

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee on Wednesday, 25 September 2013 in the Council Chamber, Runcorn Town Hall*

Present: Councillors K. Loftus (Chairman), Wallace (Vice-Chairman), P. Hignett, Howard, Lea, A. Lowe, McDermott and G. Stockton

Apologies for Absence: Councillors Fry and Nelson

Absence declared on Council business: None

Officers present: G. Ferguson, K. Cleary, J. Tully and J. Findlow

Also in attendance: 1 Member of the public

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

		<i>Action</i>
REG1	MINUTES	
	The minutes of the meeting held on 15 <sup>th</sup> May 2013 were taken as read and signed as a correct record.	
REG2	HYPNOTISM ACT 1952	
	The Committee considered an application for an authorisation under the Hypnotism Act 1952 for a performance of hypnotism to take place on 31 <sup>st</sup> December 2013 at the Mill Brow Social Club in Widnes.	
	Under the Hypnotism Act 1952 a performance of hypnotism required an authorisation to be issued by the Council. It was noted that existing delegations within the Council's constitution did not include the Hypnotism Act 1952 and it was recommended that the delegation be put in place.	
	RESOLVED: That	
	1. the application be approved; and	
	2. the Operational Director Legal and Democratic be authorised to determine applications for	Operational Director Legal and Democratic

authorisations under the Hypnotism Act 52 as amended.

REG3 SCRAP METAL DEALERS ACT 2013

The Committee received a report which advised that the Scrap Metal Dealers Act 2013 would replace (in addition to other legislation) the Scrap Metal Dealers Act 1964 and the Motor Salvage Operators provisions in the Vehicles (Crime) Act 2001. It was noted that the 2013 Act would be brought into effect from 1<sup>st</sup> October 2013. From the date the Act comes into effect the Council was required to set the fees to be charged for the licences and determine applications.

Members noted that there were 28 registered scrap metal dealers and 4 licensed motor salvage operators operating in Halton. No charges applied for registering scrap metal dealers under the 1964 Act. However charges did apply for licensing as motor salvage operators. Charges would apply under the new legislation to everyone carrying out activities designated under it.

RESOLVED: That

1. 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 determine the level of fees to be charged by the Council; and
2. the Operational Director Legal and Democratic be authorised with respect to the 2013 Act to determine applications and take all other actions and decisions under the 2013 Act.

Operational  
Director      Legal  
and Democratic

REG4 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely

that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

#### REG5 TAXI LICENSING MATTER

The Committee considered a request for an exemption from age restrictions in respect of a licensed Private Hire Vehicle as set out in the Council's policy.

RESOLVED: That the application be refused.

*Meeting ended at 7.20 p.m.*