

GATESHEAD METROPOLITAN BOROUGH COUNCIL

TYNE AND WEAR TRADING STANDARDS JOINT COMMITTEE MEETING

NOTES OF INQUORATE MEETING – THURSDAY, 13 JULY 2023

PRESENT: Councillor K Dodds (Chair)

Councillor(s): C Buckley, T Graham, I Patterson,
Councillor(s): J Heron, T Dodds
Councillor(s): J O'Shea, J Shaw and T Mulvenna

APOLOGIES: Councillor(s): J Fletcher, P Walker, C Rowntree, S Graham,
J Hunter, A Lamonte, J Keegan

TW87 APPOINTMENT OF CHAIR

It was noted that the meeting was inquorate, it was agreed to go ahead with the meeting subject to formal agreement at the next meeting.

It was noted that Councillor Kevin Dodds (Gateshead Council) be appointed as Chair for the 2023/24 Municipal Year subject to agreement at the next meeting of the Committee.

TW88 APPOINTMENT OF VICE-CHAIR

It was noted that Councillor Jill Fletcher (Sunderland City Council) be appointed as the Vice-Chair for the 2023/24 Municipal Year subject to agreement at the next meeting of the Committee.

TW89 CONSTITUTION

The Constitution of the Committee for the 2023/24 Municipal year be noted, subject to Councillor Dodds, replacing Councillor Gibson, Sunderland City Council and Councillor L Wright replacing Councillor Lambert, Newcastle City Council.

TW90 MINUTES

The minutes of the meeting held on 2 March 2023 did not have Councillor T Graham's apologies recorded, subject to this change and agreement at the next Committee the minutes were noted.

TW91 2022/23 FINAL OUTTURN BUDGET FOR THE 2023/24 FINANCIAL YEAR

The Committee received a report to provide an update on the final outturn for the financial year 22/23. It was noted that there was an underspend of £13,000 partly offset with the increase in utility costs.

It is anticipated £46,000 will be put into reserves with a cost of £36,000 for the improvement works.

The proposed budget for 2023/2024 was set out in the report. The contributions from the five Tyne and Wear Authorities will be based on an increase of 3%.

The Committee noted the report.

TW92 CTSI SOCIAL MEDIA MARKETPLACE SURVEY

The Committee received a report on the details of a recent survey carried out by the Chartered Trading Standards Institute which concluded that Social Media giant's e-commerce arm causes most concern for UK's Trading Standards.

A new national survey published had revealed that Facebook Marketplace is the online marketplace which is causing Trading Standards and consumer protection professionals the most concern, with complaints about counterfeit, poor-quality and potentially unsafe goods being sold.

The online giant which enables third-party sellers to trade goods on its platform was criticised by Trading Standards Officers as being unresponsive or uncooperative when contacted about problem sellers. Facebook Marketplace was also criticised for being slow to take action against problem sellers and for enabling misleading product descriptions, counterfeit goods and potentially harmful products to reappear on its platform after being taken down.

The survey found that just 10% of Trading Standards Officers said they have been able to take action against online marketplaces as a result of three obstacles, uncooperative businesses, unsuitable legislation and limited resources.

Through its work with the All Party Parliamentary Group (APPG) on Consumer Protection, CTSI has been identifying issues affecting consumers using online marketplace. The APPG's evidence-gathering sessions coincide with the recent publication of the Digital Markets, Competition and Consumers Bill, which includes proposals to create a Digital Markets Unit which would have the power to hold online firms to account.

The Committee noted the report.

TW93 UPDATE ON THE IMPLEMENTATION OF NEW ENVIRONMENTAL LEGISLATION

The Committee received a report to update on an announcement from the Government that a range of polluting single-use plastics will be banned in England. The ban will include single-use plastic plates, trays, bowls, cutlery, balloon sticks and a certain type of polystyrene cups and food containers. This ban will be introduced from 1 October 2023 allowing businesses time to prepare.

Previous bans have included drinking straws and cotton buds. This will be undertaken on a staged approach but it is likely there will be potential enforcement

around takeaways and at events who use plastic straws for balloons.

The Government is also carefully considering further measures around other commonly littered and problematic plastic items, including wet wipes, tobacco filters and sachets, following the call for evidence on this issue.

The Government has also announced a new deposit return scheme for recycling plastic bottles and drink cans which is set to make things easier for tens of millions of people. Scotland is also looking to do this for glass but there are no plans for England as yet.

The Committee noted the report.

TW94 UPDATE ON GOVERNMENTS NEW FRAUD STRATEGY

The Committee received a report updating on the Government announced new Fraud Strategy which sets out a plan to stop fraud at source and pursue those responsible wherever they are in the world, reducing fraud by 10% on 2019 levels by 2025.

