

Report to the Tyne and Wear Trading Standards Joint Committee

4 March 2021

Trading Standards and Covid-19

**Anneliese Hutchinson, Service Director, Economy, Innovation & Growth,
Gateshead Council**

Purpose of the report

To update the Committee on the continuing work of regulatory services operating and delivering through your Trading Standards and Environmental Health services throughout the Covid-19 Pandemic.

Summary

1. Since March 2020, there have been and continue to be a number of rapid and far reaching changes in legislative regimes, which have been imposed by Central Government and as always, local authorities have progressed through responding and dealing with the pandemic. Basically, there have and continued to be legislative changes which have been imposed, at often quite short notice for local authority officers to interpret and then enforce.
2. Trading Standards and Environmental Health services continue to be at the fore front in providing rapid and very responsive solutions to the interpretation and implementation of the various legislative changes imposed on the nation and the regional tiers, as we have progressed through dealing with pandemic.
3. On that basis the level and type of specific complaints/enquiries has changed throughout this period. Local Authority Regulatory Services have come together and continue to deal with complaints on specific businesses that should be closed either on permitted timing restrictions; or because they have been placed within the legislation, without any exemptions to be permitted to be open; through to complaints/enquiries on those businesses that were permitted to be open at the time but were not following the guidance in terms of either managing staff and customers with the wearing of face masks if required and social distancing.
4. Local Authorities throughout the legislative changes that have taken place, continue to utilise a range of enforcement tools in line with our Enforcement Policies and national guidance. Joint visits by EHO's and TSO's with Northumbria Police Officers were also carried out and where appropriate the service of Prohibition Notices, Direction Notices or Fixed Penalty Notices given to businesses found not to be compliant.
5. These non-compliant businesses have mainly included those businesses not prepared to close down during lockdown restrictions such as barbers, hairdressers, beauty therapists, together with hand car washes and car valeters.

6. Services continue to deal comprehensively with many thousands of complaints and intelligence about non-compliant businesses from consumers and businesses and where deemed appropriate the range of enforcement tools continue to be employed to ensure compliance in the over-riding interests of public health and safety.
7. It is important to remember, that although a great deal of prioritisation has been given and continues to be given to this very important regulatory work; officers have continued to engage with the other important delivery of the wide range of services, which is very much an expectation of consumers, businesses and Members and also those Government agencies and organisations that we all report to.
8. The true effect of these range of additional duties was highlighted in a letter of the 26 January 2021, which was sent to all Chief Executives by the Ministry of Housing, Communities and Local Government.
9. The letter highlighted the work carried out and encapsulated advice on service delivery for Winter 2020/2021 in the following terms:
10. "We have heard from many of you about the pressure these services are under. We know that councils were already taking a risk-based approach to regulation following reductions in capacity, and that the demands of COVID-19 and EU transition have stretched the need to do so still further. We have also received feedback that it would be helpful for government to provide a steer on national priorities to help inform local approaches and management of resources across all regulatory areas including licensing, trading standards and environmental health.
11. We have therefore developed a table of existing regulatory services activities, categorised to help support local authority decision-making, included in the Annex. While statutory duties will need to continue to be met across all activities, in some areas government has introduced changes to reduce burdens or streamline activity, and details of these are set out.
12. We recognise that this is by no means a complete picture of the full range of activities, but hope that providing this view of national priorities will better support your work to carry out these vital services for your communities and to agree your local priorities. We recognise and support the need to prioritise activity based on local circumstances, businesses, and local economies".

Recommendation

13. The Committee is asked to note the information as contained within the report. A copy of the letter from MHCLG is available from any Member who requests one.

Contact: Laura Brooks, Sunderland City Council, on 07799 624944 or laura.brooks@sunderland.gov.uk
