

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

Thursday, 25 February 2016

PRESENT: Councillor K Dodds

Councillors: T Graham and C Ord – Gateshead Council
Councillors: S Lambert, N Kemp, M Lowson and D Huddart –
Newcastle City Council
Councillor J O'Shea and S Graham – North Tyneside Council
Councillor J Perry, A Kerr and A Donaldson – South Tyneside
Council
Councillor J Blackburn, M Beck, D Macknight and L Scanlon –
Sunderland City Council

TW1 APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors West, Dixon and Macmillan, South Tyneside Council.

TW2 MINUTES

RESOLVED - That the minutes of the meeting held on Thursday 26 November 2015 be agreed as a correct record.

TW3 REVENUE ESTIMATES 2015/16 TO 2018/19

The latest estimate for the Tyne and Wear Trading Standards Joint Committee and Metrology Laboratory has been prepared taking into account any variations from the original budget. The latest estimate for 2015/16 is £218,869, which is on target with the original budget. This takes into account salary slippage and premises costs, but also an increase in income arising from providing additional services to other organisations.

The base estimates for 2016/17 to 2018/19 have been prepared taking into account previous guidance provided by the Tyne and Wear Leadership Group.

- RESOLVED -
- (i) That the latest estimate of £218,869 for 2015/16 be approved;
 - (ii) That the base budgets of £218,869 for 2016/17 and £219,151 for 2017/18 and £219,409 for 2018/19 be approved;
 - (iii) That a quarterly update report showing income against expenditure be provided to the Committee.

WORK OF THE NATIONAL ILLEGAL MONEY LENDING TEAM IN THE NORTH EAST

The Committee received a presentation from Cath Wohlers of the National Illegal Money Lending Team, hosted by Birmingham City Council on the work of the team to stop loan sharks.

There have been various operations in Hartlepool, South Tyneside, Gateshead, Newcastle, North Tyneside and Sunderland.

Some of the perpetrators have been taken to trial and in other cases investigations are still ongoing. It has been found that most loan sharks plead guilty in order to take a reduced sentence. Often other offences have been committed such as blackmail which carries a 14 year sentence.

The team provide a high level of victim support and a support officer is allocated to each witness, this officer will make sure all of the needs of the victim are met. Where victims are afraid to return to their properties it is within the power of the team to on occasion arrange for re-housing if the safety of the victim is felt to be an issue. Protocols are set up with Housing Associations in order to make sure properties are highlighted if needs be.

It has been found that on many occasions the threats made by loan sharks are perceived to be real but often are not carried out. Often during investigations when finances of the perpetrators are looked at there can be claims made during the court process for compensation orders, however, loan sharks tend to keep pretty poor records, although there have been some occasions where bank records have provided evidence.

The team use proceeds of crime money to sponsor credit union accounts and to hold community events. The team support victims through the court process but also provide support post the court date.

Any information is taken anonymously and in confidence, if victims are not willing to give the name then they aren't pushed and the team look for corroborating evidence in order to proceed to court.

Often in order to make in-roads into a community, the team take part in community events and offer services such as dog chipping in order to provide information on the team. Local agencies have been asked to come together to pledge support.

Cath advised the Committee that education is key for prevention and Education Packs are available for both primary and secondary schools along with lesson plans for teachers.

The Committee felt that the presentation was very informative and thanked Cath for her time.

RESOLVED -

That the information in the presentation be noted.

TW5

REPORT AND STATISTICAL RETURN FOR THE QUARTER ENDING DECEMBER 2015

The Committee received a report on the work of the Joint Metrology Laboratory for the quarter ending December 2015.

The laboratory has continued to support the five authorities of Tyne and Wear and has also provided training in metrology for Trading Standards candidates to sit the professional examinations at National Measurement Regulatory Office.

The laboratory has continued its work around Aid and Advice to Industry, EC Verifications, UKAS Calibrations and Toy Safety. The Chemical Testing for PAT 3 of toys has now been withdrawn. Currently this equipment is being used to test for lead in play equipment. Gateshead officers are checking playground equipment for lead.

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

TW6

TESTING OF HOVERBOARDS

The Committee received a report to inform them of the involvement of the Metrology Laboratory in the testing of the electrical safety of the wheeled appliances commonly referred to as hoverboards.

There was a number of reports in the media on the run up to Christmas with regards to the fire risk caused by these items. Officers from Tyne and Wear procured boards from sellers in the region and submitted them to the Metrology Laboratory for an opinion on electrical safety. Boards were also submitted to the Lab by Northumberland County Council for testing.

The main problem has been found to be with the chargers as they are converted laptop chargers and have been found to be over-charging.

There was not just a problem in Tyne and Wear, approximately 150,000 were taken out of market places. A number of Hoverboards have been sold by traditional stores. Officers have reacted very quickly and made sure the message has been delivered to the public.

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

TW7

RIP TESTING BRAND FAILURES

A report was presented to the Committee to inform them of the failures found in testing for the reduced ignition propensity of cigarettes for the calendar year 2014 to 2015 and the difficulties that Trading Standards faces in removing these products from the market place.

