



Walsall Council

REPORT OF THE DIRECTOR OF RESILIENT COMMUNITIES

LICENSING AND SAFETY COMMITTEE

19 NOVEMBER 2025

Trading Standards Update

1.0 Summary of Report

- 1.1 This report provides an update on the recent activities undertaken by Walsall Councils Trading Standards officers, encompassing operational initiatives, and enforcement actions including raids, seizures, and prosecutions.

2.0 Recommendations

To note the report

3.0 Background

- 3.1 Trading standards teams are responsible for enforcing laws that regulate the sale of age-restricted products such as tobacco, vapes, and other nicotine products. Their main duties include carrying out inspections at retail premises, conducting test purchase operations to ensure products are not sold to underage individuals, and investigating complaints about illegal sales or unsafe products. They also provide advice and guidance to retailers to help them comply with the law, and undertake enforcement actions—such as issuing warnings, fines, or bringing prosecutions—against those who breach regulations. Through these activities, trading standards officers help protect consumers, reduce illegal and harmful sales, and promote best practices in the marketplace.

Significant issues and Operational Activity

3.2 Operation CeCe

Operation CeCe is a UK-wide initiative led by National Trading Standards and HM Revenue & Customs targeting the illegal tobacco trade, including illicit cigarettes and hand-rolling tobacco. The programme provides funding to local authorities for tobacco detection

dogs, assisting in uncovering concealed tobacco. Since 2024, Walsall Trading Standards have seized 1,682,530 cigarettes and 760.8 kg of tobacco from 131 premises.

In addition to illegal tobacco, officers frequently find untaxed vehicles, offensive weapons, firearms, controlled drugs, prescription medicines, and illegal workers. Collaboration with police and immigration officers has led to vehicle seizures, prosecutions for drug and weapons offences, and fines for employing illegal workers.

3.3 Operation Joseph

Operation Joseph represents a coordinated campaign led by National Trading Standards and the Department of Health and Social Care to combat illicit vape sales and protect underage consumers. The campaign focuses on removing non-compliant vaping products from the market and shielding young people from unregulated goods. Funding is provided to support the disposal and recycling of seized vapes but does not cover enforcement activities. Nevertheless, since 2024, Walsall Trading Standards have seized 28,000 illicit vapes from 122 premises.

3.4 Tobacco & Vapes Bill

On 1 June 2025, the UK government officially banned the sale and supply of disposable vapes under the Tobacco and Vapes Bill. The legislation aims to curb youth vaping and reduce environmental harm caused by millions of single-use devices discarded weekly. Retailers are now prohibited from selling any disposable vape products, including non-nicotine versions, with enforcement led by Trading Standards. Since its introduction, officers have seized 10,341 disposable vapes from storage units and retail premises. It should be noted that seizures have significantly decreased in recent months, indicating these products are gradually disappearing from the marketplace.

3.5 Age Restricted 'Underage' Sales

All complaints relating to underage sales are thoroughly investigated. Initially, an officer undertakes an advisory visit, offering guidance and materials to help the business comply with age-restricted legislation. An undercover test purchase using an underage volunteer is then carried out. This test purchase is conducted under the Regulation of Investigatory Powers Act (RIPA) and must be authorised by a magistrate. Should the business fail the test purchase, a formal investigation is initiated, and prosecution is pursued where appropriate.

Despite this tough enforcement action, underage sales continue to take place across the Borough. Trading Standards recognises that most businesses are law-abiding and want to prevent underage sales. It is

also acknowledged that managing a small business and navigating a wide range of regulations and legal requirements can be challenging.

To support businesses, an Age Restricted Product Awareness Course (ARPAC) will be piloted from November 2025. Selected sellers and businesses may be offered this course as an alternative to enforcement action. The offer will depend upon the investigating officer's recommendation, based on different factors such as trading history, remorse, and willingness to co-operate.

Over the past twelve months, six - age restricted test purchasing Exercises have been conducted. Of the thirty-one attempted purchases, thirteen resulted in sales.

3.6 Tobacco and Vapes Apprenticeship

Walsall Trading Standards have secured funding from The Department of Health and Social Care (DHSC) to appoint a new Level 6 Trading Standards Professional Apprenticeship focused on tobacco and vape enforcement. This initiative supports local authorities in tackling underage sales and illicit products through specialist training and recruitment. Interviews have taken place in Walsall and an appointment to the new post is imminent.

3.7 Public Health and Trading Standards Collaboration

Walsall Council's Tobacco Control Plan for 2023-2027 is a strategy to reduce smoking and vaping harm through support for quitters, enforcement against illegal sales, and education for young people. It aligns with national goals to create a smoke-free generation and aims to reduce smoking rates in Walsall to below the regional average by 2027 and improve health outcomes across the borough. Key components include providing tailored stop-smoking support (including vapes and NRT), cracking down on illegal tobacco and vapes, and supporting local businesses with new government legislation on age-restricted sales.

The plan can be found at this link [Tobacco Control Plan 2023-2027](#)

The plan is overseen by the Safer Walsall Partnership and has been supported by the council signing the Local Government Declaration on Tobacco Control.

[Walsall Council signs tobacco control declaration in commitment to a smoke-free future | Walsall Council](#)

3.8 Enforcement.

Trading Standards operate with a range of enforcement tools; however, there are significant legal limitations to closing premises selling illegal tobacco or vapes. The majority of premises involved in illicit tobacco and vape sales are unlicensed and cannot be suspended using licensing powers. Intelligence sharing and cooperation across all agencies is key to detecting the crime, obtaining the evidence, and prosecuting offenders. Furthermore, the supply network for this crime extends far beyond the boundaries of Walsall and requires regional, national, and even international coordination to break supply chains and apprehend individuals at the heart of the organised crime groups (OCG's).

