

# Martin Thursby

## Principal Trading Standards Officer

CE Marking Enforcement  
RIDBA Members' Meeting 16.10.19

- Local Authority Function
- All local authorities are different
  - Some more than others

# Dorset Council Budget and Staff

- Revenue Budget £916 705
- Externally generated income £93 768 (10.2%)
- Total number of staff 19.82 (FTE)
- Operational staff 18.32

# TS: What are we? Areas of Responsibility?

Product Safety

Food standards

Animal disease  
control/  
movements

Animal Feed

Petroleum  
+ explosives site  
safety

Weights and  
measures

False claims

Counterfeit  
goods

Doorstep  
crime/ rogue  
traders

Underage  
sales

Scam victims

Buy With  
Confidence  
trader approval

# Outcome measures 2018/19

- Complaints received 5670
- Complaints passed to officers for action 822
- Prosecutions (Magistrates and Crown Court) 13
- Formal cautions 16
- Proceeds of Crime Act benefit £101 611

# Primary Authority

- Government initiative (BEIS)
- Response to complaints from national companies to inconsistencies in TS enforcement
- Regulatory Enforcement and Sanctions Act
- General advice/audits/assured advice



# RIDBA Primary Authority Partnership

- Complaint from Devon member re Dorset Company
- Survey of all Dorset based steel frame manufacturers
- Nearly all brought into compliance
- Contact from RIDBA seeking assistance with CE compliance problem
- Problem?

# RIDBA Referrals 2018/19

TRADER LOCATION	DATE REFFERRED	OUTCOME
Buckinghamshire	25.9.18	Advised, MD disputes applicability of CPRs post Brexit.
High Wycombe	25.9.18	Advised in writing. No response.
Facebook/ Eire	25.10.18	Referred to Eire authorities. Did not consider themselves enforcement authority.
Doncaster	14.11.18	Written confirmation received that they have renewed their certification.
Wakefield	15.11.18	Company have verbally confirmed they are certified. Awaiting confirmation.
Dorset	4.18.17 (Decision made late 2018)	?



# Problems

- Lack of ownership by TS authorities
- Lack of knowledge by TS
- Lack of resources at TS
- No central register of certified companies
- Outside jurisdiction-Eire/ N. Ireland
- Brexit!

# No-Deal Brexit

23/09/2019 The Construction Products (Amendment etc.) (EU Exit) Regulations 2019

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All Legislation (excluding draft) [Advanced Search](#)

## The Construction Products (Amendment etc.) (EU Exit) Regulations 2019

UK Statutory Instruments 2019 No. 465 Whole Instrument

[Table of Contents](#) [Content](#) [Explanatory Memorandum](#) [More Resources](#)

[Previous](#) [Next](#) [Plain View](#) [Print Options](#)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

STATUTORY INSTRUMENTS

**2019 No. 465**

EXITING THE EUROPEAN UNION

BUILDING AND BUILDINGS

CONSTRUCTION

MARKET STANDARDS

### The Construction Products (Amendment etc.) (EU Exit) Regulations 2019

Made 30th March 2019

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(1).

In accordance with paragraph 1(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Construction Products (Amendment etc.) (EU Exit) Regulations 2019 and come into force on exit day.

**Interpretation**

2. In these Regulations—

“the 2011 Regulation” means Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC;

“the 2013 Regulations” means the Construction Products Regulations 2013(2).

**Amendments to the 2011 Regulation**

3. Schedule 1 (amendments to the 2011 Regulation) has effect.

**Amendments to the 2013 Regulations**

4. Schedule 2 (amendments to the 2013 Regulations) has effect.

**Amendments etc of EU tertiary legislation and consequential provision**

5. Schedule 3 (amendments etc of EU tertiary legislation and consequential provision) has effect.

[www.legislation.gov.uk/uksi/2019/465/made](#) 1/24

# The Main Changes

## The Construction Products (Amendment etc.)(EU Exit) Regulations 2019

- Made 5 March 2019. In force-when we leave with no deal
- CE mark → UK Mark
- Commission → Secretary of State
- Europe → UK
- Harmonised → Designated
- UK notified bodies → UK approved bodies

# QUESTIONS?