

LICENSING APPLICATIONS COMMITTEE MINUTES - 2 OCTOBER 2013

Present: Councillor P Jones (Chair);
Councillors D Edwards, T Jones, Singh, Stanway and Woodward.

Apologies: Councillors Skeats, Tickner and Vickers.

2. MINUTES

The Minutes of the meeting held on 22 May 2013 were confirmed as a correct record and signed by the Chair.

3. LICENSING ACT 2003 - REVIEW OF LICENSING POLICY STATEMENT

The Director of Environment, Culture and Sport submitted a report requesting that the Committee consider and note the proposed Licensing Policy Statement and Cumulative Impact Policy (CIP) which had been reviewed and had been produced in accordance with the Licensing Act 2003. A copy of the revised Licensing Policy Statement was attached to the report at Appendix I.

The report stated that the development of a Licensing Policy Statement was a legal requirement that had been placed on the authority by the Licensing Act 2003 and that the Policy had to be published every three years. Prior to publication the authority had to consult as prescribed in the Act and had to have regard to the Secretary of State's Guidance, which had been updated in October 2012.

The current Licensing Policy Statement had been reviewed and updated before being adopted by Council at its meeting on 19 October 2010 (Minute 34 refers).

The report explained that consultations in respect of the Authority's review of the Licensing Policy Statement had begun on 1 July 2013 and had concluded on 1 September 2013. In formulating the new Policy correspondence had been sent to all Councillors, all premises and personal licence holders and members of the licensing trade. Consultation had also been carried out with all statutory consultees, local solicitors, local gambling establishments and residents associations. In addition the existing Licensing Policy Statement, a copy of the proposed new Licensing Policy Statement, incorporating the CIP and research material in support of it, had been posted on the Council's web site.

In relation to the full consultation one response had been received which indicated that the cumulative impact area should remain.

Resolved -

That the Licensing Policy Statement be endorsed for submission, and adoption, to the 22 October 2013 meeting of Council.

4. SCRAP METAL DEALERS ACT 2013

The Director of Environment, Culture and Sport submitted a report requesting that the Committee consider and note the provisions of the Scrap Metal Dealers Act 2013.

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A list of proposed changes that would have to be made to the delegations register was attached to the report at Appendix I.

The report stated that the legislation covering scrap metal dealers had been contained in the Scrap Metal Dealers Act 1964, which had been repealed on 1 October 2013. The new Act repealed the Scrap Metal Dealers Act 1964 in total and Part 1 of the Vehicles (Crime) Act 2001, and created a revised single point regulatory regime for the scrap metal recycling and vehicle dismantling operations in England and Wales.

The report stated that the Act had created two different types of scrap metal licence: a site licence and a collectors' licence. A site licence allowed a scrap metal dealer or motor salvage operator to carry on business at any sites in the Council's area listed on the licence and to transport scrap metal to and from those sites from any local authority area. A collectors' licence covered dealers who did not have a site and regularly collected through "door-to-door" collections. The holder of a collectors' licence issued by Reading Borough Council could only operate within the authority's boundary and would need a licence from a neighbouring local authority if they wished to trade in that authority's area. No individual may hold more than one licence issued by one authority but may hold a licence issued by another local authority.

The Committee was updated at the meeting as to the revised proposed fees, which were:

Grant Application (Site Licence)	£736
Grant Application (Collector Licence)	£427
Renewal (Site Licence)	£736
Renewal (Mobile Collector)	£427
Variation (Simple)	£50
Variation (Site Licence)	£244
Variation (Collectors Licence and Site Licence to Collectors Licence)	£230
Variation (Collectors Licence to Site Licence)	£330
Change of Site Manager	£145

The Committee suggested that Schedule 1 Paragraph 8 of the Scrap Metal Dealers Act 2013 was reflected in the proposed amendments to the delegations register, which imposed a duty to allow applicants to make oral representations.

Resolved -

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- (1) That the provisions of the Scrap Metal Dealers Act 2013 be noted;
- (2) That the proposed delegations to the Head of Environment and Consumer Services in respect of the powers and duties in the Scrap Metal Dealers Act 2013, be endorsed for submission to the 22 October 2013 meeting of Council;
- (3) That the proposed delegation to the Head of Legal and Democratic Services in respect of authority to institute legal proceedings for the offences under the Scrap Metal Dealers Act 2013, be endorsed for submission to the 22 October 2013 meeting of Council;
- (4) That the proposed fees be endorsed for submission to the 22 October 2013 meeting of Council.

(The meeting started at 6.30 pm and closed at 6.55 pm)