

RESIDENTS' & ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE REVIEW:

ILLEGAL COSMETICS AND ILLEGALLY IMPORTED FOODS

Cabinet Member	Councillor Sandra Jenkins
Cabinet Portfolio	Cabinet Member for Environment
Officer Contact	Nadia Williams, Deputy Chief Executive's Office
Papers with report	Residents' & Environmental Services Policy Overview Committee Review of Illegal Cosmetics and Illegally Imported Foods

HEADLINE INFORMATION

Purpose of report	To receive the Residents' & Environmental Services Policy Overview Committee's report which sets out recommendations which seek to improve the arrangements for combating the issue of illegal cosmetics and food at Border Controls.
Contribution to our plans and strategies	This report contributes to the Council's priorities for creating a Safe Borough.
Financial Cost	Minor, contained within existing budgets.
Relevant Policy Overview Committee	Residents' & Environmental Services Policy Overview Committee
Ward(s) affected	All

RECOMMENDATION

That Cabinet:

- Note that the Committee's recommendations are not the result of a comprehensive review, but recommendations designed to improve measures the Council has in place for combating the potentially dangerous issues of illegal cosmetics and illegally imported foods.**
- Welcome the report from the Residents' & Environmental Services Policy Overview Committee and endorse the recommendations which seek to enhance the measures already in place as set out below:**

Policy Overview Committee Recommendations:

- a) **The Committee recognises the efforts made by Council and UK Border Agency (UKBA) Officers to tackle illegal goods being sold in the Borough and recommends that a public information campaign be launched to raise residents' awareness of how to identify illegally imported cosmetic and illegally imported foods and of reporting procedures.**
- b) **The Committee is of the view that closer working between the Council and UKBA is essential. The Committee therefore recommends that, as a matter of urgency a clear, accountable and robust Memorandum of Understanding (MOU) or protocol be set up between the Council (Trading Standards and Port Health) and UKBA, in order to exchange information freely and securely and that a joint database of offending exporters be developed. Provision for a back up system should also be put in place to ensue IT systems at Port Health Heathrow are available 24 hours a day to maintain the continuity of the critical process of information exchange.**
- c) **The Committee recommends that Officers make efforts to identify external funding in support of more joint operations.**
- d) **The Committee recommends that the 'Score on Doors' scheme continues to be published through the appropriate communication channels.**
- e) **During its deliberations, the Committee briefly considered the problems of the use of the drug Khat and its legal status. The Committee therefore recommends this as a future review topic in 2010/11.**

INFORMATION

Reasons for recommendation

The recommendations are aimed at enhancing measures already in place for combating the issue of illegal cosmetics and illegally imported foods at Border Controls and Wholesale/Retail.

Alternative options considered / risk management

The Cabinet could decide to reject or amend the Committee's recommendations.

Supporting Information

1. The Committee chose to review Trading Standards (Consumer Protection) as it had been a long time since there had been a review of this service area.
2. The aim of this review was to consider improvements to the Council's arrangements for combating the issue of illegally imported cosmetics and illegally imported foods.
3. This was a mini review which took place between October 2009 and February 2010.
4. The Committee's report (attached) gives full details of the review.

Officer Comments:

Officers from Trading Standards, Food Health and Safety, Port Health Authority and the UK Border Agency (UKBA) were fully involved in this review and support the work of the Committee and the recommendations, which can be implemented within existing resources. Officers provided the Committee with the following comments regarding the progression of each recommendation:

- **Recommendation A** – Leaflets will be circulated to retailers and an article will be included in Hillingdon People, the Council’s Magazine warning residents about the dangers of illegal imported cosmetics and foods.
- **Recommendation B** – Work has begun in setting up the Memorandum of Understanding (MOU) between the agencies in order to exchange information freely and securely.
- **Recommendation C** – Sources for external funding will continue to be explored.
- **Recommendation D** – Publicity on the ‘Scores on Doors’ scheme will continue to be published and details of how to contact the Food Health and Safety Team will be included, in Hillingdon People, so as to encourage members of the public to report concerns relating to premises where food is prepared for public consumption.
- **Recommendation E** – The Khat plant is not controlled under the Misuse of Drugs Act 1971 and therefore, there is no import control to prevent entry either by Port Health or UKBA. We welcome the Committee’s intention to investigate this drug and its legality and use in the Borough further.

Financial Implications

The Committee’s recommendations only have minor costs implications and these can be accommodated within existing budgets.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The Committee’s recommendations would improve resident’s awareness as to the dangers of illegal cosmetics and illegally imported foods, improve the sharing of information securely between Council and other agencies (and at the same time enhance support for the Port Health IT system at Heathrow), and continue to raise awareness of the ‘ Scores on Door’ restaurant scheme.

Consultation Carried Out or Required

The Committee took evidence from Council Officers and Officers from the UK Border Agency as described in the attached report.

CORPORATE IMPLICATIONS

Corporate Finance

A corporate finance officer has reviewed this report and its recommendations and is satisfied that the financial implications adequately reflect the direct resource implications for the trading standards service and that there are no wider resource implications for the Council as a whole.

Legal

There are no specific legal implications for this report which seeks to improve the arrangements for combating the issue of illegal importation of cosmetics and foods at Border Controls through a series of administrative and communication based changes. No specific difficulties with the roll out of these arrangements have been brought to the attention of Legal Services.

In terms of recommendation B above, it is important that Officers comply with the relevant legal rules in relation to the Data Protection Act 1998 and the Freedom of Information Act 2000. The project should be monitored carefully in terms of the storing and release of such information. Officers should ensure that any issues are expeditiously brought to the attention of the Council's Data Protection Officer.

BACKGROUND PAPERS

Nil