

**REPORT TO: ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE**

**REPORT ON: TRADING STANDARDS – MEMORANDUM OF UNDERSTANDING**

**REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS**

**REPORT NO: 351-2004**

## **1.0 PURPOSE OF REPORT**

- 1.1 This report seeks approval to pursue an agreement with neighbouring councils [Perth & Kinross and Angus] to increase co-operation in the provision of trading standards services

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the committee approves the introduction of the attached Memorandum of Understanding as an agreement between the respective trading standards services of Dundee, Perth & Kinross and Angus Councils, to enhance the existing co-operation between the three services.
- 2.2 It is further recommended that this agreement is binding in honour only, and is not a legally binding agreement.

## **3.0 FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising from this report. Any increased level of co-operation will be achieved within existing service budgets.

## **4.0 DUNDEE 21 IMPLICATIONS**

- 4.1 There are no Dundee 21 implications to the report

## **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1 There are no equal opportunity implications in this report

## **6.0 BACKGROUND**

- 6.1 In 2002 Audit Scotland carried out a national and local audit of trading standards services and made several recommendations which they suggested would result in a more effective service, especially from smaller authorities. One of these suggestions was that small authorities in particular should consider closer working with other local authorities, to improve economies of scale, staff flexibility and capacity for pro-active enforcement.
- 6.2 In 2003 the Department of Trade and Industry released a comparative report on consumer policy regimes in European Union (EU) and Organisation for Economic Co-operation and Development (OECD) countries. In brief, the report found that the current enforcement arrangements through local authority trading standards services were in many cases inconsistent and fragmented. This might prevent the DTI achieving its Public Service Agreement (PSA) target of bringing the level of the UK's consumer empowerment and protection regime to the level of the very best by 2006. The report has resulted in wide ranging discussions throughout local government and professional associations, as to how this enforcement regime can be improved whilst still being delivered by local government.
- 6.3 COSLA has set up a working group to look at options for trading standards services, and Memoranda of Understanding between local authority services are seen as

potentially a good way of 'joining up' trading standards services without the need for formal minutes of agreement.

## **7.0 CONSULTATIONS**

- 7.1 The Chief Executive  
Depute Chief Executive (Support Services)  
Depute Chief Executive (Finance)

## **8.0 BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, were relied on to any material extent in preparing the above report.

## **9.0 SIGNATURE**

**Albert Oswald**  
**Head of Environmental Health & Trading Standards**

May 2004

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN ANGUS, DUNDEE CITY AND PERTH & KINROSS COUNCILS'**  
**TRADING STANDARDS SERVICES**  
(being Weights & Measures Authorities by virtue of Section 69 of the Weights & Measures Act 1985)



The above-named Trading Standards Services:-  
RECOGNISING that, despite already co-operating in certain areas of service delivery via minutes of agreement in respect of calibration and standards, weighbridge testing, motor vehicle inspection and testing (Dundee & Angus), and Public Analyst services; increased co-operation between the parties could, in the current climate of limited resources, significantly assist in better delivery of additional services such as investigations, testing, inspection, training, procedures, equipment, expertise and the provision of advice and information; all of which would be to the benefit of the citizens of these areas, and be of benefit to the parties,

**HAVE jointly agreed this Memorandum of Understanding.**



IN the signing of this Memorandum the parties agree, as resources allow,

- ✧ To use the protocol for dealing with cross-border complaints, enquiries and investigations, as established by SCOTSS
- ✧ To seek to identify areas of best practice which might lead to more efficient and effective services
- ✧ To participate, where appropriate, in joint survey work including surveys initiated by SCOTSS in the North of Scotland sub-group
- ✧ To participate in joint training initiatives, where practicable,
- ✧ To share in developing and putting into practice common policies, plans and procedures; including those required to satisfy national criteria
- ✧ To share the use of equipment and expertise, where practicable
- ✧ To refer business to the most appropriate notified body for NAWI verification work (Non-Automatic Weighing Instruments)
- ✧ To share information and intelligence, within legal constraints, to achieve more efficient and effective partnership working
- ✧ To co-operate in the setting up of systems to gather performance related information and statistics,
- ✧ To co-operate in active consultation with stakeholders, and service users, to aid service improvement
- ✧ To co-operate in the exchange of information and best practice in relation to Consumer Support Network, Quality Mark Scotland and Consumer Direct issues; as individual policies allow



This Memorandum is a statement of intent, and should not be interpreted as a binding agreement. It does not create legal obligations between the parties and is binding in honour only.

**Signatories**

.....

..... Date .....