

REPORT: Regulatory Committee
DATE: 25 September 2013
REPORTING OFFICER: Chief Executive
PORTFOLIO: Resources
SUBJECT: Scrap Metal Dealers Act 2013
WARDS: Borough-wide

1. PURPOSE OF REPORT

(1) To request officer delegation to (1) determine the fees to be charged and (2) determine applications received under the Scrap Metal Dealers Act 2013.

2. RECOMMENDED: The Operational Director Legal and Democratic, in consultation with the Chairman of the Regulatory Committee, be authorised with respect to the Scrap Metal Dealers Act 2013 (“the 2013 Act”) to:

**(1) determine the level of fees to be charged by the Council;
and
(2) determine applications under the 2013 Act.**

3. INTRODUCTION AND BACKGROUND INFORMATION

3.1 The Scrap Metal Dealers Act 2013 (“the 2013 Act”) will replace (in addition to other legislation) the Scrap Metal Dealers Act 1964 (“the 1964 Act”) and the Motor Salvage Operators provisions in the Vehicles (Crime) Act 2001 (“the 2001 Act”).

3.2 The Council has been advised that the 2013 Act may be brought into effect on 1 October 2013. From the date the Act comes into effect the Council is required to set the fees to be charged for the licences and determine applications.

3.3 At the time of writing this report regulations have not been made regarding the application process. The Council must determine the fees it will charge having regard to the work involved and this will be dependent on what the regulations specify. Therefore the Council is unable to determine the fees in advance of receiving the regulations.

3.4 Whenever the 2013 Act is brought into effect it is likely that there will be very little time between the regulations being supplied and the date that the new system going live.

3.5 The administration of the existing legislation is carried out by the OD-LD and it is appropriate to apply the equivalent delegation provisions to the 2013 Act.

3.6 The Council's records show that currently there are 28 Scrap Metals Dealers and 4 Motor Salvage Operators operating in Halton. These businesses will be caught by the new licensing system. At present no charges may be made for registering scrap metal dealers under the 1964 Act but charges can be made in respect of licensing motor salvage operators under the 2001 Act. However, it will be apparent that the small numbers involved will mean that the impact of the 2013 Act on the Council will be small.

4 ISSUES ARISING

None

5. POLICY IMPLICATIONS

None

6 OTHER IMPLICATIONS

None

7 IMPLICATIONS FOR THE COUNCILS PRIORITIES

7.1 Children and Young People in Halton

None

7.2 Employment Learning and Skills in Halton

None

7.3 A healthy Halton

N/A

7.4 A Safer Halton

None

7.5 Halton's Urban Renewal

N/A

8 RISK ANALYSIS

N/A

9 EQUALITY AND DIVERSITY ISSUES

N/A

10 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document

Place of Inspection

Contact Officer

John Tully/
Kay Cleary