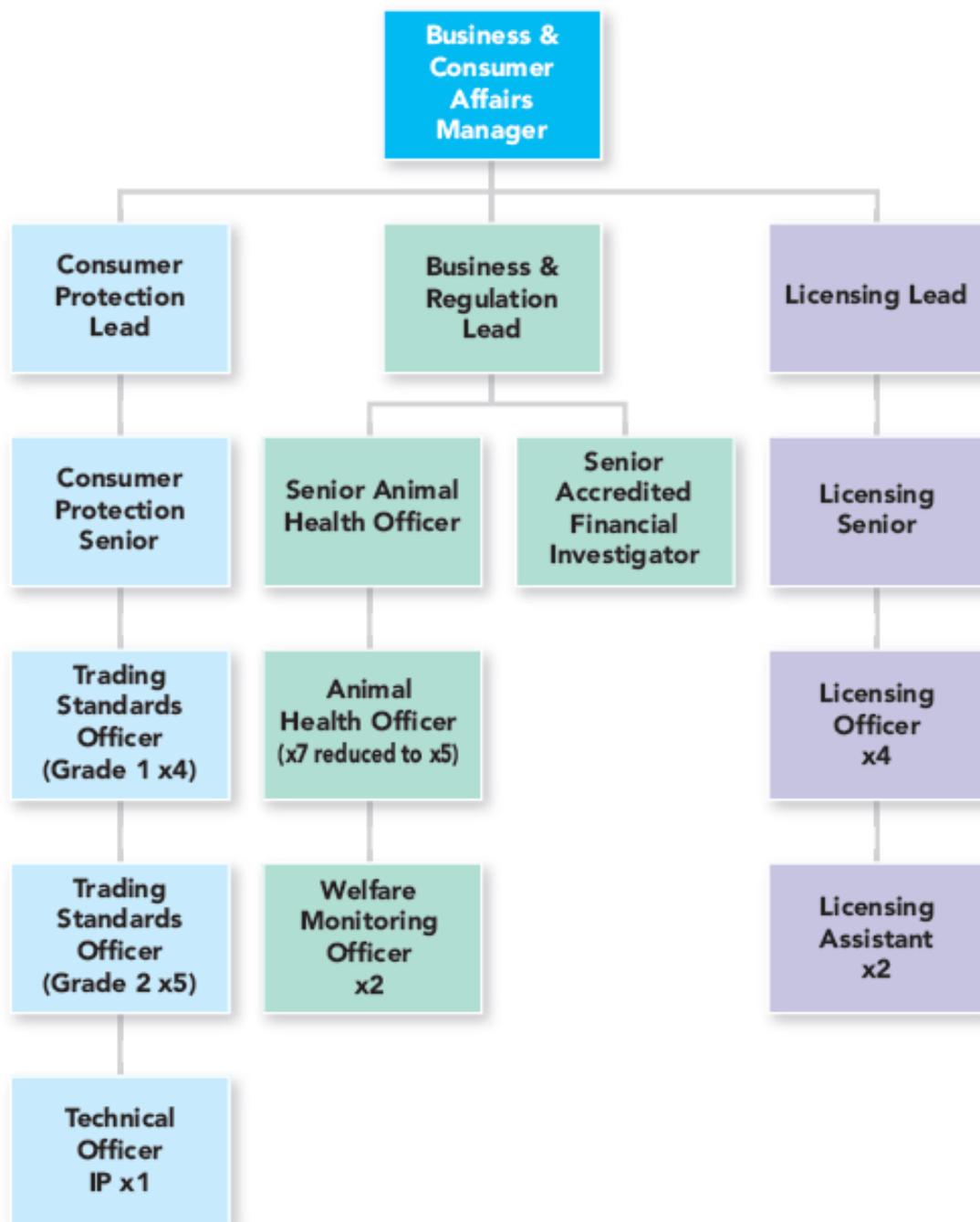


# Business And Consumer Affairs Section

Annual Report 2018-19

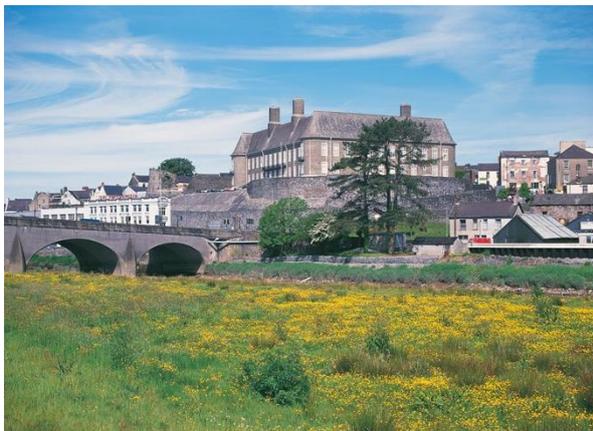


## Trading standards work

2018-19 has seen Trading Standards officers continue to balance longstanding work supporting Carmarthenshire businesses and encouraging economic growth with the vital task of ensuring the general public is always kept as safe as possible.

With the regulatory framework constantly adapting the team have also been approaching new ways of working and are increasingly drawing on exciting digital innovations to solve problems and find new operational methods.

The growing use of social media and internet transactions has signified that national issues relating to fraud and safety permeate through to the local scene far quicker and on a greater scale than ever before. Our Trading Standards Department is at the forefront of ensuring that Carmarthenshire residents are always given the best possible protection available.



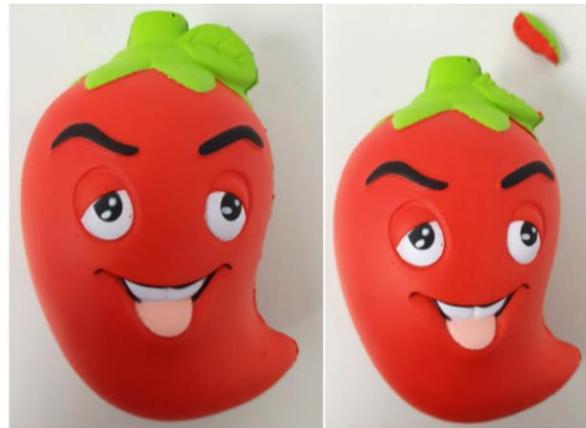
## Keeping the public from danger

Our Trading Standards team have a statutory duty to enforce over 100 pieces of legislation with many of these statutes being there to protect the health and wellbeing of consumers. Much of the work undertaken by our officers around product safety may appear low profile but is of very high value and importance and by sampling products being sold officers are able to test them against the relevant legal safety standards and ensure that any unsafe products are taken out of the supply chain as soon as possible.

