

# TYNE AND WEAR TRADING STANDARDS JOINT COMMITTEE AGENDA

Thursday, 1 November 2018 at 10.00 am in the Whickham Room - Civic Centre

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From the Chief Executive, Sheena Ramsey

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Item	Business
1	<b>Apologies for Absence</b>
2	<b>Minutes</b> (Pages 3 - 8)  The Joint Committee is asked to approve as a correct record the minutes of the previous meeting.
3	<b>Report and Statistical Return for the Metrology Laboratory</b> (Pages 9 - 12)  Report of the Service Director, Communities and Environment, Gateshead Council
4	<b>Consultation on Proposals to Restrict the Sale of Energy Drinks</b> (Pages 13 - 16)  Report of the Service Director, Communities and Environment, Gateshead Council.
5	<b>Implementation of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018</b> (Pages 17 - 18)  Report of the Service Director, Communities and Environment, Gateshead Council
6	<b>Report on Planned Activity during the lead up to Bonfire Night</b> (Pages 19 - 20)  Report of the Service Director, Communities and Environment
7	<b>Report on the Office for Product Safety and Standards Strategy and Delivery Plan</b> (Pages 21 - 24)  Report of the Service Director, Communities and Environment, Gateshead Council

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

**Thursday, 21 June 2018**

**PRESENT:** Councillor K Dodds (Chair)

Councillor(s): M Foy, T Graham, I Patterson,  
Councillor J Perry, Councillor J Blackburn,  
Councillor A Wilson, Councillor Nick Kemp,  
Councillor M Lawson and Councillor J O'Shea

**APOLOGIES:** Councillor J Fletcher, Councillor S Graham, Councillor P  
Lovatt, Councillor D Waller

**TW25 APPOINTMENT OF CHAIR**

RESOLVED - That Councillor K Dodds be appointed as Chair for the  
Municipal Year 2018/19.

**TW26 APPOINTMENT OF VICE-CHAIR**

RESOLVED - That Councillor J Fletcher be appointed as Vice-Chair for the  
municipal year 2018/19.

**TW27 CONSTITUTION OF THE COMMITTEE**

RESOLVED - That the Constitution of the Committee for the 2018/19  
municipal year be noted.

**TW28 MINUTES**

RESOLVED - That the minutes of the previous meeting held on 22 February  
2018 be agreed as a correct record subject to it being noted that  
Councillor J O'Shea was in attendance.

**TW29 REPORT AND STATISTICAL RETURN FOR THE QUARTER ENDING MARCH  
2018**

The Committee received the report for the work of the Joint Metrology Laboratory for  
the quarter ending March 2018.

The laboratory continues to support the work of the five authorities offering specialist services, equipment and personnel and conducting petrol verifications.

The two students who were trained for their practical and oral examinations at the laboratory have since passed their qualification and been awarded their certificates from the Chartered Trading Standards Institute.

The laboratory has continued to provide the following services, including:

- Aid and Advice to Industry
- EC Verifications
- UKAS Calibrations
- Toy Safety
- Electrical Safety
- Cigarette Samples

The laboratory has also hosted a tour of licensing committee members from South Tyneside Council. Citizens Advice have also visited the laboratory and have had a pupil from Cardinal Hume on work experience.

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

### **TW30 PROVISIONAL OUTTURN REPORT AS AT 31 MARCH 2018**

The Committee received an update on the current budget and outturn for 2017/18 and the proposed budget of £351,084 for 2018/19 subject to the Audit of Gateshead's Accounts.

From April 2015 onwards the accounts of the Trading Standards Joint Committee are reviewed as part of the Gateshead Council's Final Accounts process. A loss of approximately £10,000 was reported which will be funded from reserves. It is proposed that the contributions from the 5 constituent authorities remains the same as previous years.

The budget was agreed at £338,000, the increase to £351,000 is due to salary increases.

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

### **TW31 UPDATE ON BUSINESS PLAN**

The panel received a verbal update on the work being undertaken to produce a Business Plan for the Metrology Laboratory. Officers have been in discussions with finance and have been looking to identify where there are gaps in the market. Officer have also been looking into extending the scope of the UKAS Calibrations. It is difficult as the market is continually fluctuating.

Officers have discussed with finance capital input for investment in new equipment and are looking at the design and maintenance of the website.

Work is also ongoing on the development of a training programme, currently there are 2 staff on a training programme.

It was suggested that some competitor analysis needs to be done. It was noted that it is being suggested to the Committee that investment needs to be undertaken, however, it was important for the Committee to have some concrete facts and figures to base their decisions on.