By December 2024 the Government will:

- Establish a new national fraud squad with over 400 new posts and make fraud a priority for the police.
- Deploy the UK intelligence community and lead a new global partnership to relentlessly pursue fraudsters wherever they are in the world.
- Put more fraudsters behind bars through better investigation and prosecution processes for fraud and digital offences.
- Ban SIM farms which are used by criminals to send thousands of scam texts at once.
- Stop fraudsters from being able to send mass text messages by requiring mass texting services to be registered, subject to a rapid review.
- Replace Action Fraud with a state-of-the-art system for victims to report fraud and cyber-crimes to the police.
- Ban cold calls on financial products so fraudsters cannot dupe people into buying fake investments.
- Stop people hiding behind fake companies and create new powers to take down fraudulent websites.
- Work with industry to make sure that intelligence is shared quickly with each other and law enforcement.
- Change the law so that more victims of fraud will get their money back.
- Overhaul and streamline fraud communications so that people know how to protect themselves from fraud and how to report it.
- Make the tech sector put in place extra protections for their customers and introduce tough penalties for those who do not.
- Shine a light on which platforms are the safest, making sure that companies are properly incentivised to combat fraud.

The Committee noted the content of the report.

TW95 OPERATION MILLIE - PROSECUTION AGAINST SUNDERLAND BASED EHIC CARD SCAMMERS

The Committee received a report providing details of the outcome of an investigation which Sunderland City Council's trading standards team were involved in.

A family who made over £2m using deliberately misleading websites to trick people into paying for European Health Insurance Cards (EHICs), which were freely available from the official NHS website, were sentenced on the 16 May 2023 at Leeds Crown Court, following an investigation led by the National Trading Standards eCrime Team, which is hosted by North Yorkshire Council and City of York Council. The team made test purchases and uncovered a range of misleading features on the site that undermined the NHS service and added no value for consumers. Nor did it provide the 'check and send' service for consumers that was claimed.

Siblings who were directors of the companies behind the misleading websites were jailed for 9½ years and 8 years respectively after being found guilty of fraudulent trading and laundering the proceeds, between February 2013 and October 2019.

One brother was also convicted of engaging in aggressive commercial practices after threatening consumers who complained to prevent them from pursuing refunds. The brothers have both been disqualified from being directors for 10 years.

Their parents were also found guilty of money laundering and were sentenced to 2 years suspended for 2 years and both are required to attend 10 activity rehabilitation days.

The Committee noted the report.

TW96 UPDATE ON GOVERNMENT PLANS TO CUT SMOKING RATES AND TACKLE UNDERAGE VAPING

The Committee received a report to update on the Government's ambition to be smokefree for England by 2030.

In April, the Public Health Minister introduced a raft of measures. It is intended to be a collaborative approach and a series of steps have been announced:

1. To stop children and non-smokers from starting vaping.
2. To exploit the potential of vaping as a powerful tool to stop smoking.
3. To help more people quit smoking, particularly where rates are highest.

The Government will look at issues such as regulatory compliance, marketing and promotion and the environmental impact of disposable vapes.

The Government has also announced £3m of funds to be deployed for Trading Standards to tackle vaping issues now referred to as "Operation Joseph". To date, the Department of Health and Social Care has not signed off any detail.

A 'swap to stop' partnership is a scheme where smokers are provided with a vape starter kit alongside behavioural support to help them completely stop smoking.

Working with Councils and others a million smokers across England will be offered a free vaping starter kit. The scheme will run initially over the next 2 years targeting the most at-risk communities first.

Over half of all smokers approximately 3m people want to quit smoking, some of the most cost-effective stop smoking treatments are not currently available in England, however, working with suppliers will provide access to put licenced medications in the hand of people who would benefit the most from them.

The front of cigarette packs has contained 'smoking kills' warning signs since 1991, this will continue but there will be a consultation this year on introducing mandatory pack inserts with positive messages and information to help people quit. This is something required by law in Canada and has been effective as a measure to increase the number of people attempting to quit.

The Committee noted the information in the report.

TW97 METROLOGY LABORATORY REPORT - JULY 2023

The Committee received the Metrology Laboratory update report. It was noted that the Lab has gone through a number of staffing changes and a new structure is now in place with all posts filled. There will be some training requirements due to some of the post holders being new, it is hoped that the best possible solutions can be provided to all stakeholders and customers.

Figures for the last calendar year are better than those for 2021 and it has been the best year of income for 12 years. The building refurbishment plans are at an advanced stage although work at schools is prioritised over the summer the lab will be the next on the list after the summer. This will allow for some time for the lab to plan its work.

The weighbridge test unit will be in the region in May and November and will test all of the weighbridges in the area.

The lab has been asked to calibrate Northumberland County Council's weights and Cumbria has approached them to do theirs.

The public weighbridge is in high demand prior to the summer break for caravan and camper vans.

The UKAS Audit took place and there were some minor points picked up but they have all been addressed and the lab has retained its accreditation for another year.

The OPSS has extended its product safety sampling budget.

The Committee noted the report.