Our dedicated Trading Standards experts have regularly advised local businesses about measures they should be taking when carrying out product recalls and withdrawals as well as providing help interpreting legislation and clearing up confusing information on how best to adhere to the various regulations in place. There have been **489** enforcement visits to premises by Trading Standards officers in 2018/19 often including vital sampling work carried out with the key purpose of safeguarding the public from danger.



There has been a particular emphasis on visiting second hand and charity shops over the past year as officers took on the important role of educating staff on what to look for concerning unsafe products. A new product safety checklist has been produced and supplied to all second hand shops on the county during inspection. Of notable interest to officers were any dangerous lamps, lights and other poorly assembled electrical items which could overheat and cause house fires or other potential injuries to consumers. All second hand shops that stock such products have rated as 'high-risk' and from 2019 onwards will be subject to annual routine inspections.



Protecting children from dangerous and toxic toys continued to be a high priority for the Service in 2018/19 as we sought to combat the growing numbers of unsafe or untested products entering the UK market from overseas markets, particularly China. With sudden 'crazes' for certain toys it is certainly a challenge to ensure these products are safe and legal before they take a hold in the country and end up being sold at local discount stores and markets. "Squishies" and slime-based products are prime recent examples of toys that have entered the UK market without relevant safety certificates and, in addition to the alarming safety aspect, this criminal behaviour impacts on legitimate businesses who pay their taxes and work hard to ensure they are selling safe and legitimate toys. **23** sampling visits have been undertaken purely concerning toy products in 2018-19 with numerous products tested as our officers clamped down on this growing menace to the younger generation of Carmarthenshire.

## Safety far and wide

Safety is a major concern for our Service in other areas that may not immediately come to mind when you think of Trading Standards or the risk to the public. We are all aware that the lack of regular sunshine in the UK guarantees millions jet off to sunny climes each year for their well-earned holiday. However, for many the desire to tan is satisfied by visits to a local facility offering a sunbed service and these can be located at a dedicated tanning salon, beauty salon, nail bar, hairdressers, gym, or health club. All operators of UV tanning equipment have a duty to comply with legal requirements and Carmarthenshire Trading Standards officers have been busy over the last year ensuring the equipment and service that operators supply is safe and does not present any risk to consumers. These premises have a clear duty of care towards the public and our officers have conducted thorough tests on **21** Sunbed premises in 2018-19 to check that equipment conforms to the correct UV level and that all other relevant

legislation and guidelines are strictly followed. As a result of these visits, two premises were issued with a withdrawal notices for having sunbeds with irradiation levels that exceeded the maximum output of 0.3 W/m<sup>2</sup>. At the first premises the sunbed emitted 0.48 W/m<sup>2</sup>, while in the second, emissions were in excess of 0.7 W/m<sup>2</sup>. To put that into context, the 0.3 W/m<sup>2</sup> safe limit for UV emissions from tanning equipment is based on scientific advice to European Member States, and it represents the intensity of the midday sun in the summer at latitudes including Darwin, Australia, and Colombo, Sri Lanka.



Petrol stations pose a risk to public health and safety due to the flammable nature of fuel and the harmful fumes that are discharged from the site. There is also the constant threat of serious damage to the environment through the risk of fuel spillage. As a result, Trading Standards is responsible for the certification of all petrol filling stations in the county and carry out health and safety compliance inspections at each premises on an annual basis. As well as ratifying safety procedures we also check petrol pumps to ensure that they are delivering the correct measure. By our officers carrying out these checks the public can have confidence that the volume of fuel dispensed is accurate, vital to the correct functioning of the economy and the promotion of economic growth. **47** premises have been inspected in 2018/19 to ensure petroleum is stored safely at our filling stations with **30** Petroleum Storage certificates being issued in Carmarthenshire over the financial year bringing in an income of **£5,383** to the Authority. These inspections invariably require some intervention from officers to ensure legal compliance, which includes advice on matters such as:

1. Wet stock management.
2. Electrical safety compliance.
3. Staff competence and training.
4. Site Maintenance. .
5. Risk assessments.
6. Site decommissioning.
7. Site Improvements.
8. Competency of Site Management

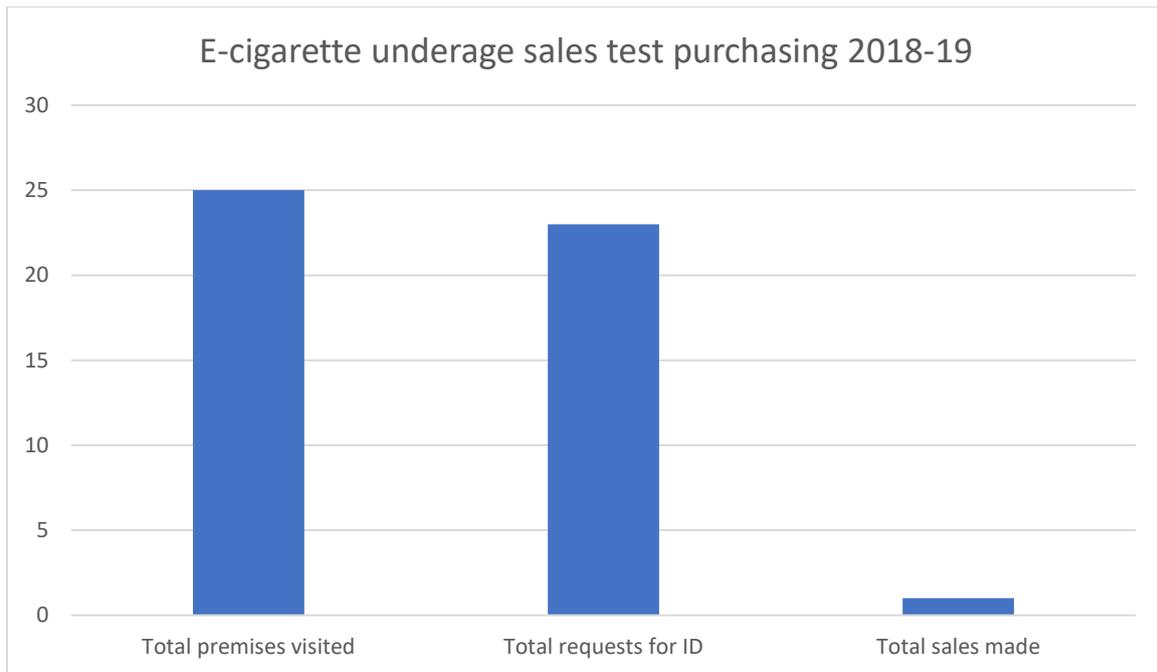
On the whole, this advice is minor, however thirteen of the 47 premises inspected required Critical Intervention by the officer, involving varying amounts of follow-up work and revisits to ensure ongoing compliance.