It was agreed that a further written draft of a business plan in order that members of the Committee can make comments will be produced for the next meeting of the Committee.

RESOLVED - That the verbal update be noted.

## **TW32 CODE OF PRACTICE ON PRODUCT SAFETY RECALLS**

The Committee were provided with a report to update on developments around the issue of Product Safety Recalls.

The Government on 21 January 2018 announced the creation of a new national oversight body tasked with identifying consumer risks and managing responses to large-scale product recalls and repairs.

The new Office for Product Safety and Standards is seen as enabling the UK to meet the evolving challenges of product safety by responding to expanding international trade, the growth in online shopping and the increasing rate of product innovation.

The Government has promised to continue to work with stakeholders such as consumer groups, manufacturers and retailers to ensure the office coordinates the UK's product safety regime as effectively as possible.

This will not lessen any of the legal responsibilities that sit with manufacturers, importers and retailers to present safe products to the market, and to take rapid effective action when safety issues arise with their protocols.

One of the key actions identified as part of the government's response to the working group is to; work with the British Standards Institute to provide guidance on product recalls and corrective action.

Officers from across the region attended a training event on the new Code of Practice which was hosted by the Office of Product Safety and Standards in Newcastle in April.

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

### **TW33 SCAMS AWARENESS MONTH 2018**

The Committee received a report on the work undertaken as part of Scams Awareness Month which took place in June 2018.

Scams Awareness Month takes place each year and aims to create a network of confident, alert consumers who 'don't miss a trick' when it comes to scams. It is a true partnership event between Citizens Advice, the Chartered Trading Standards Institute and the local authority Trading Standards services.

Whether you are an individual consumer looking to protect your family from scams or an organisation or group representing consumers, all such efforts during Scams Awareness Month in June 2018 are important.

There are a number of types of scams which people can fall victim to including; online scams, mail and phone scams, employment scams, investment scams, pension scams and property fraud scams.

There are a number of organisations who offer help and advice on both how to protect yourself from scams and what to do if you have been the victim of a scam.

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

### **TW34 TRADING STANDARDS RESPONSIBILITIES UNDER THE TENANTS FEES BILL 2017-2019**

A report was presented to Committee to provide an update on the proposed role of Trading Standards services under the Tenants Fees Bill.

During the Queen's Speech 2017, the Government announced an intention to bring forward a Draft Tenants Fees Bill to tackle "unfair fees on tenants" and "make the private rental market more affordable and competitive". The Tenants Fees Bill received its second reading in the House of Commons on the 21 May 2018.

Other action the Government is involved with includes:

- A new requirement for all landlords to be members of a redress scheme to give tenants easier access to dispute resolution
- A new requirement for all letting agents to be registered and members of a client money protection scheme
- The introduction of banning orders and a database of rogue landlords and agents
- Consultation on the benefits and barriers of longer tenancies in private rented sector

This has been welcomed by consumer organisations and housing charities such as Shelter, Which and Citizens Advice, however, organisations such as the Association of Residential Letting Agents (ARLA), the Residential Landlords Association (RLA)

and the National Landlords Association (NLA) whilst expressing support for the wider regulation of lettings/managing agents to drive up standards, do not support the abolition of letting agent fees.

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

**Chair.....**

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**Report to the Tyne and Wear Trading  
Standards Joint Committee**

**1<sup>st</sup> November 2018**

**Statistical Return**

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**Anneliese Hutchinson, Service Director, Communities and Environment,  
Gateshead Council**

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**Purpose of the report**

To inform the Committee of the work of the Joint Metrology Laboratory for the period since June 2018.

**Metrology Laboratory**

**Operational**

1. The laboratory continued to support the constituent authorities by providing specialist advice and equipment and providing calibrations to enable the statutory functions of the Weights and Measures Act 1985 to be conducted. The laboratory has also been providing professional advice and disposing of illegal vape liquids and testing Halloween costumes for flammability.

The laboratory has also ported over the Quality Management System to ISO 17025: 2017 in readiness for the next UKAS audit due on January 8<sup>th</sup>, 2019.

**Aid and Advice to Industry**

2. Local and National weighing machine installers continued to submit their test weights for calibration, including individually identified weights used to calibrate weighing machines to satisfy the requirements of their quality management systems.
3. Weights were also calibrated on behalf of:
  - Food Industry
  - Animal feed sector
  - Aerospace Industry.
  - Chemical Industry.
  - Engineering.
  - Nuclear Industry.
  - Sub-contracting for another UKAS laboratory who are unsuccessfully trying to appoint a Technical Manager despite advertising the role twice.

