

TYNE AND WEAR TRADING STANDARDS JOINT COMMITTEE MINUTES

Thursday, 18 July 2024 at 10.00 am in the Civic Centre

From the Chief Executive, Dale Owens

PRESENT: Councillors: K Dodds, P Lovatt, J Fletcher, T Graham, L Brand, J Heron, J O'Shea, J Price, S Dean, T Mulvenna, J Mudzingwa

APOLOGIES: Councillors: B Clark, T Dodds, J Chapman

Item Business

TW1 Appointment of Chair

Councillor Kevin Dodds is elected as Chair of the Committee, receiving first and seconded nominations. No further nominations were received.

TW2 Appointment of Vice-Chair

Councillor Jill Fletcher is elected as Vice-Chair of the Committee, receiving first and seconded nominations. No further nominations were received.

TW3 Constitution

The Committee noted the Constitution for the 2024/25 municipal year as per the agenda.

TW4 Apologies for Absence

Apologies for absence were received by the following Members: Councillor T Dodds, Councillor J Chapman and Councillor B Clark.

Apologies for absence were given by the following Officers: Michelle Pope.

TW5 Minutes

The Committee agreed the minutes of the last meeting on 21st March 2024 was an accurate record.

Action – To circulate item in relation to TW97 before the next meeting to explain the outcome of the budget.

TW6 Outturn 2023/24 and Budget Monitoring 2024/25

The Committee noted the absence of representation in relation to the financial report. The Committee makes known the expectation of representation for the next meeting.

TW7 Primate Pet Ban

The report was presented to inform Members of the change in legislation which means that it will no longer be possible to keep primates as household pets in environments that fail to provide for their needs. The legislative changes have been signed into law as of 5th March 2024, taking effect in April 2026.

Licenses will need to be obtained by keepers of primates with licences being issued by local authorities via licensing and trading standards teams.

The Committee asks to clarify the need of a qualified vet as per prior EU requirements. Furthermore, how qualified will Welfare Officers be required to be and from where will funding be obtained? The Committee was informed that inspections are currently conducted, however, not with expertise to determine if an animal is cared for appropriately in its environment. Because of this, vets are required to accompany these inspections which does incur a cost. It is unclear whether funding will be available when the new regulations come into place to enable effective policing of the new measures relating to primates.

RESOLVED:

- i. The Committee agreed the report.

TW8 CMA Pricing Survey

The report was presented to advise Members of a review by the Competition and Markets Authority (CMA) which indicates that some independent and smaller grocery retailers are failing to display clear and accurate prices.

The Competition and Markets Authority (CMA) has reviewed the way a range of grocery retailers displayed their prices in-store to assess whether they were clear, accurate and matched the price people were charged at the till.

The percentage of pricing errors found at each type of store were:

- Supermarkets: 4.2%
- Symbol convenience stores: 14.4%
- Variety stores: 5.6%
- Independent food stores: 7.8%

Overall, 60% of the errors resulted in a higher price being charged at the till.

As a result of these findings, the CMA, has published compliance materials aimed at helping grocery retailers understand what they need to do to comply with the law and these have been utilised by local authority Trading Standards services. The CMA is also calling on the relevant trade associations to share these compliance materials with their members.

The Committee raised a question regarding the levels of enforcement in place to deter or prosecute those who do not follow regulations. The Committee was informed that the current legislation has been in place for a long time with most authorities not conducting *routine* inspections due to level of resources, although the level of resources is

satisfactory to react to complaints.

RESOLVED:

- i. The Committee agreed the report.

TW9 Alcohol Measures

The report was presented to the Committee to provide the findings of 137 volume tests conducted on beer and wine in pubs and bars in 9 local authority areas of the UK.

The findings from the survey were as follows-

- There were 96 short measures out of 137 test purchases, meaning approximately 70% of the test purchases were short measured.
- Out of the short measures, 41 were at a deficit of 5% or over – 29% of all the 137 drinks tested.
- When broken down between beer and wine, it was noted that 86% of beer was short measured while 43% of wine was found to be short measured.
- The average deficit for short-measured beer found in the survey was 4%, while for wine it was 5%. For the average beer drinker, this equates to a loss of £1.70 per week, or £88.40 per year, and for an average wine drinker in the UK this jumps to £2.20 per week and £114.40 per year.
- The largest short measure was a deficit of 15% (26ml) found on a 175ml glass of wine in Walsall, with the drink costing £3.20.
- The next largest short measures were a deficit of 13.4% (23ml) found in Belfast, on a glass of wine costing £7.20, and the third largest deficit was of 12% (21ml) and found on a 175ml glass of wine purchased in Havering, costing £5.75.

In addition to these issues with short measuring, there has been an ongoing discussion around whether a pint of beer should include the frothy head or not. Legally, the head is included, however CTSI's new public polling found that over one third of the public (35%) of 2,000 felt the head should not be included in the pint measure – higher than one quarter (23%) who believed the head should be included. The Campaign for Real Ale (CAMRA) maintains that the pint measure should not include the head, and that consumers should have a right to a 100% liquid pint.

In the first week alone of the 2023 Christmas period, 35.9 million pints were sold in the UK, and if the CTSI findings are replicated across the UK, this would amount to £6.8 million in consumer detriment in only one week. In 2021, the British Beer and Pub Association reported that on-trade sales of beer alone contracted £5.7 billion in revenue, equivalent at the time to 1.4 billion pints per year or 26 million pints per week; with today's prices, this means a 4% deficit in each pint equates to a huge £264 million in potential consumer detriment per year.

The Committee learned that 'over-measures' were not reported as part of the survey.

RESOLVED:

- i. The Committee agreed the report.