The samples were submitted to the Metrology Laboratory from a wide range of UK

Local Authorities and the failures reveal that a mixture of counterfeited products and so called cheap whites are causing problems associated with house fires caused by discarded ignited cigarettes.

There are a number of different brands that are being made available bypassing the normal supply chain with its inherent legal requirements in health and taxation.

The testing which has been undertaken by the Metrology Laboratory has been presented in court on numerous occasions and has resulted in successful prosecutions under Consumer Protection Legislation.

The Committee were asked to approve that the Metrology Laboratory invest more resources into expanding testing for Reduced Intensity Propensity in cigarettes.

The Committee were asked to approve the Metrology Laboratory to target the 87% of local authorities who are not using these tests as part of their enforcement strategy.

The Committee were asked to approve a licensing regime for tobacco products which would allow an income stream into Trading Standards being able to conduct this important work in health and fire safety.

- RESOLVED -
- (i) That the Metrology Laboratory invest more resources into expanding testing for Reduced Intensity Propensity.
 - (ii) That the Metrology Laboratory be approved to target Local Authorities who are not currently using this test.
 - (iii) That the Committee support a licensing regime for tobacco products which would allow an income stream into Trading Standards to conduct this work.

TW8

EXTENSION OF NOTIFIED BODY STATUS TO NORTH EAST

The Committee were presented with a report on a proposal to merge the existing Notified Body 0520 Tyne and Wear Trading Standards with Northumberland, Durham and extend into Darlington, Middlesbrough, Stockton, Redcar and Hartlepool for the purposes of the Non-Automatic Weighing Instruments Regulations 2000 and (Various) Measuring Instruments Regulations 2006.

The existing Notified body performs verification activities under the European legislation upon weighing and measuring instruments first placed onto the market as a third party verification organisation. To be notified, the Secretary of State has to consider the competence of the body and when satisfied, notifies the commission, the Metrology Laboratory has held this status since 1993. Due to recent changes to the Directives which are the source of the regulations we operate this activity under, the commission has ordered that all such bodies be re-notified by the end of March 2016. It therefore seemed an appropriate time to consider the continuance and viability of this service provision in its current format in the North East.

The proposal is to create a regional Notified body encompassing the whole NETSA region, based upon the existing shared arrangements in the Tyne and Wear Notified body system, Leader Authority to remain as Gateshead MBC. A SWOT analysis has been produced for the proposal.

Other Notified bodies in the UK do actively market their services and area effectively in competition with us in this respect as there is no barrier to conducting such work outside the Authority area.

The Committee expressed concern that this was something which may need to be taken to the legal advisers in each authority and also to the individual authorities to agree. It was felt that this was something which should be deferred to a future meeting once the position has been clarified.

RESOLVED - That the item be deferred until further clarification on the legal implications of entering into this agreement are sought.

TW9

SHARING BULK FUEL CAPABILITY WITH NORTHUMBERLAND COUNCIL

The Committee received a report on a proposal to share costs (not ownership) of the specialist bulk fuel testing equipment with Trading Standards for Northumberland.

The current reference meter used in the inspection of small fuel tankers that typically supply central heating oils to customers not connected to mains gas is operated by the metrology laboratory on behalf of the five Tyne and Wear authorities.

The calibration costs of the unit are large and involve taking the unit to Warwickshire on a six monthly cycle. Northumberland have a number of hauliers and currently hire the bulk fuel meter from Tees Valley Measurement in Middlesbrough at a premium price per day of hire. It is proposed that Tyne and Wear and Northumberland share the calibration costs on an annual basis and Northumberland be allowed to use the meter as and when the need arises.

RESOLVED - That the proposal to share calibration costs with Northumberland be approved in order that savings can be made by both parties.

TW10

UPDATE ON THE LGA REVIEW OF TRADING STANDARDS

The Committee received a report to provide an update on the Review of Trading Standards.

The review was carried out by the Chartered Trading Standards Institute (CTSI). The objective of the review was to understand what local government needs from its trading standards services and consider the options for the future of the service, with a view to outlining a series of recommended next steps to further explore and take forward.

The review undertook a short survey of English trading standards authorities, established a stakeholder group comprising, councillors, council chief executives and directors and representatives of the Association of Chief Trading Standards Officers, ran a series of interviews with members of the stakeholder group and held a stakeholder group workshop to discuss key issues identified in a project discussion paper with a view to be reported back to the LGA SSCB in early December 2015.

Key findings of the review were that Trading Standards should remain integration within Local Government Framework. The review also found there were mechanisms in place for managing regional, local and national priorities, for example the National Money Lending Team and the Scambusters team.

Currently Trading Standards enforce over 200 pieces of legislation with no priorities over what should be enforced.

The review has been welcomed by the LGA and will be used to look at ways of providing services in the future. It is felt that the best way is by providing joint services.

RESOLVED - That the information in the report be noted.

TW11

MEETING SCHEDULE FOR 2016 - 2017

RESOLVED - That the dates following dates for the 2016/17 municipal year be noted.

Thursday 30 June 2016
Thursday 22 September 2016
Thursday 24 November 2016
Thursday 16 February 2017