## **National Agenda**

4. The manager has been representing the North East on the CTSI qualification review process and has written a new module for metrology within the structure for Northern Ireland candidates to sit.
5. The manager has been asked to provide specialist support and advice to a Weighing Machine specialist in Belfast.
6. The laboratory is involved in Office of Product Safety and Standards protocol in collusion with West Yorkshire Joint Services. This protocol went live late October 2018 and is too early to update on service demands. There is only a small set of consumer products that are applicable, and these are not to be procured from retailers.

## **UKAS Calibrations**

7. Weights continue to be submitted for calibration and issue of UKAS Calibration Certificates.
8. We are currently issued 8,750 certificates since accreditation for mass. It would be nice to have some marketing around the 10,000 certificates.

## **Toy Safety**

9. EN71 – 1 Mechanical and Physical Properties. Relatively few samples have been submitted with some problems found.

## **Electrical Safety**

10. variety of electrical products were submitted as samples and as a result of complaints by consumers. These included chargers for electronic equipment which all failed, and the results returned to the submitting authorities.

## **Flammability Safety**

11. The laboratory has screen tested children's dressing up garments seized by trading standards and the brand holders' representative. Some of these garments failed the flammability requirements of EN 71 Part 2 and also had choking hazards in contravention of EN 71 Part 1, these are now removed from the supply chain.
12. The laboratory has screen tested children's Halloween costumes and found one wolf mask that burnt ferociously when a flame was introduced. This has been reported to the national retailer and has been withdrawn from sale.

## **Cigarette Fire Safety**

13. The laboratory has received 47 samples from around the UK. Of those submissions only one sample passed. The high failure rate is attributed to sales of illegal tobacco.

## **2019 implications**

14. The Notified Body aspect of the region is under threat for a No Deal Brexit as no UK notified bodies work will be recognised within the EU and the Government has muted we all become UK approved bodies with the CE mark being replaced with a UK mark. This will only be recognised with the UK.
15. UKAS will still be the UK accreditation body in the event of a No Deal Brexit and due to international mutual recognition agreements, the certificates will be recognised.
16. The date of November 14<sup>th</sup> is important to the region as it will be 40 years since the laboratory opened on Saltmeadows Road. Once again it presents a marketing opportunity.

### **Recommendation**

17. The Committee is recommended to note the report.

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Contact: Andrew Hayward, Gateshead Council on 0191 4785440 or e.mail  
[andrewhayward@gateshead.gov.uk](mailto:andrewhayward@gateshead.gov.uk)

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## Report to the Tyne and Wear Trading Standards Joint Committee

1<sup>st</sup> November 2018

### Consultation on Proposals to Restrict the Sale of Energy Drinks

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**Anneliese Hutchinson, Service Director, Communities and Environment,  
Gateshead Council**

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#### **Purpose of the report**

To update the Committee on the response provided by Government to the various concerns related to the sale of energy drinks.

#### **The Issue**

1. Energy drinks are soft drinks that contain higher levels of caffeine than other soft drinks and may also contain a lot of sugar (though low- or zero-calorie energy drinks are available).
2. Under current labelling rules, any drink, other than tea or coffee, that contains over 150mg of caffeine per litre requires a warning label saying: 'High caffeine content. Not recommended for children or pregnant or breast-feeding women'.
3. Evidence suggests that excessive consumption of energy drinks by children is linked to negative health outcomes; affecting children's physical and mental health, as well as sleep latency and duration.
4. Research has found that adolescents (aged 12-18) who consume energy drinks several times a day are 4.5 times more likely to report experiencing headaches, 3.5 times more likely to report sleeping problems, and 3.4 times more likely to report experiencing tiredness than adolescents who do not consume energy drinks.
5. A separate study found that 34% of adolescents who consumed energy drinks said that their ability to concentrate at school was affected by not getting enough sleep, compared to 18% for non-energy drink users.
6. Evidence has also linked energy drink consumption with depressive symptoms, emotional difficulties and lower well-being among children and adolescents; one study found that depressive symptoms were 11% higher and 'total difficulties' were 25% higher in those who consumed energy drinks 4+ times a week compared to those who never consumed energy drinks.
7. Those who work with children are expressing concern about the effects that energy drinks are having on children. A recent survey by the NASUWT teaching union, for example, found that more than one in ten (13%) teachers and school leaders identified energy drinks as a key contributor to the poor behaviour they had witnessed.

