

**NORTH LINCOLNSHIRE COUNCIL**

**NEIGHBOURHOOD, ENVIRONMENT AND COMMUNITIES  
CABINET MEMBER**

**YORKSHIRE AND THE HUMBER TRADING STANDARDS GROUP  
SCAMBUSTING TEAM**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

1.1 To seek approval to authorise members of the Yorkshire and the Humber Scambusting Team to operate within North Lincolnshire.

1.2 The key points in this report are as follows:

- the role of scambusting teams
- progress in establishing the Yorkshire and Humber Team
- the authorisations necessary for the team to operate across the region

**2. BACKGROUND INFORMATION**

2.1 In 2006 Government funded pilot scambuster teams to tackle rogue traders who operated across local authority boundaries. The focus was to be on real crooks who set out deliberately to defraud consumers across a large geographical area.

2.2 Activities targeted included doorstep traders, counterfeiters, prize draw scams and cowboy builders.

2.3 Following the success of the pilots, Government made available £7.5 million to set up scambusting teams in all of the regions.

2.4 The Yorkshire and Humber Trading Standards Group submitted a bid and in June the Consumer Affairs Minister agreed a three year funding package of £749,600 for the region.

2.5 The City of York Council is to manage the initiative and also provide a base for the team. Interviews have recently been carried out and a manager and three investigators appointed. It is anticipated the team will be operational by November.

2.6 For the team to be effective, they must be free to carry out investigations and enquiries across the region. Trading Standards staff are normally only authorised to take action with the boundaries of their

own authority. It will therefore be necessary for each authority in the region to authorise the scambusting team members to enforce specific pieces of legislation.

- 2.7 The issue of who should institute legal proceeding for offences investigated by the team has also been addressed in the protocol drawn up to govern the conduct and control of investigations. Two options are contained within the protocol, either delegating powers to institute legal proceedings to the City of York, or an authority retaining the responsibility for instituting proceedings. After consultation with the legal department, North Lincolnshire Council, will retain responsibility for instituting proceedings for offences committed in this area.

### **3. OPTIONS FOR CONSIDERATION**

3.1 There are two options for consideration:

- i) Option 1 – to authorise members of the Yorkshire & Humber Scambusting Team under the appropriate legislation to enable them to act in the same way as the council's Trading Standards staff.
- ii) Option 2 – not to authorise members of the Yorkshire & Humber Scambusting Team under any legislation enforced by Trading Standards.

### **4. ANALYSIS OF OPTIONS**

4.1 Option 1 would fully meet the objectives of the Government's scambusting initiative. It would enable the team to act independently without having to constantly call upon the resources of individual authorities. The protocol provides guidance on the conduct and control of investigations to ensure there is sufficient communication and liaison to prevent any problems.

4.2 Option 2 would mean the members of the Scambusting Team would always have to be accompanied by an officer of North Lincolnshire Council Trading Standards if they had to exercise any powers provided by the legislation. Whilst it is envisaged that on occasions there will be joint working, this option would appear to be wasteful of the additional resources offered by the Scambusting Team.

4.3 Option 1 is, for the above reasons, the recommended option.

### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

5.1 Financial

There will be no direct implications for North Lincolnshire Council as the project is fully funded by the Government and managed by the City

of York Council on behalf of and under the direction of the Yorkshire and Humber Trading Standards Group.

**6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

**6.1 Section 17 Crime and Disorder**

The additional resources have been provided to tackle serious consumer crime. One of the areas tackled will be rogue doorstep traders who have a link to burglary and distraction burglary.

**7. OUTCOMES OF CONSULTATION**

7.1 Discussions have taken place with Trading Standards staff both regionally and locally and there is general enthusiasm for the opportunity to tackle rogue traders who operate across local authority boundaries.

**8. RECOMMENDATIONS**

8.1 That the Cabinet Member approves the proposal to authorise members of the Yorkshire and Humber Scambusting Team to act within North Lincolnshire.

8.2 That the Service Director Neighbourhood and Environment, in accordance with delegated powers, authorises members of the Scambusting Team to enforce the provisions of specific legislation and approves any necessary protocols.

**SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENT**

Cottage Beck Road  
Scunthorpe  
North Lincolnshire  
DN16 1TS  
Author: M Osborne  
Date: 10.9.08

**Background Papers used in the preparation of this report**

BERR Offer of Funding  
BERR Press Release  
Protocol/Agreement between Yorkshire and Humber Trading Standards Group members