



Chartered Trading
Standards Institute



Impact of Local Government Reorganisation on Trading Standards

The government's programme of devolution and local government reorganisation (LGR) aims to amalgamate councils across England into new unitary authorities. This vision of unitarisation is presented as positive and empowering for local communities.

While there are clear benefits for two-tier areas, for both County (upper tier) and District or Borough councils, balance is essential. The local focus must not become so narrow that it loses sight of national priorities nor the way local activity feeds into national outcomes.



Supporting the national

It is recognised and accepted that some areas of **consumer detriment** are too big and complex to be effectively addressed at a local level. It is also recognised that nationally, **statutory partners** often cannot deliver or address all the **national issues** presented before them, and certainly not without the support and intelligence provided by the local.

Therefore, any **LGR**, must retain strong local capacity alongside the ability to collaborate effectively on national challenges. Unitarisation offers an opportunity to **improve intelligence sharing** and adopt a more **holistic approach to emerging trends**, avoiding the siloed working sometimes seen under current structure.

Regulatory Services like **Trading Standards** (TS) are a crucial link to join the local with the national and vice versa. Each **Local Authority** (LA) needs its own service to act on **local priorities** and ensure **local consumer protection**. In addition, **National Trading Standards** is funded by **Government** to commission national priority work via local authorities.

This is around 15 –20% of TS funding across England and Wales and is delivered either by funding each LA to carry out work in their own areas, or by the provision of regional and **national specialist Teams** that can do work on behalf of others.

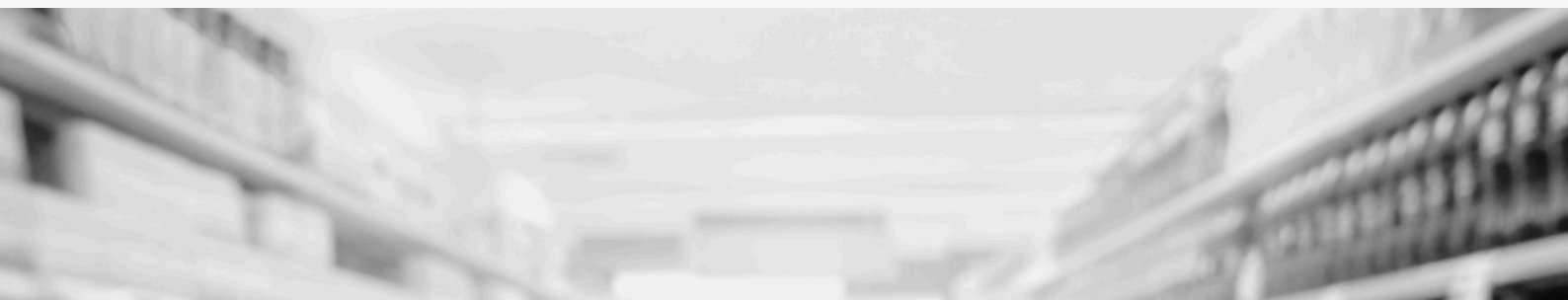
“Each Local Authority (LA) needs its own service to act on local priorities and ensure local consumer protection”

Another example of this is seen in tackling **organised crime** in our **high streets** and **communities**. **Local Authority Trading Standards** (LATS) are at the centre of these multiagency, partnership responses. Using their **intelligence on local issues** and drawing on their local and national connections, **LATS** are often called upon to use this **unique insight** and **specialist legal powers of entry** to gain access to premises when carrying out **investigations**, uncovering **fake shops** and the **illegal activities** carried on at those premises as part of a co-ordinated, regulatory response.

“LATS are at the centre of these multiagency, partnership responses”

These experiences give an insight on how effective **local regulators** can be in delivering change and support for the local businesses and communities they serve, as all **regulatory functions** would be delivered by a **unitary authority**.

Similarly, LATS locally enforce national animal disease control measures on livestock movement to prevent/restrict outbreaks of diseases that can cripple the **local and national economy**, weaken consumer and market confidence, affect the import and export trade as well as **creating vulnerabilities** in the food chain, which unscrupulous persons and organised crime gangs may look to exploit. LATS do this in conjunction with national bodies such as the **Department for Environment, Food and Rural Affairs (DEFRA)**, the **Animal and Plant Health Agency (APHA)** and the **Food Standards Agency (FSA)**, as well as local regulators such as **Environmental Health**. These partnerships, working at both a local and national level, bring the greatest benefit to all.





Protecting the Local

It is important to recognise that LATS have a long history of successful partnership working **across local authorities**, within the regions, with national, statutory partners, and with the voluntary and community sector.