8. Energy drinks sometimes also contain high levels of sugar – one study found that regular energy drinks contain, on average, 60% more calories and 65% more sugar than other regular soft drinks – and may therefore contribute to obesity and dental problems in children.

### **Levels of energy drink consumption among children**

9. Manufacturers are currently required by European Union law to label all energy drinks containing over 150mg of caffeine per litre as 'not recommended for children'.
10. Despite the warning labels, children are still consuming these drinks; recent evidence shows that more than two thirds of UK children aged 10-17, and nearly a quarter of those aged 6-9, are energy drink consumers.
11. What's more, adolescents (aged 10-17) who drink energy drinks are drinking, on average, 50% more than the EU average for that age group. Though some of these children may only have an energy drink occasionally, data tells us that a quarter of children who consume energy drinks will have three or more in one sitting – potentially meaning that some children are consuming very large amounts of caffeine in one go.
12. Evidence also suggests that children, especially younger children, may not be aware of the potential health implications of consuming energy drinks; a European study found that 42% of children aged 3-9 could not confidently tell the difference between energy drinks and other soft drinks. This raises questions about whether children and their parents are aware of what energy drinks contain, specifically their high caffeine content.

### **Retailers Voluntary Ban**

13. Many larger retailers and supermarkets have voluntarily stopped selling energy drinks to under-16s. However, there are still many retailers who continue to sell these drinks to children.

### **Consultation**

14. The Government issued a consultation in August 2018 on a proposal to introduce new legislation to tackle the sale of energy drinks.
15. The Government set out its view in the consultation that legislating to end the sale of high-caffeine energy drinks to children would create a level playing field for businesses and create consistency, helping ensure that children do not have access to energy drinks in any shop.
16. This consultation closes at 11:59pm on 21 November 2018

## **Age limit**

17. The Government is consulting on whether the age limit for an end to sales of energy drinks to children should be 16 or 18 years of age.
18. A number of retailers, including all major supermarkets, have already stopped the sale of energy drinks to under-16s. An age limit of 16 would therefore be consistent with existing voluntary limits that many retailers have already applied.
19. However, 16 and 17- year olds are the highest consumers of energy drinks. Furthermore, the age of 18 is widely recognised as the age at which one becomes an adult, gaining full citizenship rights and responsibilities, and is also the age limit for purchasing other age-restricted substances, such as tobacco and alcohol. Other countries that have already ended the sale of energy drinks to children, such as Latvia and Lithuania, have used 18 as the age limit.

## **Businesses in scope**

20. The proposal is that any restriction on the sale of energy drinks to children would apply to all retailers in England, including both on-site and online sales. This is to ensure that children do not have access to energy drinks in any shop, and that no particular retailer is disadvantaged.

## **Vending machines**

21. The Government is also proposing that sales of energy drinks to children from vending machines should be restricted.
22. As adults may also buy energy drinks from vending machines, Government is consulting on how sales from vending machines could be restricted in a way that is proportionate.
23. The consultation suggests three possible approaches for restricting sales from vending machines:
  - Prohibiting all sales of energy drinks from all vending machines, regardless of the age of the person buying them;
  - Imposing age restrictions on sales of energy drinks from vending machines, to be enforced by the businesses or organisation on whose property the vending machine is located; or
  - Prohibiting sales of energy drinks from vending machines in specific locations with high child footfall, for example educational establishments, sports centres and youth centres.

## **Response to the Consultation**

24. A response to the consultation will be submitted on behalf of the region by the North East Trading Standards Association.
25. The Committee is asked to note the information as contained within the report.

## **Reference**

<https://www.gov.uk/government/consultations/ending-the-sale-of-energy-drinks-to-children>

## **Recommendation**

26. The Committee is asked to note the information.

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Contact: David Ellerington, Newcastle Council on 0191 2116119,  
david.c.ellerington@newcastle.gov.uk

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## Report to the Tyne and Wear Trading Standards Joint Committee

1<sup>st</sup> November 2018

### Implementation of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

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**Anneliese Hutchinson, Service Director, Communities and Environment, Gateshead Council**

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#### **Purpose of the report**

To update the Committee on the responses provided by local authorities as animal licensing authorities on the new legislative requirements under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The Regulations came into force on 1 October 2018.