Fireworks and other mixed explosives provide a serious hazard to persons and property and there are strict requirements in place in relation to how fireworks can be stored. Qualified officers from our Section ensure that any premises storing fireworks are correctly licensed and that responsible people are carrying out all the relevant appropriate safety practices. **16** licences for the storage of mixed explosives in Carmarthenshire have been issued in 2018/19 bringing an income of **£2,286** to the Authority. Officers have also inspected **36** premises to ensure compliance and safety when storing fireworks (and other related mixed explosive products) not only throughout the Guy Fawkes period but also during the important festivals of Christmas, Diwali and Chinese New Year.

E-Cigarettes continue to be a growing and popular industry and officers from Trading Standards have been active in 2018/19 sampling products for the presence of undesirable substances and contraventions of labelling requirements. Compliance in this area is particularly important as these products have a growing attraction to younger consumers. Trading Standards have also done much work in tackling the trade in illicit and unsafe tobacco products. In addition to the loss of tax in this crime many of these illegal cigarettes contain harmful chemicals to the public or do not self-extinguish properly leading to a high risk of house fires.

In addition, underage test purchasing activities were carried out to ensure that businesses comply with the legal age restrictions place on e-cigarettes and associated paraphernalia. This involved a 15-year old volunteer attempted to purchase e-liquid in 25 premises across the county. The results of this exercise were pleasing:



## National concerns

It has been hard to escape the torrent of knife crime related stories over the last year and it has been chastening to see the terrible impact on lives these horrific acts can have. Whilst Carmarthenshire has escaped the worst of these incidents our officers refuse to be complacent and undertook a joint operation with Dyfed Powys Police, visiting relevant businesses in the county to raise awareness of the threat these weapons pose and advise on the legislation surrounding age restrictions of these products.



Improving safety on our roads has always been a paramount national concern and it is important to stress the work Trading Standards officers do in ensuring that the motor vehicles sold in Carmarthenshire are of the highest possible standards. Car Dealerships have always been a contentious trade sector and our officers have followed-up **114** complaints and service requests in 2018/19 as we strived to embed good practice in this important sector. Our staff

have used their specialised knowledge relating to practices in the motor trade to educate both new and existing car dealers of what is expected and required by law. This sector remains on the high-risk inspection programme, ensuring that all car dealers receive annual routine inspections, during which the accuracy of vehicle history information and advertising is checked, standard pre-sale safety checks are scrutinised and consumer complaints addressed, where applicable. In order to raise consumer confidence in this sector further, the top performing dealers (i.e. those with one or less complaints) were invited to join the new Buy With Confidence Trading Standards Approval Scheme.

## Benefit to business

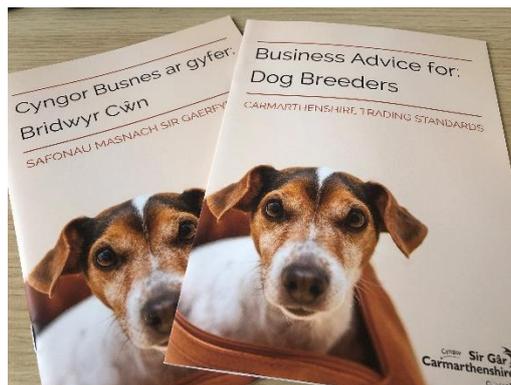
We can see that a major priority of the section is to protect the well-being of Carmarthenshire people by ensuring their safety on a day-to-day basis. However, by taking action to produce a fair and safe trading environment we are also supporting the legitimate businesses of the county to grow. Economic development is the driving force of successful communities and if Carmarthenshire businesses feel free to flourish and prosper then employment and other benefits naturally follow. Our Trading Standards regulation keeps markets fair and ensures that criminality, be it from unsafe goods or from practices that disadvantage consumers, does not impact on the clear majority of Carmarthenshire businesses that wish to adhere with the law.



As part of our aim to support legitimate businesses, as well as providing the best possible protection for the public, our officers have been busy making sure the first year of our Buy with Confidence Scheme has been as successful as possible. Over the 2018/19 period we have received **22** applications from local businesses to join the scheme which enables reputable traders and firms to be inspected and approved by our officers and placed on a publicly accessed database. With **10** businesses already ratified and licensed during the financial year following a thorough audit process this has not only provided a new income stream for the Authority (**£1175** for 2018/19) but also given the public increased confidence in Carmarthenshire traders and helped prevent unlawful fraudsters from carrying out their iniquitous plans.

In addition to routine metrological work, such as calibration of equipment in the metrology lab and on site at business premises, this year we negotiated the first service level agreements with local businesses for Trading Standards to provide all their metrological services rather than them contracting with independent verifiers. To date, contracts have been agreed with four Carmarthenshire businesses providing an income of **£4,240**.

