

**TYNE AND WEAR TRADING STANDARDS JOINT COMMITTEE****THURSDAY 24 SEPTEMBER 2015 AT 10.00AM****PRESENT:****GATESHEAD COUNCIL**

Councillor K Dodds (Chair)

Councillor M Foy

Councillor T Graham

**NEWCASTLE CITY COUNCIL**

Councillor M Lowson

Councillor N Kemp

**NORTH TYNESIDE COUNCIL**

Councillor J O'Shea

Councillor S Graham

**SOUTH TYNESIDE CITY COUNCIL**

Councillor A McMillan

Councillor A West

Councillor T Dixon

**SUNDERLAND CITY COUNCIL**

Councillor D MacKnight

Councillor J Blackburn

Councillor M Mordey

**TW/17/15. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor C Ord, Gateshead Council, Councillor S Lambert, Newcastle Council and Councillor L Scanlon, Sunderland Council.

**TW/18/15. MINUTES**

RESOLVED - That the minutes of the last meeting held on 25 June 2015 be approved as a correct record and signed by the Chair.

**TW/19/15.**

**CHARTERED TRADING STANDARDS INSTITUTE –  
CREATE A CAMPAIGN**

The Committee had previously been advised of a competition launched by the Trading Standards Institute to create a campaign. Posters were distributed across Tyne and Wear Schools and Hebburn Comprehensive won the prize with their entry.

The winning campaign was a short film about the choices children can make when it comes to drinking and smoking and this was shown to the Committee. The children from year 10 attended the Committee and explained their thinking about the production of the film. They won £1,000 and are hoping the film will be shown across secondary schools in Tyne and Wear and are looking at the possibility of how it can be added to social media (given safeguarding precautions which need to be in place).

The Committee congratulated the young people for their excellent film which touched on a number of issues which could affect young people and they hoped it would be able to reach a wider audience.

RESOLVED - That the Committee place on record its congratulations to the pupils of the school for their excellent work in producing the film.

**TW/20/15.**

**REPORT AND STATISTICAL RETURN FOR THE QUARTER  
ENDING JUNE 2015**

The Committee received the Statistical Return for the work of the Joint Metrology Laboratory for the quarter ending June 2015.

RESOLVED - (i) That the information be noted.  
(ii) That a breakdown on expenditure and income for the Joint Metrology Laboratory be provided to members of the Joint Committee.

**TW/21/15.**

**UPDATE ON THE PACKAGING (ESSENTIAL  
REQUIREMENTS) REGULATIONS 2015**

The Committee considered these regulations in relation to essential packaging which introduce a definition of “plastic” and “plastic carrier bags”. This is in line with the proposed

regulations on the charging for single use carrier bags which will come into force also on 1 October 2015.

Packaging means all products used to contain, protect, handle, deliver and present goods. Packaging designed to stay with the product during its life, such as a case, is not subject to the regulations.

The essential requirements are:

- The volume and weight of the packaging must be kept to the minimum amount to ensure the necessary levels of safety, hygiene and consumer acceptance for the packed product.
- Hazardous substances and materials must be kept to a minimum in terms of their emissions when incinerated or landfilled – for example from ash or leachate (the liquid that drains from a landfill site).

The regulations are based on EU regulations and meet essential safety requirements.

RESOLVED - That the information be noted.

**TW/22/15.**

**THE ENERGY PERFORMANCE OF BUILDINGS (ENGLAND AND WALES) (AMENDMENT) (No. 2) REGULATIONS 2015 - SI 2015 NO. 1681**

The Committee was informed of the contents and purpose of these regulations.

The key intentions of the new SI are as follows:

- One local authority in its role as a weights and measures authority will need to enter into an agreement with another local authority for the enforcement of the Energy Performance Certificate (EPC) provisions relating to its own buildings within 3 months of the proposed SI coming into force on 9 October 2015.
- That local authority will then need to notify the Secretary of State at the Department for Communities and Local Government (DCLG) about this agreement.
- Once an agreement has been made to enforce the provisions in any other authority's area the enforcement authority will then need to collect information about the buildings subject to the controls in that other area.

- The enforcement authority will then need to report annually to the Secretary of State at DCLG about the actions that have been taken within 2 months of the start of the year and in a form prescribed by the Secretary of State.

With ever reducing budgets across government agencies and, in particular, local authority trading standards services (LATSS), the capacity of services to deal with the increasing range of legislation has been reduced.

It has to be recognised by central government departments, including the DCLG, that although important to wider society the enforcement of the legislation around the energy performance of buildings is not currently a priority for local regulatory services. Local priorities for LATSS now tend to be concentrated in respect of important issues to our residents in protecting the more vulnerable members of society through the work around doorstep crime and promoting public health through our work around product safety and age restricted sales.

It is understood that officials from the DCLG did previously seek an opinion from officials and an elected member at the Local Government Association. The response provided that the proposed amendment was not one that should be assigned to local authority enforcement services but should be re-assigned to another body or organisation. That advice, with the subsequent unannounced laying before Parliament of the SI on 15 September 2015, would appear to have been ignored. The Joint Committee understands that the LGA may well be raising this development with the DCLG.

The Joint Committee believes that the content and intent of the statutory instrument should be considered as matter of some urgency by Parliament and that DCLG should be requested to reconsider its latest strategy with respect of EPC's for public buildings in line with the advice previously offered by the LGA.

**RESOLVED -** That a letter be circulated to all Tyne and Wear MPs seeking their support for the Committee's views and asking them to raise its concerns at the appropriate opportunities.

**TW/23/15. CRIME PREVENTION EVENTS AND SCAMS AWARENESS**

The Committee received an update on the current education events taking place in the region in conjunction with Northumbria Police and Barclays Bank.

Trading Standards are working with Northumbria Police's Crime Prevention Team and visiting local Barclay's branches to offer tips about staying safe online.

Barclays staff are also advised on how to deal with unusual activity should a consumer attend a branch to withdraw large amounts of cash which is out of the ordinary.

RESOLVED - That the information be noted.

**TW/24/15. UPDATE ON THE CONSUMER RIGHTS ACT 2015**

The Committee was advised of changes in the legislative framework surrounding contractual issues which are changing on 1 October 2015 when the Consumer Rights Act comes into force.

The Act will cover:

- what should happen when goods are faulty;
- what should happen when digital content is faulty;
- how services should match up to what has been agreed and what should happen when they do not, or when they are not provided with reasonable care and skill;
- what happens when a business is acting in a way which isn't competitive;
- written notice for routine inspection by public enforcers, such as Trading Standards; and
- greater flexibility for public enforcers, such as Trading Standards, to respond to breaches of consumer law, such as seeking redress for consumers who have suffered harm.

Alternative Dispute Resolution will be available to all businesses to help when a dispute with a consumer cannot be settled directly.

Letting agents must display fees:

- On each of their premises where they deal face to face with persons using, or proposing to use, services to which the fees relate.
- In a place which it is likely to be seen.

- On their website, if they have one.

When the new law comes into force in October, consumers should be able to learn much more easily what their rights entitle them to. Consumers are advised to bear in mind their rights when they are researching purchases and when they decide between various businesses. Consumers should be clear where they go for more information in advance of a purchase and what to do if a problem arises.

RESOLVED - That the be noted.

**TW/25/15.**

**DATE AND TIME OF NEXT MEETING**

Thursday 26 November 2015 at 10.00 am