

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....3rd October 2013

1. Title of Item/Report

Implementation of the Scrap Metal Dealers Act 2013

2. Record of the Decision

The purpose of this report is for Members to consider how the Council implements the new licensing regime for scrap metal dealers contained in the Scrap Metals Dealers Act 2013. The new provisions come into effect from 1st October 2013 with a transitional period until 1st December 2013.

The report detailed that increases in metal theft, driven by the rise in scrap values, were estimated to cost the economy between £220 and £700 million a year. The legislation, which dated from 1964, was ineffective in dealing with a problem that caused disruption and increased expense to energy supplies, transport, telecommunications and local authorities.

The Scrap Metal Dealers Act 2013 was passed by Parliament in March 2013. The Home Office commenced the implementation of the Act on the 1 October 2013, with a transition period running until 1 December 2013. Businesses holding a registration under the previous legislation would be able to continue to trade legally if they submit an application under the new Act before the 15 October 2013.

The legislation repeals the old Scrap Metal Dealers Act 1964 and parts of the Vehicles (Crime) Act 2001 and brought forward a revised regulatory regime for the scrap metal dealing and vehicle dismantling.

Responsibility for enforcement lay with the Police and Local Authorities. Regional discussions were on-going with Police Forces to decide on enforcement roles and leads. It was envisaged that the Police would continue to lead on scrap metal issues.

The key features of the new Act were detailed within the report.

A new policy had been drafted which set out how the Council would process, assess, and decide licence applications. A copy of this draft policy was attached to the report.

The Licensing Committee considered the draft policy at their meeting on 17 September 2013 and welcomed the new regime as they felt it provided an improvement on the existing system of registration but they raised a number of concerns about the new rules. These related to the absence of any new environmental requirements to resolve issues that had arisen at sites where processing and handling of scrap took place; the fact that gold and silver had specifically been excluded from the new rules; the fact that waste transfer sites had not been specifically included in the legislation and they were concerned that no additional funding had not been provided to deal with enforcement at unlicensed premises.

At the time of this meeting there were 49 scrap dealers registered with the Authority. 43 of these were itinerant collectors i.e. they did not have a scrap metal store. There were 9 motor salvage operators registered with the Authority.

With regard to fees scrap metal registration under the old Act was free and the fee for a motor salvage operator registration was £70. The new fees had been set in accordance with Home Office guidance and reflected the cost involved in processing and assessing applications in addition to compliance checks across the 3 year lifetime of the licence and not in relation to the size of a business. Lower fees had been set for collectors to reflect the reduced inspections expected at these businesses. The fees under the new Act were detailed within the report.

RESOLVED that:-

1. The draft Scrap Metal Dealers Act 2013 Licensing Policy as detailed in Appendix One to the report be approved.
2. The proposed scheme of delegation as outlined in Appendix One of the proposed Policy be approved.

3. Reasons for the Decision

The Council has a statutory duty to implement the Scrap Metal Dealers Act 2013

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

N/A

7. Date and Time by which Call In must be executed

Midnight on Friday, 11th October 2013

Proper Officer  
07 August 2013