Trading Standards Officers visited all licensed dog breeders to provide guidance on their rights and obligations under Trading Standards legislation in order to support those businesses that are operating within the law and give consumers more confidence in purchasing from Carmarthenshire dog breeders.



## Protection from scams

The 50+ Forum held at the Botanical Gardens, Llanarthne was used to promote the 'Friends against Scams' initiative and encouragingly **97%** felt they were more able to recognise a scam and **98%** knew where to get advice and report a scam following a visit to our stall and listening to our officers speak at the event. Knowing that Carmarthenshire will face increased demands from a larger older population over the next 20 years the importance of this preventative and educational work cannot be underestimated and has set a solid foundation for the department in the challenging times ahead.



The Financial Exploitation Safeguarding Scheme (FESS) was established by Carmarthenshire County Council in 2014 and continues to grow and prove its worth by facilitating for the early detection, intervention and prevention of financial abuse against vulnerable people in our area.

Our partnership work with the Social Care element of the Authority and our close relationship with **11** local Banks and Building Societies has led to Trading Standards officers detecting several vulnerable residents that were previously unknown to adult safeguarding teams as well as protecting **£454,700** from leaving these resident's accounts. This banking alert mechanism notifies our Trading Standards officers of large or suspicious cash withdrawals by elderly and vulnerable people where it is suspected a rogue trading offence may be taking place. Officers are then able to work alongside the Police in investigating and halting these transactions. All victims also benefit from the support network that we put in place to protect these people from further exploitation and the success of our scheme is evident from the fact 37 other Local Authorities in the UK have signed up to the initiative, all following Carmarthenshire as lead Authority.



As signatories to the National Trading Standards Board's Scams Hub we have undertaken visits to **65** victims of scams. Where appropriate, these visits have been done in conjunction with the police and/or Social Services to ascertain how serious the problem is and determine what ongoing support the victim requires. Such support ranges from implementing preventative measures, like the TrueCall call blocker, referrals to other sources of advice (e.g. Citizens Advice for debt advice) or ongoing emotional support.

The pervading menace of undesired telephone calls is something the section continued to negate in 2018/19 with the TrueCall project demonstrating its worth. To the average member of the public unwelcome telephone calls are an aggravating facet of daily life but to some they can devastate lives. A scam call can lead to loss of money, confidence and independence. People living with dementia can be particularly vulnerable to these calls as they can become easily confused and may forget any warnings they have received. The TrueCall project offers blocking equipment to those most vulnerable to nuisance and scam calls to eliminate the harm and distress they can cause. As well as dealing reactively with complaints and requests from concerned family members and friends, officers also worked with adult social care to identify those who would benefit the most from this technology. A total of 91 units have been installed, **9** of which were installed in 2018-19 in Carmarthenshire with **59,377** nuisance calls being blocked. This gives an immeasurable level of peace of mind to our clients and their families as well as an estimated saving of **£237,461** to the public purse in terms of the potential Social Care, Policing and NHS costs that are subsequently generated by these nefarious telephone scams.

# National Consumer Week

26 November - 2 December 2018



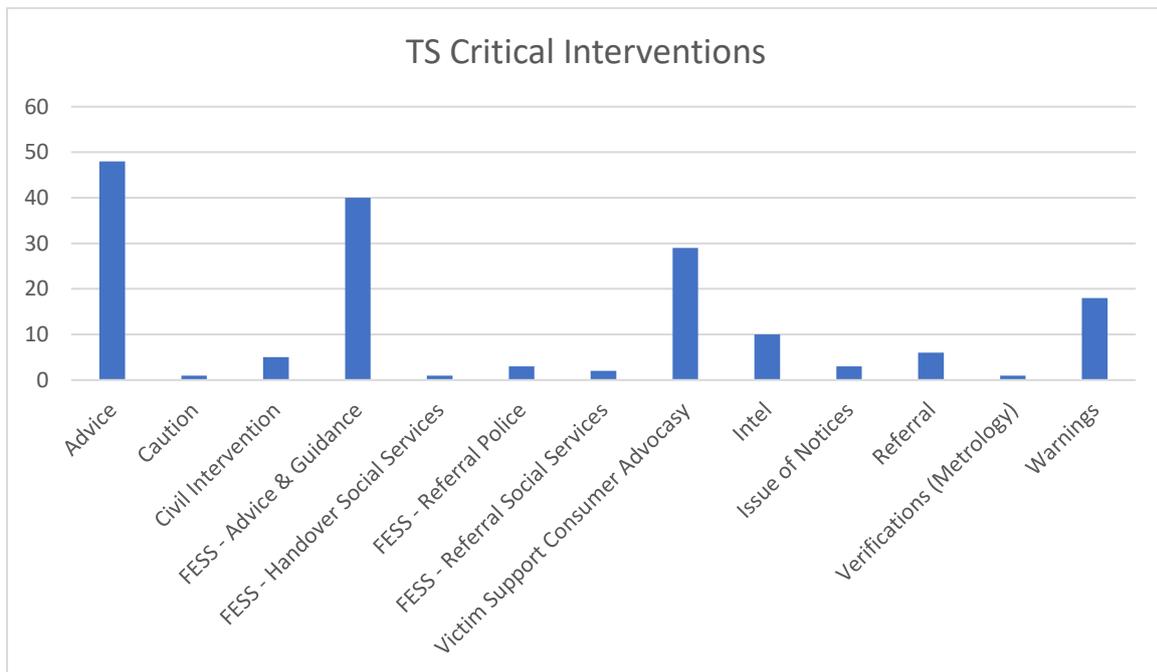
The Trading Standards Sections took an active participation in National Consumer Week 2018 which this year concentrated on internet market place rights. Officers visited local schools and libraries and educated both young and old on statutory rights and good practice in this growing area. A quiz was written and administered by our team using mobile devices and the latest cutting-edge technology in order to effectively get our message across and it is clear that this pre-emptive work pays dividends in the long and short term. Technology is also at the crux of much of our scam awareness work with officers' keen to warn the public of the latest cyber-related scams. Information relating to the latest tactics used by criminals is posted on the Carmarthenshire CC Twitter and Facebook pages and then cascaded via local press and newsletters in order that our warnings reach the largest possible range of local residents. Officers have also conducted 12 presentations to community groups and schools, reaching almost 400 individuals, and taken part in various 'Roadshow' events to further spread the word on how to be more scam aware.

