

Shaping the Council 2015-16 and beyond: Savings Business Case

Business Case Title	Stop Enforcement of Trade Mark and Copyright issues, including Boot Fair Inspections and Internet Investigations. Stop Animal Health and Welfare Work		
Revision No:	1	Date:	16th July 2014
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Section 1: Summary

Savings Proposal

Currently Trading Standards undertake enforcement work against counterfeit goods, these goods are often sold via markets and boot fairs as well as via shops in the borough. Trading Standards currently undertake animal health and welfare work.

The proposal is to cease this work.

Strategic rationale

The sale of such goods frequently provides a funding stream for criminals who use the procedures to finance other serious criminal activity.

The widespread circulation of counterfeit goods also undermines legitimate commercial activity.

The enforcement of legislation for copyright and trademarks is a statutory duty for upper tier local authorities including Thurrock

Approximate Cost Savings

£40k from 1 FTE

Timescales

Activity	Timescale
Consultation on one redundancy	As per HR procedures applicable to Thurrock Staff

Risks /Consequences

The Council has a duty to enforce the Trade Marks Act 1994 by virtue of Section 93 and Copyright, Designs and Patents Act 1988 (by virtue of the S165 of the Criminal Justice and Public Order Act 1994). Failure to undertake these duties would mean Thurrock becomes a haven for rogue traders selling counterfeit goods such as clothing and DVDs. The real risk however comes where rogue traders seek to sell counterfeit toys, car parts, batteries, phone chargers and other high risk products.

Where there are safety risks then the Council has the duty under Section 27 of the Consumer Protection Act 1987 and S2(2) of the European Communities Act 1972 to enforce the relevant safety regulations.

Mitigation

None

Section 2: Finance, savings and costs**Financial summary****General Fund budget 2014-15**

	Staff £000s	Premises / Transport £000s	Supplies/ Services/ £000s	Direct Payments £000s	Third Party Payments £000s	Total Expenditure Gross £000s	Income £000s	Net Expenditure £000s
2014/15								

Staff Related savings

Current number of posts (FTE and headcount)	1
Number of posts to be deleted (FTE and headcount)	1
Amount of salary saving (inc on-costs)	40k

Non- Staff Related savings

Premises and buildings (inc utilities)	
Transport	
Supplies and services	
Other (please specify)	

Third Party Related savings/income

Commissioning/contracts	
Charges to the HRA/DSG/PHG <i>(NB can be negative)</i>	
Increase fees & charges	
Grants/additional funding streams	
Other (please specify)	

Benefits – non financial

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Costs & Resources to deliver the savings

Direct costs	
Redundancy costs	Not quantified
Accommodation costs	
Procurement and/or Legal costs	
Other HR costs	
Other (please specify)	

Section 3: Impact/Consequences of proposal – not covered in financial section

Impact on Corporate Priorities/objectives/ performance targets/standards

Priority 1. Create a great place for learning and opportunity	
Priority 2. Encourage and promote job creation and economic prosperity	Counterfeit goods undermine legitimate trade
Priority 3. Build pride, responsibility and respect to create safer communities	Counterfeit goods are usually not subject to quality control to the same extent as legitimate goods and their quality and safety cannot be assured.
Priority 4. Improve health and well-being	
Priority 5. Protect and promote our clean and green environment	
Well-run organisation - financial & governance; staff; customers	

Impacts on partners

Negative impacts on business partners selling genuine goods

Impacts on customers / community and equality/diversity implications

Customers will be exposed to inferior quality goods.

Has an EqlA been undertaken?

NO Date: N/A

Other impacts/implications

Section 4: Risks and Mitigation

Delivery risks

Risk Description	Likelihood	Impact	Rating	Management or Mitigating Action
Failure to deliver redundancy savings on time	1	4	4	Prompt action to implement on receiving approval for the proposal.

Service risks

Risk Description	Likelihood	Impact	Rating	Management or Mitigating Action
Intervention by Government for failure to deliver a statutory service	2	4	8	Review of the decision to implement this proposal should intervention or other circumstances dictate.

For information on the ratings criteria guide, please see <\\Thurdata01\data\THURROCK\EXCHANGE\ROM>

		4	8	12	16
Likelihood		3	6	9	12
		2	4	6	8
		1	2	3	4
					Impact

Section 5: Assumptions, Dependencies & Exclusions

Timeframes Assumptions/ Dependencies/Exclusions	Ability to effect redundancy in time to realise the saving for 14/15 financial year.
Benefits Assumptions/ Dependencies/Exclusions	
Costs Assumptions/ Dependencies/Exclusions	
Other/ General Assumptions/ Dependencies/Exclusions	

Section 6: Stakeholder Engagement Requirements

		Approximate timelines
Staff/Unions NB. Services should not be undertaken consultation with staff in isolation – all such activity should be co-ordinated through Jackie Hinchliffe	<input type="checkbox"/>	Consultation required for one redundancy.
Portfolio Holders/Members NB. Services should not be undertaken consultation with staff in isolation – all such activity should be co-ordinated through Directors Board	<input type="checkbox"/>	Via Directors Board
Partners NB. Services should not be undertaken consultation with partners in isolation – all such activity should be co-ordinated through Directors Board	<input type="checkbox"/>	
Residents/Public NB. Services should not be undertaken consultation with staff in isolation – all such activity should be co-ordinated through Directors Board	<input type="checkbox"/>	
Other – please specify	<input type="checkbox"/>	

Section 7: Any other comments to support savings proposals