

Licensing Committee – 3 October 2013

Minutes of the meeting of the **Licensing Committee** held on **3 October 2013** when there were present:-

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

Cllr Mr R Carter
Cllr Mrs H L A Glynn
Cllr K H Hudson

Cllr D J Sperring
Cllr M J Steptoe

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs T G Cutmore, Mrs A V Hale, Mrs D Hoy, Mrs G A Lucas-Gill, M Maddocks, D Merrick, Mrs J E McPherson and R A Oatham.

OFFICERS PRESENT

R Evans	- Head of Environmental Services
J Fowler	- Senior Licensing Officer
S Worthington	- Committee Administrator

192 MINUTES

The Minutes of the meeting held on 6 August 2013 were approved as a correct record and signed by the Chairman, subject to including apologies from Cllr Mrs G A Lucas-Gill. The Minutes of the Licensing Sub-Committee held on 6 August 2013 were also approved as a correct record and signed by the Chairman.

193 STATEMENT OF LICENSING POLICY (SCRAP METAL DEALERS ACT 2013)

The Committee considered the report of the Head of Environmental Services detailing the responses to the consultation on the draft statement of licensing policy for scrap metal dealers and proposing minor amendments prior to submission to Full Council for approval.

In discussing appendix A to the officer's report Members expressed concern that there were no names or addresses included for some consultees and stressed the importance that full names and addresses should be detailed on any register. Officers advised that it is not yet a legal requirement for any scrap metal collectors to be registered. However, once the legislation formally comes into effect it will be a legal requirement that full details should be included on a register, kept by the Environment Agency, which will be available for the public to view. Under the new legislation, when individual licences are issued by this Authority to any scrap metal business/collectors an entry will be made on the Environment Agency register, including the name and address of the business, together with the names of all key personnel associated with the business. In addition, these details will be included in the

Members' Bulletin, under the normal arrangements for advising Members of decisions taken by officers under delegated authority.

In response to a Member question about collectors with a Harwich address operating within the Rochford District, officers confirmed that collectors will be able to apply for and hold licences for different Districts and will be able to collect from any such Districts.

Officers further confirmed, in response to a Member query about relevant documentation required by scrap metal businesses/collectors, that collectors will need to keep detailed records of where they collect from, including any addresses of items collected from private properties in the street. The new legislation will also require them to obtain details from a resident's driving licence or passport if they collect scrap metal left outside that resident's property.

Responding to a Member question about copies of scrap metal licences, officers advised that the Licensing Section keeps copies of all scrap metal licences; the businesses/collectors will also need to keep a copy of their licence on display in their vehicle, a template for which was currently being explored by officers in more detail. In response to a supplementary question about challenging collectors who do not comply with this requirement, officers confirmed that this would need to be managed by the Authority, working in partnership with the local police.

In response to a Member query about car scrapping, officers advised that it will be illegal under the new legislation for cash to be given for cars to be scrapped; payment will be made by cheque or bank transfer only.

Officers confirmed, in response to a Member question about gaps in the fee information presented in appendix C to the officer's report, that Southend Borough Council was a little behind Rochford in this area. It should, however, be possible to obtain missing details of fees from other Authorities. Fees collected by this Authority would be retained by the Authority, although there would be a charge of £25.00 that the Council will need to pay to the Environment Agency for every business/collector entered onto the register.

In response to final questions from Members relating to a point of contact for any future instances of collectors not displaying an appropriate licence in their vehicles or any enquiries relating to scrap metal collection, officers confirmed that the first point of contact will be the Council's senior licensing officer who should be provided with the vehicle registration number. Member training will be provided in due course about the changes in legislation. Contact details will also be included in the Members' diary.

Resolved

- (1) That the amendments outlined in appendix D be agreed.

- (2) That the proposed fees, detailed in appendix C, be agreed.

And that it be:-

Recommended to Council

- (1) That the statement of licensing policy (Scrap Metal Dealers Act 2013), as detailed in appendix D, be approved.
- (2) That the Head of Environmental Services be authorised to incorporate any inconsequential changes on an on going basis.
- (3) That Section 3.6 of Part C, Responsibility for Functions, in the Council's Constitution be amended, with the addition of the following paragraph:-

To the Head of Environmental Services

To determine and issue licences for all applications under the Scrap Metal Dealers Act 2013 for which valid representations have not been made. (HES)

The meeting commenced at 10.00 am and closed at 10.31 am.

Chairman

Date

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