## Tackling rogue trading

Doorstep crime is a category of rogue trading that is insidious by nature and can leave homeowners facing financial trauma, their confidence in tatters and their ability to live independently gravely diminished. As well as the harm caused to individuals, the money made from these acts has been found to fund organised criminal activities and has even been linked to modern day slavery. Our Trading Standards Officers have looked to counter this by establishing **56** 'No Cold Calling and Doorstep Protection Zones' and **1** 'No Cold Calling Village' in Carmarthenshire. In 2018-19, **2** new zones were created, with several more pending. These Zones offered great reassurance to residents and are also audited and regularly inspected by our officers who are committed to pursuing any offenders using all available resources. Furthermore, we have been approached by Dyfed-Powys Police regarding piloting No Cold Calling Zones on farms across the county with the aim of reducing the number of thefts on farms and unwanted door step sellers.



Through our partnership arrangement with the Citizens Advice Consumer Service and from contact directly from the public and other agencies the section has received **2,273** complaints and service requests in 2018/19 with **2,253 (99.1%)** being responded to within 10 working days. **167** critical interventions have been completed by the section, where officers have taken action to rectify a breach of legislation that might otherwise cause harm or present a risk to human health and welfare. A full breakdown of these interventions follow but many involve incidents when itinerant traders have been targeting elderly or vulnerable residents.



## Financial investigations

The Financial Investigation work undertaken using the powers granted by The Proceeds of Crime Act (POCA) 2002 grew in prominence and scope in 2018/19. Indeed, the unit has developed a Memorandum of Understanding with **8** fellow Local Authorities and began a close working relationship with FACT (Federation Against Copyright Theft) as it stretched its remit to include complicated cases involving intellectual property. This has all enabled our dedicated F.I team to not only use their skills to further assist the investigative process but serves to increase the prospect of claiming back more ill-gotten gains of criminality at the end of a successful legal endeavour. This confiscation of criminal benefit, particularly apparent in cases of fraudulent trading and animal disease contraventions, not only helps financially compensate the victims of the original offending but also sees money directed through to our Local Authority. This helps fund the Section's projects, programmes and enforcement initiatives in the continual and constant fight against crime.



Through legal cases that came to fruition in 2018/19 we saw **£113,495** of confiscation money assigned to Carmarthenshire County Council from **5** successful prosecutions. The considerable publicity these cases received showed quite clearly the real threat offenders now face of being hit where it really hurts – in the pocket. This acts as a clear disincentive to those thinking of perpetrating offences, benefitting the community as a whole as well as easing the workload of an already stretched law enforcement service. With a further **5** cases currently in the court system and many more at investigative stage there is no doubt that the rigorous work undertaken in investigating breaches of Trading Standards and Animal Health legislation is bringing much strong reward to the Department.

The favourable outcome of these cases in 2018/19 has also alerted other departments in Carmarthenshire County Council to the benefits and potential new approaches that Financial Investigation can bring. This encouraging development has already started to bear fruit and has placed a well-defined structure in place for the use of Financial Investigation methods within the Authority well into the future.

## Animal health section

Just a casual glance at social media or the national press and you will swiftly discern the eminence given to stories about animals and their health and welfare. A deep affection and regard for animals is indisputably entrenched in our national identity. Our Animal Health officers appreciate and embrace the responsibility they have in protecting animals in Carmarthenshire as well as making sure that animal welfare standards and disease control measures are maintained at farms and all other related premises.



2018/19 saw officers play a prominent role in enforcing the regulations which govern animal movements as well as advising farmers on how best to protect and care for their livestock. To achieve this, **45** enforcement visits have been made to farms over the year whilst Animal Health Officers have also carried out **178** inspections of markets, abattoirs, collection centres, showgrounds and high-risk farming units. Information is gathered, assessed and recorded at each of these visits embedding an intelligence-led culture across the section which proves vital in ensuring the service can strategically target where its efforts are truly needed.



Our officers are constantly primed and ready to respond to any potential disease outbreak in our locality and have formed strong and well tested bonds of communication with DEFRA and local APHA representatives. By being part of this Disease Control Centre hub, we are able to intervene and act at an early stage by liaising with both our partners and the local community to safeguard and inspect when there is a suspected case of animal disease such as Bluetongue or Avian Influenza. This ensures that any disease has the best possible chance at been curtailed before taking wider hold and it was certainly reassuring that in 2018/19 all

suspected disease outbreaks in Carmarthenshire were ruled out following inspections, sampling and lockdown procedures.