#### **Why is there perceived a need for new regulations?**

1. The previous legislation, covering a range of animal-related legislation had been in place for decades, and in that time, there have been huge changes in pet owner attitudes and lifestyles. The new legislation takes account of different business models which have sprung up in response to these, as well as the rise of the internet. A major criticism of the previous legislation was that they were inconsistently applied across the country, with inspection fees varying hugely and the inspections themselves based on a variety of different criteria. These issues have been addressed in the new regulations.
2. The new Regulations provide for the licensing of persons involved in England in selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs and keeping or training animals for exhibition.
3. The Regulations specifies these activities for the purposes of section 13(1) of the Animal Welfare Act 2006 and provides for local authorities to be the licensing authorities. The consequence of this specification is that, subject to qualifying criteria, any person wishing to carry on any of these activities in England must obtain a licence from their local authority under these Regulations.
4. These requirements replace the requirement, in England, to be registered under the Performing Animals (Regulation) Act 1925 or to obtain a licence under the Pet Animals Act 1951; the Animal Boarding Establishments Act 1963; the Riding Establishments Act 1964 or the Breeding of Dogs Act 1973.
5. A person who carries on any of these activities in England without a licence under these Regulations commits an offence under section 13(6) of the 2006 Act and is liable to imprisonment for a term of up to six months, a fine or both.

Under section 30 of the 2006 Act, local authorities may prosecute for any offence under the Act.

6. Part 2 of the Regulations sets out how a person may apply to the local authority for a licence and sets out matters in respect of which a local authority must be satisfied when considering the granting or renewing of a licence. It provides for a local authority to charge fees to cover the costs it incurs in performing this function, considering a licence holder's compliance with these Regulations, enforcement and administration. It requires a local authority to have regard to guidance issued by the Secretary of State in carrying out their functions under these Regulations. It makes provision for the inspection of premises and provides powers for inspectors to take samples from animals.
7. Part 3 sets out the circumstances and procedures under which a licence may be suspended, varied or revoked. It also provides that the breach of a condition of a licence or the obstruction of any inspector appointed for the purposes of enforcement of these Regulations is an offence and applies relevant post-conviction powers contained in the 2006 Act.
8. Part 4 provides for appeals against licensing decisions by local authorities. Part 6 makes transitional and saving provision for unexpired licences or registrations under the pre-existing statutory regime. Existing Licences, apart from those issued under the Performing Animals (Regulation) Act 1925 (valid until 1 April 2019) will be valid until the 1 January 2019.
9. Part 7 contains a requirement for the Secretary of State to carry out reviews of these Regulations and for local authorities to provide information to the Secretary of State for the purpose of such reviews.
10. Schedule 1 describes each type of licensable activity. Schedule 2 sets out the general conditions that apply to all licensable activities and Schedules 3 to 7 set out the specific conditions that apply to each licensable activity. Schedule 8 lists persons who may not apply for a licence and Schedules 9 and 10 provide for repeals, revocations and consequential amendments.

### **Recommendation**

11. The Committee is asked to note the information as contained within the report.

### **Reference:**

<https://www.legislation.gov.uk/ukxi/2018/486/contents/made>

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David Ellerington, Newcastle Council Council, on 0191 2116119,  
david.c.ellerington@newcastle.gov.uk

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## Report to the Tyne and Wear Trading Standards Joint Committee

1 November 2018

### Report on planned activity during the lead up to bonfire night

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**Anneliese Hutchinson, Service Director, Communities and Environment,  
Gateshead Council**

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#### **Purpose of the report**

To inform the Committee about the planned activity of the local authorities intended activities in relation to the sale of fireworks on the run up to bonfire night.

#### **Background**

1. Local authority Trading Standards Departments are responsible for a number of aspects of the regulation of the sale of fireworks. This includes the safety of the products, dealing with banned products and underage sales of fireworks.
2. Other aspects of fireworks legislation are the responsibility of the Fire and Rescue Service and the Police. The former is responsible for licensing and storage of fireworks and the latter is responsible for use of fireworks in the street and possession of fireworks by under 18s.
3. In July 2017 rules for fireworks finally changed after a period where two regimes ran in parallel. All fireworks must now comply with Directive 2013/29/EU and the European standard EN15947 as opposed to either that standard or BS7114.

