

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 7

meeting date: 21 JANUARY 2014
title: SCRAP METAL DEALERS ACT 2013
submitted by: CHIEF EXECUTIVE
principal author: MAIR HILL

1 PURPOSE

1.1 To seek Committee's approval of the revised Scheme of Delegation of Decision Making and Functions under the Scrap Metal Dealers Act 2013 (the "**Act**").

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Corporate Priorities -
- Other Considerations -

2 BACKGROUND

2.1 On 17 September 2013, Committee approved the Scheme of Delegation of Decision Making and Functions (the "**Scheme**") in readiness for the Act coming into force on 1 October 2013.

3 ISSUES

3.1 Having operated the provisions of the Act since October 2013 it has become apparent that it would be helpful if the Scheme were revisited. The amended Scheme is enclosed as **Appendix 1** to this report. The main amendments are to the sections dealing with the application for the grant, renewal or variation of an application or the revocation of a licence. The revised proposed wording is clearer and more accurately reflects the procedure to be followed.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified.
- Technical, Environmental and Legal – No implications identified.
- Political - No implications identified.
- Reputation –The revisiting of the Scheme will enhance the Council's reputation.

- Equality & Diversity – No implications identified.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1. Approve the Scheme of Delegation and Decision Making Functions enclosed at **Appendix 1**.

MAIR HILL
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

1. **Appendix 1** – Scheme of Delegation and Decision Making Functions
2. Report of Chief Executive dated 17 September 2013

For further information please ask for Mair Hill, extension 3216

REF: MJH/Licensing Committee/21 January 2014

APPENDIX 1

PROPOSED SCHEME OF DELEGATION OF DECISION MAKING AND FUNCTIONS

The table below describes how it is proposed licensing decision will be made.

Matter to be dealt with	Licensing Committee	Sub Committee	Officers
Application for grant, renewal or variation of application.		Where the Applicant/Licence Holder wishes to make oral representations pursuant to Schedule 1 paragraph 7 of the Scrap Metal Dealers Act 2013 or where Officers elect to refer the decision to the Sub-Committee.	All cases save where the Applicant or Licence Holder wishes to make oral representations pursuant to Schedule 1 paragraph 7 of the Scrap Metal Dealers Act 2013 or where Officers elect to refer the decision to the Sub-Committee.
Revocation of licence		Where the Applicant/Licence Holder wishes to make oral representations pursuant to Schedule 1 paragraph 7 of the Scrap Metal Dealers Act 2013 or where Officers elect to refer the decision to the Sub-Committee.	All cases save where the Applicant or Licence Holder wishes to make oral representations pursuant to Schedule 1 paragraph 7 of the Scrap Metal Dealers Act 2013 or where Officers elect to refer the decision to the Sub-Committee.
Cancellation of licence			All cases
Setting of fees	All cases		

To undertake the functions relating to the licensing of Scrap Metal Dealers under the Scrap Metal Dealers Act 2013	All cases		
To make and amend policy relating to the licensing of scrap metal dealers	All cases		
To enforce the provisions of the Scrap Metal Dealers Act 2013			All cases