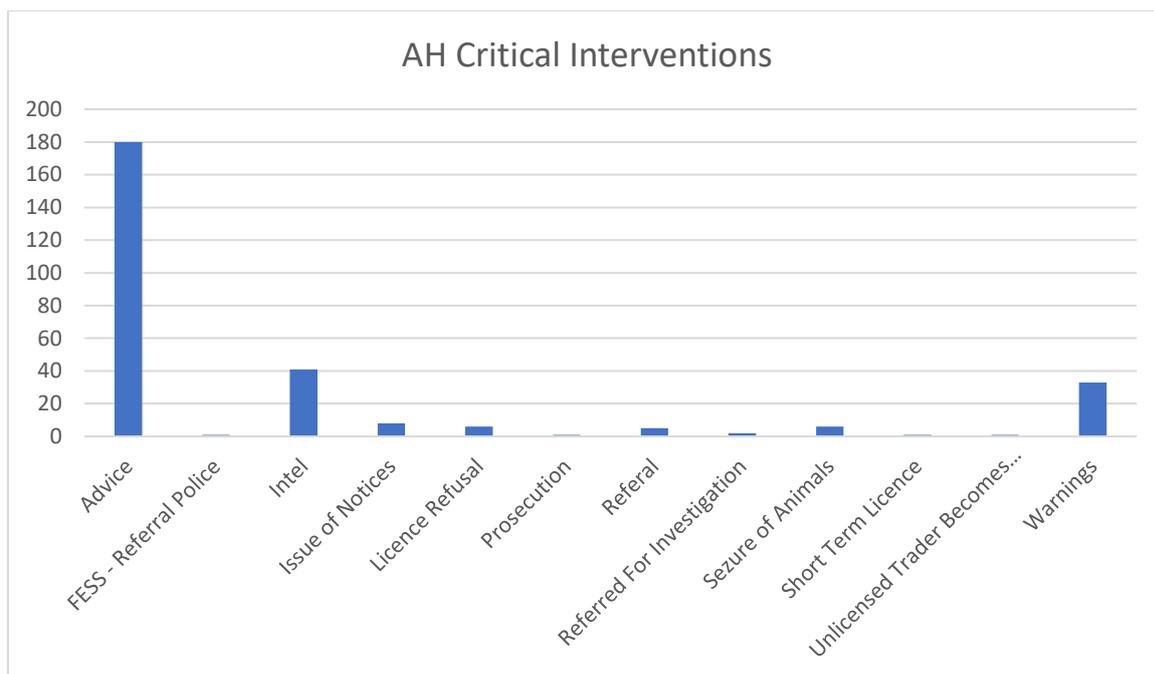
Perhaps the most worrying disease our officers must contemplate is that of rabies, a potentially fatal disease transmissible from animals (such as cats, dogs and bats) to humans. Carmarthenshire, in line with the rest of the country, has recently seen a rise in puppies and 'rescue' dogs coming to the UK from Eastern European countries where Rabies is endemic. To prevent the incursion of the disease into the area our officers have taken time to educate our local vets about fake pet passports and to stress the importance of contacting us if they have suspicions on any non-compliances with the rules.



Our Animal Health Inspectors also visit those properties which are known to have taken receipt of imported pets in order to carry out checks on passports and to scan the microchip present in all legal dogs to ensure no criminality is taking place. Maintaining the rabies-free status of the UK is vitally important to our team and with dealers using ever more nefarious tactics to get dogs into the country the importance of this work cannot be underestimated.



The Animal Health section received **630** service requests and animal related complaints from the general public and relevant agencies in 2018/19 with **608 (96.5%)** being acted upon within 10 working days. **285** critical interventions have been completed where officers have taken action to rectify a breach of legislation to ensure public or animal protection. These interventions are broken down as follows:



**31** complaints of animal suffering were additionally received by the section with 100% of these being investigated with within 1 working day. Indeed, the dedication of our officers to cases of animal cruelty and mistreatment can be seen in the fact that **4** successful prosecutions have been achieved by the section in 2018/19 with these cases garnering a mass of press attention showing that offences of these type will not be tolerated in Carmarthenshire.



The licensing regime of the Animal Health Section has seen **101** Dog Breeding Licences, **47** Animal Boarding Licences, **14** Riding Establishment Licences, **7** Pet Shop Licences and **1** Zoo Licence issued in 2018/19. This has brought in a cumulative total of £48,589 to the Authority. All the licences issued require at least one inspection visit by officers to ascertain the suitability of the premises and applicant to hold a licence with **172** licensing inspection visits undertaken by our officers in 2018/19.



## Dog breeding

1. At first contact, the service seeks to support the breeder by issuing advice and guidance in order to improve standards. Initially breeders are provided with an opportunity to comply over a period of time through advice and guidance. This process has a number of benefits in terms of striking a balance between regulation and support. This approach helps us where refusals/revocations are challenged by the trader in court, the authority can demonstrate that sufficient opportunity and support has been provided in the first instance.
2. Compliance with the licensing conditions is evaluated by means of a visit to the premises every 12 months. Breeders who are found to be compliant with the licensing conditions do not receive any further visits within the twelve month period, other than reactive visits in response to any complaints / concerns received. Non-compliant breeders will receive further visits until compliance is reached or formal action is instigated.
3. For consistently compliant breeders we have re-categorised as medium risk. This resulted in these compliant breeders being visited every two years which then released resources to focus on unlicensed and high risk licensed breeders<sup>1</sup>.

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<sup>1</sup> In line with the Government's Hampton review of enforcement activity

4. Where support and guidance fails to deliver improvements enforcement priority is set by risk based assessment. The assessment of risk will be based on animal welfare, living conditions, compliance with the dog breeding regulations, licensing conditions and to Trading Standards law.
5. During 2018/19, nine license applications were refused, compared with thirteen short licenses issued for remedial work, one suspension of license and one refusal appeal successfully defended within court.

These actions are in addition to four prosecutions for illegal dog breeding and the seizure of 11 dogs.

6. The Proceeds of Crime Act 2002 is seen as a key tool for the service to tackle illegal dog breeding. Where a criminal prosecution takes place the legislation allows the authority to apply to the court for confiscation of any monies made by illegal breeding and to reinvest into tackling such crime.

The service has, over the past two years, secured £275,000 in confiscations from illegal dog breeding.

7. In 2018/19, 873 proactive internet visits / monitoring for dog breeders took place. This monitoring highlighted 43 illegal dog breeders, all of which are currently being investigated.

Addressing the problem of illegal dog breeding has been a paramount concern in the section during the year and, through the diligent work of our staff, **7** new dog breeders have been uncovered and brought into the existing licensing regime over the 2018/19 period. This has contributed an initial income of **£3,417** to the Authority with further fees to be generated on an annual basis now these breeders are part of our licensing system. This work has the underlying benefit of increasing public and consumer confidence in both the legality and morality of the dog breeding industry of Carmarthenshire especially in wake of the much discussed 'Lucy's Law' which will bring more exacting regulation to the sector in the near future. This is something the section welcomes as our officers often feel hampered by the constraints placed upon them by current legislation which often does not provide the framework required to take action against dog breeders where it is most needed. In spite of this our officers are currently working on over a dozen potential criminal cases to help defy those people who feel they can evade the existing laws in this lucrative industry and place the health and wellbeing of both dogs and the public in jeopardy.