TW10 | E Bike Safety Campaign

The report was presented to advise Members of the consumer information on e-bike and e-scooter battery safety published by OPSS.

The Office for Product Safety and Standards (OPSS) has published information for consumers to raise awareness around the safe purchasing, use and charging of e-bikes and e-scooters. This follows a number of fire incidents involving lithium batteries in e-bikes and e-scooters, including in conversion kits.

The consumer awareness information is running on social media, as well as on GOV.UK. It contains messaging around safe use and charging of lithium batteries in e-bikes and scooters, including unplugging when charging has finished, and advice on using manufacturer recommended batteries and chargers.

Trading Standards Officers are currently engaged in a national awareness and compliance project with OPSS in respect of those businesses locally who sell and repair e-bikes or e-scooters.

A Committee Member informs that there has been a 46% increase in e-bike related fires.

The Committee was asked to extend their support for the campaign to drive the safety and information surrounding e-bikes to consumers.

The Committee calls for joint discussion between this Committee and the Fire Safety Committee.

The Committee calls for the standardisation of e-bike safety procedures and information given to consumers when purchasing these products.

The Committee agreed that the Chair of the Committee, Councillor Dodds, is to send a letter to the House of Commons on behalf of the Committee to support the campaign.

RESOLVED:

- i. The Committee agreed the report.

TW11 | Retail Monitoring of Packaged Goods

The report was presented to advise Members of the results of a project on retail monitoring of packaged goods in 2023/2024 and proposals for 2024/2025.

The Packaged Goods Regs 2006 apply to packages made up to predetermined constant quantities by the packer and covers packs within the range of 5g to 25kg and 5ml to 25L. It is the packer/manufacturer or the importer into the UK who has responsibility for ensuring packs he produces or imports comply with the regulations.

Previous reporting on monitoring of packaged goods requirements indicated poor compliance by both importers and packers and recently there has also been a low level of such inspections carried out.

Officers carried out compliance checks of packaged goods during visits to retail outlets. Packs were check weighed and details of all checks recorded for inclusion within the report.

The results suggest whilst overall, the level of compliance on the product lines inspected were reasonably good, there were some significant problems with short weight products being placed on the market. These packs shouldn't have made it to the marketplace – and the presence of them suggests failings in the systems and controls employed by the packers identified. With commodity prices continuing to rise, it is more important than ever to ensure that controls are in place to give consumers confidence that they are getting what they have paid for.

There are plans to repeat/extend the data collection.

The Committee asked if routine inspections are to be implanted. The Committee was informed that the requests for resources are ongoing, with higher priorities receiving resources first, although, it is hoped that this report will highlight the injustices within consumerism and raise the profile of the work required to address the issue.

The Committee raised the concern for the scale of the issue, nationally, and were informed that similar work is ongoing across the nation. It is hoped that these ongoing works will draw the attention of national regulators and Government.

Action - The Chair of the Committee highlights the value in presenting this report, as well as others of the same context, to local Members of Parliament, on behalf of the Trading Standards Authority, in hope to lobby the Government and raise awareness of the detriment experienced by consumers. The Committee agrees this action.

RESOLVED:

- i. The Committee agreed the report.

TW12 Joint Committee Metrology Laboratory

The report was presented to inform the Committee of the work of the Joint Metrology Laboratory for the period and operational duties to present.

The laboratory is operating at full-strength with 6 full-time members of staff.

- Laboratory Supervisor
- Technical Supervisor
- Technicians x3
- Senior Support Assistant

All 6 members of staff are available to assist officers from the 5 authorities.

Staff training continues to be a priority with staff recently completing the UKAS 17025 Auditors course. Further courses planned include the UKAS Uncertainty of Measurement Course and laboratory technicians' course.

The report informs that 2024 has seen an increase in submissions to the laboratory.

Comparing the total submissions of Quarter 1 in 2023 with the submissions of Quarter 1 in 2024, an increase of 85 submissions is shown.

The first phase of the planned building refurbishment started on the 7th of May and the work is on course to be complete by the 12th of July. This includes a full building re-wire, fire alarm, intruder alarm, new ceilings throughout and a new kitchen. There have also been improvements to the building's IT infrastructure and an upgrade to the wi-fi as we look to futureproof our operations. The building has remained open during the work, with the calibration laboratories only closed for a short period. It is testament to the professionalism of the Metrology Laboratory staff and the team of electricians from Gateshead Council that this has been possible.

Over the last 18 months the Laboratory has been utilised as a training hub, working alongside North East Trading Standards Association (NETSA), to give training to Trading Standards trainees. This included trainees from the Tyne and Wear region.

The Public Weighbridge continues to be utilised by local industry and other road users. During spring and summer there is always an increase in the number of customers checking that their caravans and motor homes are road worthy. The prices for use of the Weighbridge can be found on Gateshead Council's website. The Public Weighbridge remains an essential service.

The Office for Product Safety and Standards (OPSS) has confirmed the extension of product safety sampling budget for 2024/5. The laboratory will continue as the sampling hub for the North-East, Yorkshire and Humberside regions. This year's budget is £25,000.

The Committee was informed that the range of products tested reflects public complaints and officers' findings when conducting surveys etc.

Action - The Committee expresses interest to visit the Laboratory and looks to visit ahead of the next Committee meeting.

RESOLVED:

- i. The Committee agreed the report.

TW13 Schedule of Meetings for 2024/25

The Joint Committee noted the following schedule of meetings for 2024/25:-

Thursday, 14 November 2024 at 10.00am
Thursday, 20 March 2025 at 10.00am

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democraticserviceteam@gateshead.gov.uk, Tel: , Date: Thursday, 11 July 2024