

ADMINISTRATION COMMITTEE

Thursday, 5 September 2013 (5:30 pm – 5:45 pm)

PRESENT:

Councillor Winstanley (Chair); Councillors Clarke, House, Olson, Sollitt and Mrs Welsh

Also in attendance: Councillor Grajewski

Apologies for absence were received from Councillors Mrs Fraser, Irish and Pretty

RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

1. MINUTES

RESOLVED -

That the Minutes of the meeting held on 1 July 2013 be confirmed and signed by the Chair as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

3. SCRAP METAL DEALERS ACT 2013

Consideration was given to a report of the Head of Legal and Democratic Services which set out changes brought about as the result of new legislation.

The Scrap Metal Dealers Act 2013 would come into force on 1 October 2013 and would require scrap metal dealers (including mobile collectors) or motor salvage operators to be licensed with their local authority. Previously there had been an obligation to register with local authorities but there had been no requirement for licenses to be issued.

This new legislation would allow local authorities to refuse to grant a licence where the applicant was judged not to be a suitable person to operate as a scrap metal dealer. It was anticipated that this would improve the operating standards of those dealers who did not operate in the same way as the majority of reputable dealers.

There would be two different types of licence – site licence and collectors or mobile licence. The former would be required for any site where the licensee carried on a business as a scrap metal dealer and the latter would be required for any person who wished to operate as a collector in

the area of the issuing authority. A dealer would only be able to hold one type of licence in any local authority area.

The legislation allowed the Council to charge a fee for the issue of these licenses to recover the costs relating to administering and seeking compliance with the scheme. The report set out the costs involved and suggested that a charge be made of £267 for a mobile licence and £351 for a site licence. These fees must be set by Cabinet and the report requested this Committee make any comments for consideration by Cabinet when setting these fees.

At the meeting the Head of Legal and Democratic Services advised that he was currently aware of two motor salvage operators in the Borough registered with the Council but it was much more difficult to know how many mobile scrap metal dealers operated in the area. He was not aware of any additional funding for enforcement and this could not be taken into consideration when setting the fees. He also stated that a further report would be presented to Council as changes would need to be made to the Council's Constitution to reflect the additional powers in the new legislation.

Councillor Welsh asked whether the rules would apply to the household waste and recycling centres (HWRC) run by Hampshire County Council (HCC) in the Borough as she was aware that they accepted scrap metal. The Head of Legal and Democratic Services did not think the new legislation applied to HWRCs but he would look into this and report back to Members. Other Members were surprised that the HWRCs paid for scrap metal and it was agreed to ask HCC for a note for circulation to Members on the operation of HWRCs.

Councillor Olson suggested working with neighbouring authorities on the changes required and recommended that unsuspected site visits would be a useful enforcement tool.

RESOLVED -

- (1) That the changes made by the introduction of Scrap Metal Dealers Act 2013 be noted; and**
- (2) That Cabinet be RECOMMENDED to approve the fees proposed in the report of £267 for a Mobile Licence and £351 for a Site Licence.**

(NOTE: Councillor Grajewski spoke on this item asking whether any budget had been allocated for pro-active enforcement.)

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