Trading Standards authorities across the country use the following enforcement strategy approaches:

Disruption: The primary aim is to remove as much illegal stock as possible, significantly impacting the profits of OCG's and rogue traders. This strategy is effective because the value of seized goods often far exceeds typical court fines. Disruption also involves intelligence gathering for future investigations. Seizures are not limited to retail shops; substantial quantities are also recovered from storage units.

Eviction: Following every seizure, landlords are contacted to seek the eviction of offending tenants. Although this strategy has delivered positive outcomes, a growing number of landlords are either under the influence of OCGs or fearful of repercussions, making eviction more challenging. As a result, Closure Orders will be trialled using a streamlined process developed by Lincolnshire Trading Standards. This method is expected to be less resource-intensive than formal court action and particularly effective in locations where OCGs cannot easily relocate to nearby vacant premises.

Prosecution: Where the evidence meets the threshold for criminal proceedings, prosecution will always be considered. However, many retail outlets are fronts for OCG's and put up 'stooges' to act as shop owners who are paid for signing a tenancy agreement. These individuals typically disappear once investigations commence or are paid to attend interviews and court appearances, with subsequent court costs and fines covered by the OCG. There are also a growing number of shops trading under a limited company name, which hold few assets and frequently seek dissolution once legal action is initiated.

Furthermore, Legal cases can be prolonged, often taking over 12 months to progress due to defendant cooperation issues and court scheduling. For example, a significant illicit tobacco case from 2024 experienced three rescheduled hearings before an eventual trial date was set for July 2027.

Such prosecutions are highly resource-intensive, so decisions must weigh the likelihood of a successful outcome against the need to prioritise more immediate disruption of illicit trade.

Despite these challenges, prosecution remains a priority whenever evidence is sufficient and in the past 12 months the following cases have been brought to court.

- Ari Kerim (Marigold Crescent, Dudley): Sentenced to 44 weeks in prison, suspended for 18 months following a jury trial for illegal sales of tobacco and vapes at Gustul Mini Market, Bradford Street, Walsall.
- Midland Market (Walsall town centre): Prosecution for selling a disposable vape to a 16-year-old, fined £1,447 including surcharges and costs.
- Fone Masterz Ltd (Darlaston): Prosecution for selling a disposable vape to a 16-year-old, fined £1,025 including victim surcharge and costs.
- Mana Vapes Ltd (Pelsall): Convicted for selling a vape to a 16-year-old, fined £1,360 including costs.
- Mahir Trading Ltd (trading as Vape and Beyond Court): Guilty plea after sale to a 16-year-old, fined £2,120 including surcharges and cost.
- A sentencing hearing is scheduled for 6 November in relation to the seizure of 223,000 counterfeit cigarettes, 105.7 kilograms of counterfeit tobacco, and 1,254 illicit vapes. The enforcement operation involved coordinated raids on both a retail premises and a residential property, where the majority of items were discovered stored in a converted loft space. Additionally, £33,000 in cash was recovered, concealed in a bin bag beneath a bed. If sold at full retail value, the counterfeit cigarettes and tobacco would be worth an estimated £250,000, with the illicit vapes valued at approximately £12,000.
- Five simple cautions have also been issued to individual shop owners or sellers – these cautions require the defendant to agree they are guilty of an offence and the caution remains on our local record so that should further offences be committed prosecution will be almost inevitable.

3.8 The Appendix includes photos documenting certain operations carried out by the service many of which have been well publicised in the media.

Resource Considerations

4.0 **Staffing issues/ resource implications** – Funding from The Department of Health and Social Care (DHSC) will allow for a Trading Standards professional apprentice role to be introduced.

4.1 **Financial Implications/ Legal:** -
No further implications other than the ones stated above.

4.2 **Risk implications:**

Failure to undertake the work would undermine legitimate trade in Walsall. It would allow criminals to profit from products which are unsafe, are not taxed and the profits from which can fund more serious crimes such as drugs, terrorism, and slavery. The harm these products cause - particularly to children has a serious effect on health and future development and is a major drain on NHS resource.

As with many regulatory activities the council undertake Trading Standards are part of a local, regional, national, and international collaboration to tackle unlawful trading and criminal activity. Failure to contribute to this collaborative effort undermines law enforcement across the board.

4.3 **Equalities Implications:**

The work protects all parts of the community however much of the focus of the service is on protecting children and young people from the effects of tobacco, alcohol, and other illicit products.

As many of these products are sold at a rate significantly lower than legitimate products, they are more affordable and therefore are targeted at and have the most serious effects within deprived communities. These communities may already have worse health outcomes and therefore tackling this trade protects vulnerable communities from exploitation.

4.4 **Climate/Environmental Implications:**
None identified

4.5 **Community Safety**

Many of these products are sold and distributed by criminal networks and Organised Criminal Groups who are also responsible for violence, drug sales, slavery, and exploitation. Disrupting their illegitimate business and prosecuting wherever possible is key to ensuring with frustrate and stop their criminal enterprise.

4.6 **Performance and Risk Management Issues**

The operations are generally initiated nationally by HMRC, National Trading Standards and Department for Health. The work is then tasked to regional coordinators and then local Trading Standards Teams with strict feedback mechanisms to ensure grants and funding made available are being used to best effect and to collate successes for feedback to relevant government departments.

4.7 **Equality Implications**

None arising from this report.

4.8 **Consultation**

N/A

4.9 **Statutory duties**

Section 222 of the Local Government Act 1972 (LGA 1972) gives local authorities power to prosecute criminal offences investigated by their own departments.

5.0 **Contact Person**

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