensure that people who want their donated clothes to go to a charity know what information to look out for on leaflets and bags that come through their letter box. The leaflet can be downloaded from the Charity Commission website at [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk).

## Farewell to Roger



**Roger Marles retired as Head of the Trading Standards, Registration and Coroner's Service in April after more than 40 years of service.**

Cllr Will Windsor Clive, cabinet member with responsibility for Community Safety, presented Roger with a certificate at a retirement party held at the Dark Barn in Rudford. Friends and colleagues past and present joined together to celebrate Roger's career, which began in 1967 when he took up a post with Plymouth Trading Standards, before joining Gloucestershire on 1<sup>st</sup> October 1974 on qualifying as a trading standards officer.

He was promoted to senior trading standards officer in 1983 and became head of service in July 2002. He also took on the role of Proper Officer for Registration in October 2005. During his time in trading standards Roger saw many changes in the profession and became an expert in the average quantity system, quality assurance, food law and wine fraud. He was among the first in the county to investigate counterfeit goods back in the 1980s.

Roger was well liked and respected by everyone who worked with him, and was a very popular boss. We wish him a long and happy retirement.

