

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING COMMITTEE held in Civic Suite 1a, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 29 October 2013.

PRESENT: Councillor J W Davies – Chairman.
Councillors G J Harlock, M C Oliver,
T D Sanderson and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, W T Clough, I J Curtis, R Fuller, C R Hyams, Ms L Kadic and S M Van De Kerkhove.

4. MINUTES

The Minutes of the meetings of the Committee held on 23rd October 2012 and 15th May 2013 were approved as a correct record and signed by the Chairman.

5. MEMBERS' INTERESTS

No declarations were received.

6. SCRAP METAL DEALERS ACT 2013 - DELEGATIONS

The Committee considered a report by the Head of Environmental and Community Health Services (a copy of which is appended in the Minute Book) detailing changes to the regulatory regime for controlling scrap metal dealing and seeking approval for the appropriate delegations required to enable the Council to discharge its duties and obligations under the Scrap Metal Dealers Act 2013, which had come into force on 1st October 2013.

Members were advised that the Act, which replaced the previous registration scheme for scrap metal dealers created by the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicles (Crime) Act 2001, had been considered necessary in order to address the increase in metal theft offences.

The Act, which would maintain local authorities as the principal regulator would provide them with the power to better regulate these industries by allowing them to refuse to grant a licence to unsuitable applicants and revoke a licence where the dealer became unsuitable. The licensing regime introduced by the Act would be similar to that of the Licensing Act 2003 and whilst it was expected that straightforward applications would be decided under delegation to officers, any disputed decisions would need to be considered by a licensing sub-committee.

The Committee was informed that local authorities would be required to set licence fees which would reasonably reflect the costs involved in administering the process and ensuring compliance. In order to meet the time constraints surrounding the Act the scale of fees had been approved by the Chairman and Vice-Chairman of the Committee subject to formal approval. It had been estimated that the total income from issuing the three year licences would be around £10k (£3.3k per annum). These duties would be carried out by Environmental and Community Health Services however enforcement would be a Police function.

Having expressed concern over the action that had already taken place with regard to the setting of fees prior to appropriate changes being made to the Constitution, it was

RESOLVED

that the decision on the amendments and delegations be deferred pending consideration of the impact of the Act on the Committees terms of reference and scheme of delegation.

[Subsequent to the meeting it was deemed appropriate that the report be submitted to full Council on 13 November 2013 for approval.]

Chairman