#### **Planned Activity**

4. The various Councils have developed very strong links with the Fire and Rescue Service over the years and carry out a series of joint inspections to fireworks premises. The Fire and Rescue Service check whether the fireworks are safely stored and displayed and that the net explosive content of the fireworks is within the limits appropriate for the licence of the premises.
5. Trading Standards staff will check notices and advise on issues relating to underage sales and will check compliance with EN15947. Officers will look at the labelling and dimensions of fireworks to ensure compliance. They will also check to ensure box sets are not being broken up for sale, where important safety information may be lost. They will also be looking for banned fireworks;

- an aerial wheel
  - a banger, flash banger or double banger
  - a jumping cracker
  - a jumping ground spinner
  - a spinner
  - a mini rocket
  - a shot tube that produces a loud noise as its main effect and/or has an inside diameter greater than 30mm
  - a battery containing bangers, flash bangers or double bangers
  - a combination (other than a wheel) that includes one or more bangers, flash bangers or double bangers
6. In addition to the overt visits carried out by the Councils some underage test purchasing is anticipated. This is proposed to be undertaken in partnership with Northumbria Police.
7. Officers will also assist the Police or Fire and Rescue Service if there is any intelligence relating to unlicensed premises. In previous years both retail and domestic premises have been identified as storing or supplying fireworks that were unlicensed and also stored more fireworks than would have been permitted in a licensed premises.

### **Recommendation**

8. The Committee is asked to note the information contained within the report.

## Report to the Tyne and Wear Trading Standards Joint Committee

1 November 2018

## Report on the Office for Product Safety and Standards Strategy and Delivery Plan

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**Anneliese Hutchinson, Service Director, Communities and Environment,  
Gateshead Council**

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### Purpose of the report

To inform the Committee about the launch of the Office for Product Safety and Standards strategy and delivery plan which aim to strengthen the UK's capacity to deal with product safety issues.

### Background

1. The Office for Product Safety and Standards (OPSS) was established in January 2018 by the Department for Business, Energy and Industrial Strategy, with the stated objectives of enhancing protections for consumers and the environment and driving increased productivity, growth and business confidence.
2. The OPSS remit is the safety of general (non-food) consumer products such as electrical goods, toys, clothing and cosmetics. It does not cover construction products or products where national capability and regulators already exist, e.g. motor vehicles, medicines and medical devices, and workplace equipment.

### OPSS Strategy and Delivery Plan

3. The OPSS launched its 'Strengthening national capacity for product safety: Strategy 2018-2020' and related delivery plan for 2018-2019 in August.
4. The strategy and delivery plan summarise the challenges and opportunities presented by the UK's product safety system and list the actions the OPSS will implement to achieve its four objectives:

**Analyse:** make the best use of scientific evidence, incident data, risk and intelligence in decision making

**Inform:** help consumers make informed choices and give businesses the information they need to comply

**Enforce:** use the full range of tools and powers to maintain protection, fairness and confidence

**Build:** put in place an infrastructure that equips the UK for future challenges

5. The OPSS intends to carry out a range of actions as part of its commitment to achieving the above objectives. These include:
  - Promoting the Code of Practice for product safety related recalls (PAS 7100) which was launched in March
  - Developing tools and guidance to help businesses and local authorities improve their risk assessment processes
  - Working with the national Intellectual Property Office to publicise the potential safety hazards posed by counterfeit goods
  - Establishing a Trading Standards Co-ordination Unit to lead on engagement with local authorities
  - Strengthening product safety checks at key points of entry into the UK
  - Beginning a market surveillance testing programme in partnership with local authorities
  - Improving the way authorities share information about product risks and receive rapid alert notifications
  - Developing a central hub to enable consumers to access reliable information about recalled products and receive alerts about products they have registered

### **Implications for Local Authority Trading Standards Services**

6. Responsibility for the enforcement of consumer product safety legislation will remain with local authority Trading Standards services.
7. Product safety remains one of the highest priorities for local authority Trading Standards services and any improvements that can be made to the existing regulatory framework would be welcomed.
8. The OPSS is arranging the provision of a number of specialist services centrally to support consistent national enforcement, including aspects of product testing and technical expertise.
9. The OPSS has recently entered into an agreement with the Tyne and Wear Metrology Laboratory which will receive funding to carry out toy safety testing work. This agreement will complement the existing arrangement whereby the laboratory carries out a range of product safety and other testing and support services on behalf of the five Tyne and Wear authorities.

10. The OPSS will not provide direct funding to local authority Trading Standards services. Furthermore, no financial assistance will be made available to cover the cost of purchasing samples for safety testing.
11. The focus of safety sampling will be products manufactured in or imported into a local authority's area.
12. Coordination and joint working between the OPSS and local authority Trading Standards services are currently at a very early stage and we await further information from the OPSS on these and other points, including the implications of exiting the European Union for the UK's consumer product safety regulatory framework.

### **Recommendation**

13. The Committee is asked to note the information contained within the report.

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