## Licensing section

Licensed businesses operating in Wales are regulated under numerous, diverse and complex pieces of legislation with this fragmented approach to regulation proving a great challenge for both new and existing businesses. The Licensing branch of Carmarthenshire County Council are constantly working towards making this process as easy and business friendly as possible whilst simultaneously ensuring the public receive exceptional levels of protection.



## Taxi and private hire licensing

The Licensing Section has a clear duty to ensure that the taxi and private hire trade in Carmarthenshire is always operated in a proficient and capable manner with the correct standards of safety satisfied by all licensed drivers, vehicles and operators. It is acknowledged that those licensed by the section are the biggest suppliers of transport for the evening and night time economy of the county and diligent monitoring of licensed drivers and vehicles contributes significantly to the safety of the travelling public during these times.

Particular awareness is paid to ensuring that all licence holders in Carmarthenshire are 'fit and proper' to hold a licence with all applicants undertaking a criminal records disclosure (DBS) to check for the existence and content of any criminal record. Applicants must pass a comprehension test, a Hackney carriage and/or private hire knowledge test, have a working knowledge of the law surrounding their trade and be familiar with the local district. Before granting vehicle licences, on-site examinations are conducted to ensure that the vehicle meets MOT standards and that certain other criteria are satisfied as set out in the current licensing conditions. Further proactive enforcement activity is undertaken by means of on street inspections, investigations and operator base visits to ensure compliance with legal requirements and licence conditions whilst ensuring the comfort, safety and appearance of all vehicles.

During the financial year 2018/19 the Licensing Section processed and issued:

- **568** Dual Drivers Licences
- **343** Hackney Carriage Licences
- **101** Private Hire Vehicle Licences
- **32** Private Hire Operators Licences

Officers undertake enforcement checks and carried out **348** vehicle spot checks and inspected **32** Private Hire Operator premises.

The areas our officers check on vehicles include:

- Tyres
- Lights
- Interior condition
- Bodywork condition
- Insurance certificate
- Driver and vehicle badges
- Meters (Hackney carriages)
- Fire extinguisher and first aid kit
- Rear and door plates
- Windscreen and rear window stickers.

Officers will take action against drivers of vehicles who:

- Unlawfully ply for hire • Drive without valid insurance
- Do not initiate the meter at the start of every journey (Hackney Carriages)
- Fail to wear or prominently display their badge
- Stand or wait on Hackney carriage ranks (Private Hire Operators)
- Obstruct or fail to comply with a request made by Authorised Officers or Police
- Fail to carry guide dogs
- Fail to report accident damage to the licensing service
- Fail to report convictions and other associated matters.

Due to the overriding commitment to public safety, the Section suspended **119** Vehicle Licenses and suspended **29** drivers in 2018/19 whilst **38** Licence holders/applicants were required to appear before the Licensing Committee for further determination. They also issued **8** Formal Cautions to Drivers and Prosecuted **2** Unlicensed Drivers.

## Safeguarding initiatives

The Section Safeguarding Training project for the Taxi Drivers of Carmarthenshire continued in 2018/19 and this joint initiative between the Council and Dyfed-Powys Police force saw **19** separate training sessions being organised with **474** Taxi Drivers being trained. The training sessions are tailored specifically for taxi drivers and give them the awareness and confidence to recognise potential issues such as Child Sexual Exploitation and County Lines as well as the information to know when and how to report such vital matters.

To ensure that this vital training could reach as wide range of people involved in the taxi trade as possible Carmarthenshire Licensing Team took the lead in producing a Safeguarding video that could be viewed by drivers, passenger assistants and all interested parties on their mobile phones, tablets or computers. This video has been adopted by Ceredigion, Powys and Pembrokeshire Councils with the cost of producing the film covered by funds raised by POCA investigations undertaken by the Financial Investigations Unit of Carmarthenshire County Council.

The success of this innovative idea and clear quality of the Safeguarding video is evident from the fact that the All Wales Licensing Expert Panel and the Directors of Public Protection Wales have recommended and requested that the video is made available for the whole of Wales, a wonderful testimony to the esteem this work is held in.

All these additional safeguarding measures will only help provide the travelling public in Carmarthenshire with even higher levels of safety and care. As the Welsh Government prepares to introduce wholesale reform of the taxi and private hire licensing law in the near future the section is well prepared to continue protecting the residents of Carmarthenshire in this vitally important area.



## Alcohol and entertainment licensing

The Licensing department of Carmarthenshire County Council is clearly committed to encouraging a thriving day time and evening licensed economy in order to benefit the county as a whole but will always refuse to tolerate premises whose activities infringe upon the quality of life for our local residents and businesses.

Entertainment Licensing deals with a variety of licences and registrations under a number of different laws with the main functions of the section falling under the Licensing Act 2003, legislation which seeks to control the sale of alcohol, provision of entertainment and late-night hot food and drink. Also falling under this legislation can be village halls, community centres and school halls holding events.

The section authorises **856** Premises Licences and **73** Club Premises Certificates throughout Carmarthenshire and **887** of these licensed premises and Clubs pay an annual fee which is administered and monitored by the department. Indeed, **76** licence suspension notices were issued for non-payment of this fee in 2018/19. There are also **2659** Personal Licences issued by the Authority with **116** granted this year

Over the year **190** Premises inspections and visits were undertaken by our officers with **268** licence applications determined by the section. Of those **7** were determined by a Licensing Sub Committee following representations. Committee refused one personal licence application as well as one premises licence application. The premises licence refusal was subsequently appealed to the magistrate's court who upheld the committee's decision to refuse the licence. A breakdown of the applications the section dealt with can be seen below.

- **21** Minor Variations of Premises Licence / Club Certificates
- **28** Grants of Premises Licences
- **61** Transfers of Premises Licences
- **4** Variations of Premises Licences
- **149** Variations of Designated Premises Supervisor Licences
- **1** Community Premises DPS Exemption Application
- **4** Film Classification Request.

It is abundantly clear that this responsible and meticulous work greatly enhances the vibrancy of Carmarthenshire throughout the day and well into the early hours, helping support the night-time economy of the region whilst also ensuring the safety of the public and residents at all times.



