

Licensing Committee – 6 August 2013

Minutes of the meeting of the **Licensing Committee** held on **6 August 2013** when there were present:-

Chairman: Cllr Mrs C A Weston
Vice-Chairman: Cllr I H Ward

Cllr Mr R Carter	Cllr M Maddocks
Cllr T G Cutmore	Cllr D Merrick
Cllr Mrs H L A Glynn	Cllr R A Oatham
Cllr Mrs A V Hale	Cllr D J Sperring
Cllr K H Hudson	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs J E McPherson and M J Steptoe.

OFFICERS PRESENT

R Evans	-	Head of Environmental Services
J Fowler	-	Senior Licensing Officer
M Power	-	Committee Administrator

156 MINUTES

The Minutes of the Meeting held on 27 November 2012 and of the Licensing Sub-Committee Meetings held on 15 January 2013, 12 April 2013 and 30 April 2013 were approved as a correct record and signed by the Chairman.

157 SCRAP METAL DEALERS ACT 2013

The Committee considered the report of the Head of Environmental Services providing details of impending changes to the regulatory regime for scrap metal to be implemented through the provision of the Scrap Metal Dealers Act 2013 and the increased duties and powers that this gives to the Council.

In response to questions, the following was noted:-

- Closure notices can be issued either by the Council or the Police; the Council will consult with the Police prior to issuing a notice. If operators continue to conduct their business after the notice is served Council or the Police can apply to the Magistrates Court for a Closure Order.
- Inspections and visits to sites, as well as enforcement of breaches of the Policy, will generally be undertaken jointly by the Council and the Police. The new legislation is designed to regulate the disposal of scrap metal and this will include regulation of mobile scrap-metal van operators.

- Scrap metal collectors will have to keep records of where the metal is collected from and where it is taken to. The sites have to keep records of who has delivered the metal and where the metal has been collected from.
- A site operator who is also a collector will need both a site licence and a collector's licence.
- The Council is working with other authorities in Essex to establish a fee structure across the county; it is anticipated that fees collected will cover the costs incurred to administer the system.
- Under this scheme individuals are licensed rather than vehicles; therefore, neither a vehicle identification plate nor a vehicle registration index would be appropriate. Collectors will be issued with a licence that must be displayed on any vehicle that is being used in the course of the dealer's business. The licence must be displayed in a way that can be easily read by a person outside the vehicle.
- A collector operating in more than one area must hold a licence for each area. A collector can, however, deliver scrap metal to any site in any area.
- Homeowners/shopkeepers/tradesmen can take scrap metal items to sites without having to obtain a licence.
- Although no guidance has been received, it is anticipated that there will be an opportunity for the Council to feed back comments on the proposed legislation.
- Letters outlining the proposals have been sent to those currently operating in the District; operators will continue to be informed. Temporary licences will be extended until the new legislation comes into force.
- The Courts will administer and collect fines. The levels of fines issued by a Court will be subject to the limits of its jurisdiction. This should be made clear in the draft Policy.

Members expressed concern that the new legislation would not achieve its aim of reducing metal theft.

Various typographical amendments noted by the Committee would be made to the draft policy prior to its going to consultation.

Resolved

That, subject to the inclusion of various amendments to the draft Policy, and a final draft being circulated to Committee Members, the draft Scrap Metal Dealers Act Statement of Licensing Policy be approved for public consultation, as outlined in the report.

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The meeting commenced at 10 am and closed at 10.45 am.

Chairman

Date

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