

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

Thursday, 8 July 2021

PRESENT: Councillor K Dodds (Chair)

Councillor(s): Councillor J Fletcher, T Graham, I Patterson,
Mulvenna, Hunter, L Hobson, Lovatt, Heron and
R Porthouse

TW46 APPOINTMENT OF CHAIR

RESOLVED – That Councillor K Dodds be appointed as Chair for the municipal year 2021-22.

TW47 APPOINTMENT OF VICE-CHAIR

RESOLVED - That Councillor J Fletcher be appointed as vice-chair for the 2021-22 municipal year.

TW48 CONSTITUTION OF THE COMMITTEE

RESOLVED - That the constitution of the Committee for the municipal year 2021-22 be noted.

TW49 APOLOGIES FOR ABSENCE

Apologies for Absence were received from:

Councillor S Graham – North Tyneside Council
Councillor J O’Shea – North Tyneside Council
Councillor C Rowntree – Sunderland City Council
Councillor P Walker – Sunderland City Council
Councillor N Dick – South Tyneside Council
Councillor L Wright – Newcastle City Council
Councillor M Lowson – Newcastle City Council

TW50 MINUTES

RESOLVED - That the minutes of the meeting held on 4 March 2021 be approved as a correct record.

TW51 PROVISIONAL OUTTURN AS AT 31 MARCH 2021

The Committee were provided with a report advising of the financial performance of

the Metrology Laboratory 2021 against the budget.

It was noted that due to covid-19 there has been a significant drop in income. However, there has been a vacant post for nearly all of the year and not as much new equipment has been purchased. There was therefore a surplus of £45,000 which will go into reserves with reserves of just under £124,000.

RESOLVED - That the information on the provisional outturn report be noted

TW52 UPDATE ON THE RESPONSE TO ROGUE DOOR TO DOOR FISH SELLERS

The Committee received a report to update on the regional response to the important issue of Rogue Door to Door Fish Sellers.

When buying fish from door to door salesman the consumer very often has no way of knowing how the fish have been stored and whether they are safe to eat. These type of businesses commonly use non-refrigerated vans and there may be issues with the labelling, quality and descriptions of the fish.

There are also concerns that the traders may pressurise residents to buy more than they actually need. The best place to buy fish is from a reputable fishmonger at an established shop or stall or even with a trader with a regular pre-arranged round.

Following concerns about these illegal activities both locally and indeed nationally, the Regional Investigations Team hosted by Redcar and Cleveland Borough Council and funded by the National Trading Standards Board continues to undertake complex investigations into these illegal activities.

Three mobile fish sellers who defrauded and knowingly misled elderly and vulnerable consumers out of £325,000 have been jailed. 3 men all from County Durham used aggressive sales practices to pressure more than 100 elderly victims out of buying excessive quantities of poor-quality fish at exorbitant prices. The fraudsters deliberately targeted vulnerable and older people living in the North of England and the Midlands, including people with serious health conditions, in the belief that they were less likely to question the sale or complain.

A significant amount of the produce sold by the trio was such poor quality it was unfit for human consumption.

They were sentenced to 5 years, 11 months and two weeks and 13 months and 13 months in prison.

RESOLVED - that the information contained within the report be noted.

TW53 UPDATE ON THE NATIONAL AUDIT OFFICER REPORT: PROTECTING CONSUMERS FROM UNSAFE PRODUCTS

The Committee received a report to update on the publication on 16 June 2021 of the National Audit Office report “Protecting Consumers from Unsafe Products”.

Whilst most consumer goods consumers buy are likely to be physically safe, unsafe products can cause injury, financial costs and even fatalities. Harm to health and safety can be visible, such as an estimated 3000 UK house fires caused by faulty appliances and nearly 5000 admissions to hospital with injuries from fireworks each year. But harm can also be less obvious, such as toxic or carcinogenic chemicals in cosmetics. There is no data available on the overall scale of harm caused by consumer products or how this has changed over time.

In the UK, general regulations require businesses that make or sell products to ensure they are safe when used normally or in a way that could be reasonably foreseen, but do not require this to be proven to regulators before selling to consumers. Some product types with more risk of safety problems, such as electricals, toys, cosmetics or upholstered furniture, have specific regulations with additional safety requirements or processes.

Until 2018, consumer product safety regulations were enforced entirely by local Trading Standards services (or by environmental health teams in Northern Ireland). These services, which in England spent £143m in 2019-20, sit within local authorities and are locally accountable. They include several regulatory responsibilities, of which product safety is only one. During the 2010s, it was widely considered that this local system was not well-equipped to deal with increasingly complex, national and international product markets. This was highlighted by high-profile problems with Whirlpool tumble dryers identified in 2015, and the fire at Grenfell Tower in 2017 that originated from a fridge freezer.

In January 2018 the Government established the Office for Product Safety and Standards (OPSS), a new office within the Department for Business, Energy and Industrial Strategy (BEIS), to bring national capacity and leadership to product safety issues. The OPSS's product safety operations budget has grown from £10million in its first year to £14m in 2020-21. Its national role includes identifying and assessing product risks and intervening directly on nationally significant, novel or contentious issues. The OPSS works alongside Trading Standards services, which still regulate at local level and undertake most enforcement.

In 2018 the government reformed the product safety regime to strengthen it, including establishing the OPSS as a national regulator. The NAO believes that OPSS has made a good start in addressing the immediate issues it faced: it has made impactful interventions on national issues, including strengthening high-profile recall processes for household appliances, provided new forms of support for local regulators, and developed new databases to prepare for EU Exit.

However, the NAO recognises that the product safety regime faces major challenges to keep pace with changes in the market. There are gaps in regulators' powers over products sold online, local and national regulation is not well coordinated despite improvements and the OPSS does not yet have adequate data and intelligence. The OPSS is currently consulting on how to ensure the regulatory framework is fit for the future. Until it establishes a clear vision and plan for how to overcome the

challenges facing product safety regulation and the tools and data needed to facilitate this, it will not be able to ensure the regime is sustainable and effective at protecting consumers from harm.

RESOLVED - That the information contained within the report be noted.

TW54 UPDATE ON THE RESULTS OF A REGIONAL SURVEY ON TRADING STANDARDS STAFFING

RESOLVED – That this item be withdrawn from the agenda.

TW55 REPORT AND STATISTICAL RETURN FOR THE QUARTER ENDING JUNE 2021

The Committee received an update report on the work of the Joint Metrology Laboratory for the period to June 2021.

The laboratory has continued to provide a service throughout the pandemic and has not lost any time or productivity. Social distancing has been maintained and full risk assessments applied along with modified working practices to achieve this aim. There are no opportunities to work from home and all staff have been working. The Health and Safety Executive undertook an inspection for the Covid Safety Procedures and no issues were highlighted.

The submissions to the laboratory have not reduced in quantity in comparison with this time last year, as a predominance of the laboratory’s clients are in the pharmaceutical and food production industries and need a continuity of service to maintain their production levels.

The laboratory has developed a new Advanced Metrology Module as part of the Chartered Trading Standards Institute’s qualification framework and discussions with Northern Ireland are ongoing with the delivery of that module as well as some other matters with regards to training its Weights and Measures officers.

RESOLVED - that the information contained within the report be noted.

Chair.....