

David Evans  
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## **Annex 1**

Dear Mr Evans

### **Empowering and Protecting Consumers**

I refer to the consultation document published in June 2011.

The government proposes to make radical changes to the way in which consumer protection advice and enforcement is undertaken in the UK. The consultation outlines many changes but I would like to respond on two issues which directly impact on the ability of the council to protect our residents and promote the economic interests of businesses that operate in York.

The consultation asks:

*“Do you agree that the OFT’s consumer information role should be transferred to Citizens Advice?”*

Under this proposal the government proposes to transfer responsibility for the Consumer Direct (CD) service to Citizens Advice. CD information is essential for our successful trading standards service to target their resources effectively using an intelligence-led approach to enforcement and to identify those vulnerable residents who are in additional need of support.

Whilst we support this proposal we would stress that local authority access to CD information must continue and be improved where possible. Failure to do this would put at risk the well-being of our residents and make effective and targeted enforcement more difficult and ultimately more expensive.

The consultation asks:

*“Which option for reform of enforcement powers and responsibilities do you prefer, if any, and why?”*

We prefer Option 3 under which the majority of the Office of Fair Trading's consumer enforcement functions to local authority trading standards services with some functions (for cases involving structural market problems) remaining with the Competition and Markets Authority.

In York we have a very successful and proactive trading standards service and the council is also the lead authority for the regional Scambuster Team. As well as helping our local consumers and businesses we already undertake (working with our local authority partners and other agencies) consumer protection work which has a regional and national impact.

Through our intelligence-led approach to enforcement, and using our extensive network of enforcement agency relationships we are often able to intervene in an effective and timely manner to minimise consumer detriment. Numerous examples are available to support the effectiveness of a 'local' approach to tackling a major issue and the proposed continuation of specialist enforcement teams on 'Scambuster' lines will greatly assist tackling those rogue traders who operate across local authority boundaries .

Option 3 would also remove the duplication of responsibility for enforcement in several areas of consumer protection work. With additional resources to build on the success of local authority delivery of trading standards services much more can be achieved. It will be essential however; that some of these resources are used to cover all the costs of an investigation of major national importance and any legal liability associated with the case is underwritten by government.

Yours sincerely

Sandy Fraser  
Cabinet Member for Crime and Community Safety