LATS are at the forefront of making changes to **improve community safety** and resilience. For example, LATS are a key player in **tackling criminality** and illegality in the communities which they serve, such as:

- Seizing **illegal tobacco and vapes**, counterfeit goods and dealing with scams, all of which we know are linked to **organised criminal activity**
- Removing **unsafe products**, cosmetics and food which risk causing illness, injury or death
- Tackling **rogue traders** and **doorstep criminals** so people can live in their homes safely
- Working with other regulators to protect the integrity of the food supply chain by ensuring the **high standards** expected and that the risk of disease and illness is minimised. This **protects public health** as well as livelihoods, from the local farms making the produce to the **local food businesses** who sell it
- Verifying that businesses and consumers get what they pay for when **buying goods and services** that are supplied by weight and volume

“LATS are at the forefront of making changes to improve community safety and resilience”

The work of the LATS delivers significant **economic benefit** in protecting the local community by preventing fraud, illness, injury and unfair competition. Since the **2022/2023** financial year, LATS in England and Wales have tackled almost **£2.6 billion in consumer detriment** representing £7.72 return on investment for every £1 spent – losses that would have otherwise hit local communities and legitimate firms.

“The work of the LATS delivers significant economic benefit in protecting the local community”

As an example of this **community protection** role in action, LATS confiscated more than **1 million illegal vapes** and **19 million counterfeit cigarettes** last year. These illicit nicotine products not only endanger health (often finding their way into children’s hands) but also funnel money into **organised crime gangs** and away from legitimate local businesses in the community. Without **Trading Standards**, these crimes would proliferate, causing immense distress to residents and eroding trust in our business community. As a further example, the **average victim of doorstep crime** loses over **£1,700 per incident**, yet most incidents go unreported.

These, and the many other activities that LATS are involved in for the local communities they serve and are a part of, are central to communities feeling **safe, protected and confident**. LATS are often the only agency proactively seeking out these **hidden crimes** and supporting the victims in the local community. To protect LATS is to **protect the community** and invest in the **local and national economy**.





Matters to consider in LGR

The long and proud history of serving their communities means that LATS have the **necessary skills** and ability to navigate LGR and create a strong position from which the LATS can be both **promoted** and **protected**. Bearing in mind the emphasis on the local that LGR is bringing, and as LGR gathers pace, there are some strategic, practical and governance questions that the LATS may wish to consider when unitarising.

These include:

Strategic

- What will the local contribution to the national be within the new local authority regulatory services?
- How will the local authority engage with regional groups of TS and national Trading Standards?
- Does the Strategic Authority have a role to play in the delivery of outcomes shared by the LATS?
- How will unitarisation affect the ability of Local Authorities in shared services to tackle and take on big, complex and often national cases, identified and originating at the local level especially if national Trading Standards are unable to resource them?
- What opportunities will there be to support businesses, such as Primary Authority Partnerships, to help deliver local economic growth? (For more details on Primary Authority Partnerships, please see the links at the end of this document).
- How will a unitarised service be affected when applying for grants or other funding? As an example, the DHSC funding into apprenticeships for tobacco and vapes work – how would this work in a unitarised service where an apprentice may support and be supported by the different regulatory professions?
- How will the LATS, in a unitarised authority, help shape and deliver on the overall corporate deliverables and priorities of the Local Authority?



Practical

- What will the status of live legal cases be?
- Who will be leading on those cases?
- How will ARIS funding (POCA) be allocated and reinvested into the unitarised service?
- What are the parameters for the local regulatory services to refer and work with the national, statutory services?
- How will these parameters affect processes like Regional and National Tasking, or will these remain unaffected?
- How will the regulatory services work together to deliver for residents and businesses?
- How will staffing/equipment resources reflect the number and diversity of businesses as well as the population of the area
- How will the TS service maintain resilience and expertise during disaggregation from one LATS service into smaller teams at each unitary authority?
- How will intelligence be shared locally amongst the new, unitary councils and across the regulatory professions?
- How will unitarisation and disaggregation of a LATS service affect the ability to offer and service new and existing Primary Authority Partnerships?
- Is there a need to establish an agreement to share specialist resources across disaggregated TS services, such as AFIs, Intelligence Officers and evidence storage?



Governance – being safe and legal

- What documentation, policies and procedures need to be reviewed and revised with new Local Authority names, roles and responsibilities?
For example:
 - Schemes of Delegation and Warrants/Authorisation of Officers
 - Enforcement Policies
 - Service Plans
 - If held, renomination of Primary Authority Partnerships
 - New arrangements for holding NTS grants or hosting NTS Teams

In considering these, it should ensure that the LATS is well positioned to continue in its unique role of **supporting the national** and **protecting the local**. It is recognised and acknowledged that each LATS Service will be unique to **reflect the communities** and businesses it serves and therefore these questions are designed to enable useful local conversations rather than to be a **blueprint** of what future services should look like.

Links for further information and reading

Chartered Trading Standards Institute

<https://www.tradingstandards.uk/>

ACTSO

<https://www.actso.org.uk/>

National Trading Standards

<https://www.nationaltradingstandards.uk/>

Primary Authority Partnerships

<https://www.gov.uk/guidance/local-regulation-primary-authority>

