

GATESHEAD METROPOLITAN BOROUGH COUNCIL
TYNE AND WEAR TRADING STANDARDS JOINT COMMITTEE MEETING

Thursday, 27 June 2019

PRESENT: Councillor K Dodds (Chair)

Councillors T Graham and I Patterson - Gateshead Council
Councillors J Perry and S Dean - South Tyneside,
Councillors J Blackburn, J Fletcher, D Waller and A Wilson -
Sunderland City Council
Councillors Nick Kemp, M Lowson and P Lovatt – Newcastle
City Council
Councillors C Burdis, J Hunter and J O’Shea – North
Tyneside Council

APOLOGIES: Councillor M Foy (Gateshead)
Councillors C Johnson, S Graham and J Stirling (North
Tyneside)
Councillor T Dixon (South Tyneside)

TW1 APPOINTMENT OF CHAIR

RESOLVED – That Councillor K Dodds be appointed Chair of the
Joint Committee for the 2019/20 municipal year.

TW2 APPOINTMENT OF VICE-CHAIR

RESOLVED – That Councillor J Fletcher be appointed Vice Chair of the
Joint Committee for the 2019/20 municipal year.

TW3 CONSTITUTION OF THE COMMITTEE

RESOLVED - That the constitution of the Joint Committee for the
2019/20 municipal year be noted.

TW4 APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor M Foy - Gateshead Council
Councillor S Graham - North Tyneside
Councillor C Johnson - North Tyneside
Councillor J Stirling - North Tyneside
Councillor T Dixon - South Tyneside

TW5 MINUTES

RESOLVED - That the minutes of the meeting held on 14 February 2018 be agreed as a correct record, subject to the inclusion of Councillor N Kemp in the attendance list and Councillor J Fletcher's constituent council being amended to read Sunderland City Council.

TW6 REPORT AND STATISTICAL RETURN FOR THE PERIOD JANUARY TO JUNE 2019

The Joint Committee received an update report on the work of the Metrology Laboratory for the period January to June 2019.

RESOLVED - That the information be noted.

TW7 PROVISIONAL OUTTURN AS AT 31 MARCH 2019

The Joint Committee received the provisional outturn for 2018/19, subject to the audit of Gateshead Council's Accounts.

RESOLVED - That the details contained in the provisional outturn report for 2018/19 be noted.

TW8 METROLOGY AND PRODUCT SAFETY BUSINESS PLAN

The Joint Committee received an update on the initial proposals for the future business plan of the Metrology Laboratory and its use.

The Joint Committee was advised that there had been limited progress with taking forward any of the proposals, mainly due to essential building maintenance work needing to be carried out.

An officer meeting was scheduled to cost out some of the proposals but the preferred options may now need to be put on hold.

Members were concerned at the lack of progress on the business plan and considered that greater detail was required on the scale of opportunity, return on investment and delivery of an economic business case. It was agreed that these issues needed to be addressed for presentation to the next meeting of the Joint Committee.

RESOLVED - That a further report be presented to the Joint Committee at its next meeting addressing the issues set out above.

TW9 OFFENSIVE WEAPONS ACT 2019

The Joint Committee received an update on recent legislative changes which affect the sale of knives and corrosive substances.

The Offensive Weapons Act received Royal Assent on 16 May 2019 bringing in tough new measures that strengthen law enforcement's response to violent crime. The Act will make it illegal to possess dangerous weapons in private and will make it a criminal offence to dispatch bladed products sold online without verifying the buyer is over 18.

RESOLVED - That the information be noted.

TW10 SCAMS AWARENESS CAMPAIGN 2019 AND CITIZENS ADVICE SCAMS ACTION PROJECT

The Joint Committee received an update on the delivery of the Scams Awareness Campaign undertaken in June 2019.

Scams Awareness is a yearly campaign which aims to create a network of confident, alert consumers who know what to do when they see a scam. This year's campaign took place over two weeks in June and came with a slogan, "Stop, report, tell".

The first week looked at the group who have been identified as having the highest detriment from scams (older people), whilst the second week focussed on those who are now targeted by scams in volume (life established ie 40s to 60s).

Across the region all local authority trading standards services engaged with local partners to deliver on the Scams Awareness Campaign.

The Citizens Advice Scams Action Project is an ongoing project which came as a result of the legal action Martin Lewis took against Facebook for publishing scam adverts using his image. Martin Lewis requested that Facebook donate the money to Citizens Advice to deliver a new UK scams action project.

This work will primarily focus on helping people who have been or might become victims of online scams using a range of channels including online with some face to face support.

RESOLVED - That the information be noted.

TW11 TENANT FEES ACT 2019

The Joint Committee received an update on the new role of trading standards services under the Tenant Fees Act 2019 which came into force on 1 June 2019.

Under the new Act the only payments that landlords can charge in connection with a tenancy are:

- the rent;
- a refundable tenancy deposit capped at no more than five weeks' rent where the annual rent is less than £50,000, or six weeks' rent where the total annual rent is £50,000 or above;
- a refundable holding deposit (to reserve a property) capped at no more

- than one week's rent;
- payments to change the tenancy when requested by the tenant, capped at £50, or reasonable costs incurred if higher;
 - payments associated with early termination of the tenancy, when requested by the tenant;
 - payments in respect of utilities, communication services, TV licence and council tax; and
 - a default fee for late payment of rent and replacement of a lost key/security device, where required under a tenancy agreement.

If the fee that a landlord is charging is not on this list, it is a prohibited payment and should not be charged for. A prohibited payment is a payment outlawed under the ban.

A breach of the legislation will usually be a civil offence with a financial penalty of up to £5,000, but if a further breach is committed within 5 years of the imposition of a financial penalty or conviction for a previous breach this will be a criminal offence. The penalty for the criminal offence, which is a banning order offence under the Housing and Planning Act 2016, is an unlimited fine.

Where an offence is committed, local authorities may impose a financial penalty of up to £30,000 as an alternative to prosecution. In such a case, local authorities will have discretion whether to prosecute or impose a financial penalty. Where a financial penalty is imposed this does not amount to a criminal conviction.

A breach of the requirement to repay the holding deposit is a civil offence and will be subject to a financial penalty of up to £5,000.

RESOLVED - That the information be noted.

Chair.....