



## LICENSING COMMITTEE

11<sup>th</sup> SEPTEMBER 2013

**PRESENT:** Councillors E. Egan (Chairman), Ms Barton, Brunt, Burch, Mrs Freeman, Greig, Hart, May and Mrs Wass.

Apologies for absence were received from Councillors Mrs Iles, Mrs Liddiard, Stanley, Mrs G Watson and N. Watson

### 10. MEMBERS' INTERESTS

There were none.

### 11. MINUTES

The Minutes of the meeting held on 12<sup>th</sup> November 2012 were taken as read and signed as correct.

### 12. SCRAP METAL DEALERS ACT 2013

The Committee was informed that the Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 and was due to come into force in October 2013. The Act revised the regulatory regime for scrap metal dealing and vehicle dismantling and increased the duties and powers of the Council.

In preparation for the implementation of the new powers and duties, the Council needed to make arrangements for dealing with applications; set a policy, set fees for applications; authorise officers to exercise the new powers and assign resources to ensure compliance.

It was anticipated that procedures adopted under this new regime would reflect that of other licensing regimes. Where applications were received that fell within the policy criteria, officers would have delegated authority to issue a licence. Applications that did not meet the policy criteria, or were contested, would be determined by the Licensing Sub-Committee.

A consultation exercise on the proposed policy would take place with existing local scrap metal dealers and motor salvage operators; Essex Police; British Transport Police; Environment Agency and Industry Associations.

Licensing Officers had participated in a working group of the Essex Licensing Officers' Forum to draft a Statement of Licensing Policy. A copy of the proposed policy was attached at Appendix 1. The document set out how applications

would be dealt with during the transitional period and for new applicants. It was reported that amendments to the policy document would be required when the precise content of regulations and Home Office guidance was known. This included advice on how local authorities should manage transition arrangements.

Fees would be set locally by each authority on a cost recovery basis. Local authorities would have a duty to have regard to guidance issued by the Secretary of State as this would outline the issues that should be considered by them when setting the fee and what activities the fee could cover. The fee would be an essential component of the new regime as it would provide local authorities with the funding they needed to administer the regime and to ensure compliance. Draft proposals for fees had been prepared and were set out in the report.

The Head of Licensing and Transportation reported that since the agenda had been produced a benchmarking exercise regarding fees had been undertaken with other authorities in Essex. Details of the proposed fees for some of the other local authorities were circulated to the Committee. Following consideration of the fees the Committee agreed that Castle Point Borough Council should set its fees as follows:

- New Site Licence £350
- Renewal of Site licence £230
- Mobile(Collectors) Licence £220
- Renewal of Mobile Licence £170

Following detailed discussion it was:-

**Resolved –**

1. That the Draft Scrap Metal Dealers Act 2013 Statement of Licensing Policy be approved for consultation.
2. That the revised licence fees be approved.
3. That the Scheme of Delegated Powers be amended to permit the Head of Regeneration and Neighbourhoods in conjunction with the Head of Licensing and Transportation to process applications under the Scrap Metal Dealers Act, 2013 except where there are unresolved objections, which will be referred to a Licensing Sub Committee.

**13. SEXUAL ENTERTAINMENT VENUE POLICY**

The Committee considered the draft Sexual Entertainment Policy for consultation prior to adoption.

It was reported that the Council currently had no sexual entertainment venues within the Borough.

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Consultation on the policy would begin on Monday 16<sup>th</sup> September 2013 and would last for 3 months ending on Monday 16<sup>th</sup> December 2013. Responses to the consultation would then be reported back to the Licensing Committee on 25<sup>th</sup> February 2014 together with submission of the final policy document for approval.

Following discussion it was:

**Resolved** – That the report be noted and the draft Sexual Entertainment Policy be approved for consultation.

Chairman