## Temporary events

Temporary event notices are a facility under the Licensing Act 2003 where people can serve a notice on the council that states that they will be serving alcohol, providing regulated entertainment or both of these things at a specific time. As it is not an application or permit, no permission is sought but there are strict limits to the number of temporary event notices someone can serve, for how long the event can run and the number of people that can attend. There is also the ability for either the Police or Environmental Health to serve an objection notice which would then lead to a hearing of the Licensing Committee to determine if licensable activities at the event can take place so it can clearly be a complex process.

During the year **451** Temporary Event Notices (TENs) were processed comprising of **334** Standard TENs and **117** Late TENs. Four notices were referred to Licensing Sub Committee for consideration following objections, with one counter notice being issued by committee to prevent licensable activities taking place under one of the notices

## Gambling, lotteries and collections

The section also licenses Gambling facilities under the Gambling Act 2005 which includes bookmakers, amusement arcades and casinos in addition to permits and permissions for any lotteries that are organised in Carmarthenshire.

In 2018/19 the section administered **310** Lotteries which each require the processing of annual fees / issuing of annual registrations and monitoring of Lottery Returns to ensure compliance with legislation.

A **173** Licensed Premises have in force Gaming Machine notifications in Carmarthenshire which allow them to have up to 2 gaming machines at the premises with **10** new applications being received during 2018-2019.



**71** Gambling related activities were also regulated, of which **26** are premises based. These include Betting shops, Horse Racing Track units, Bingo Halls and Amusement Arcades.

**26** Gambling Premises Inspections were undertaken in 2018/19 by our officers.

The Gambling Act 2005 also requires licensing authorities to review their Gambling Policies every 3 years and a statutory consultation process was undertaken between April and June of 2018. The authority also convened a meeting with the three other licensing authorities within the Dyfed-Powys area and worked along with Gambling Commission Policy advisers with a view to future collaboration during review processes. In light of this work a fully revised Gambling Policy document was produced and adopted by full Council in January 2019. This work has enabled us to take the lead in this area with our policy document being used as a reference and guide for the other three licensing authorities in Dyfed-Powys.



Another aspect of the sections work sees staff dealing with those who wish to set up charitable street and house to house collections under the jurisdiction of the House to House Collections Act 1939. Our officers issued **74** Street Collection Permits and **39** House to House Collection Licenses in 2017/18 in addition to issuing **57** Street Trading Licences for those wishing to use the streets of the county for commerce-based activities.

## Complaints and prosecutions

Whilst complaints are generally resolved through liaison with the relevant licence holder, in a situation where the complaint is substantiated and a satisfactory solution is not obtained, formal enforcement action may be necessary.

As well as 8 formal cautions issued to taxi drivers in 2018/19, the section also achieved a successful prosecution relating to two men dressed as Father Christmas and his friendly elf who were seemingly collecting money for the charity Mind. These men were actually keeping the money for themselves and the work of Licensing helped ensure that this particular 'Bad Santa' will not be deceiving the people of Carmarthenshire any time soon with a total fine and costs of £1,548.22 being granted by the court. This story was picked up by a number of media outlets and is due to feature on Series 3 of the popular BBC programme 'Defenders UK'.



Another productive investigation for the Licensing Section came when the owner of a Carmarthen taxi firm was prosecuted for picking up fare-paying passengers without a licence and in an unlicensed vehicle. Despite pleading not guilty, the owner and his firm were found guilty of all offences and handed fines and costs totalling over £2,500 with eight penalty points also added to the defendant's driving licence.



Enforcement work like this gives a clear message to miscreants that Carmarthenshire County Council will not indulge their law-breaking methods and Licensing Officers will continue to take positive and strong action whenever they encounter offending in the future.

## Projects and initiatives

Building on the Taxi Driver safeguarding work of the Section, officers have been working with the Police, the Security Industry Authority and the Gambling Commission to launch a new safety initiative for persons working in the night time economy.



The aim of the initiative is to offer safeguarding awareness to licensees, door supervisors and premises staff and training sessions have already been held in Carmarthen, Llanelli and Ammanford. These sessions highlighted the different ways and reasons people can become vulnerable and covered topics such as Modern Slavery, Child Sexual Exploitation and County Lines. Attendees were also made aware of helpful schemes and projects such as 'Ask for Angela', 'Behave or Be Banned' and the 'White Ribbon' campaign.

The Police are keen to expand the project to cover the whole force area and representatives of all local authorities in Dyfed-Powys are now participating in the project. This safeguarding training can help identify anti-social behaviour at an early stage and by working in liaison with venue owners, door staff and emergency services we can help ensure Carmarthenshire is an attractive, welcoming and safe place to be at night.

One of the undoubted highlights of the year was National Licensing Week, a national awareness raising week promoted by the Institute of Licensing (IOL). This year we arranged to undertake joint visits to licensed premises alongside Police Officers and 39 premises were visited in just 4 days to ensure important Licensing legislation was being complied with. These premises were spread over all Carmarthenshire and issues were perceived and acted upon in Ammanford, Llanelli, Burry Port, Kidwelly and Carmarthen.

## NW National Licensing Week

Promotional work is a fundamental part of National Licensing Week and in conjunction with the Four Counties Licensing Group, the Licensing Section updated a number of bilingual short video films they had previously produced which give guidance to those wishing to hold events, especially regarding the authorisations required and how to apply for them. These are now available on our licensing web pages and show our commitment to being accessible and business friendly throughout our work.

A revised Licensing Policy document was adopted by full Council in January 2019 containing a Cumulative Impact Assessment for the Lammas Street area of Carmarthen. This was in response to a number of issues involving alcohol related anti-social behaviour in the area and saw Officers liaise with County Councillors, Dyfed-Powys Police and individual licensees in an effort to curtail this long-standing problem. This collaborative work has seen increased CCTV usage in the area, re-invigorated 'Behave or Be Banned' schemes and heightened police presence in the vicinity as it is made clear to perpetrators of anti-social acts that behaviour of this sort will not be countenanced by Carmarthenshire County Council.

