



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY 30TH SEPTEMBER 2013
AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors R. L. Dent (Chairman), C. J. Spencer (Vice-Chairman), S. J. Baxter, J. R. Boulter, J. S. Brogan, M. T. Buxton, S. J. Dudley, J. M. L. A. Griffiths, P. A. Harrison, H. J. Jones, R. J. Shannon, S. P. Shannon and P. J. Whittaker

AGENDA

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meeting of the Licensing Committee held on 24th June 2013 (Pages 1 - 6)
4. Scrap Metal Dealers Act 2013 (Pages 7 - 34)
5. Worcester Road Taxi Rank - update (Pages 35 - 42)
6. Licensing Committee Work Programme (Pages 43 - 44)

To consider the Committee's Work Programme for the current municipal year 2013/2014.

7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

19th September 2013



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Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 24TH JUNE 2013 AT 6.05 P.M.

PRESENT: Councillors Mrs. R. L. Dent (Chairman), Mrs. C. J. Spencer (Vice-Chairman), Mrs. S. J. Baxter, J. R. Boulter, Ms. M. T. Buxton, S. J. Dudley, Miss P. A. Harrison, Mrs. H. J. Jones, R. J. Shannon and S. P. Shannon

Invitees: Mr. L. Eacock, Chairman, Bromsgrove Taxi Association

Officers: Mrs. V. Brown, Mr. N. McMenamain, Mr. C. Santoriello-Smith and Mrs. P. Ross

8/13 APOLOGIES

Apologies for absence were received from Councillors Mrs. J. M. L. A. Griffiths, J. S. Brogan and K. A. Grant-Pearce.

9/13 DECLARATIONS OF INTEREST

No declarations of interest were received.

10/13 MINUTES

The minutes of the meeting of the Licensing Committee held on 20th May 2013 were submitted.

RESOLVED that the minutes be approved as a correct record.

11/13 DPPO - DESIGNATED PUBLIC PLACES ORDER - REVIEW UPDATE

Members considered a report which provided an update on the Designated Public Place Orders (DPPOs) review that had been suspended until July 2013 and the new legislation in the Anti-Social Behaviour Crime and Policing Bill.

Members were reminded that at the Licensing Committee meeting held on 16th April 2012 the DPPOs review was suspended until July 2013 to allow officers to arrange for a change of signage across the district and to undertake a programme of public awareness raising activities.

The Senior Community Safety Officer introduced the report and in doing so informed the Committee that Bromsgrove District Council had granted 22 DPPOs to tackle adult alcohol-related anti-social behaviour.

In December 2012 the Draft Anti-Social Behaviour Crime and Policing Bill was published. This legislation proposed to replace 19 existing powers to tackle anti-social behaviour with new powers. A new Public Space Protection Order (PSPO) was proposed to replace DPPOs. A PSPO could be issued by the local authority if it was satisfied that activities taking place in a public place within the district were having a detrimental effect on the quality of life of those in the surrounding area. In light of these planned legislative changes it was recommended that any review of DPPOs should be suspended until the Anti-Social Behaviour Crime and Policing Bill received Royal Assent, which was likely to be in May or October 2014.

The transitional arrangements from DPPOs to PSPOs were set out in Section 68 of the Bill. Any DPPOs in place prior to the commencement of the Act would not be repealed or amended by the Act for a period of 3 years. At the end of the 3 year transitional period any DPPOs still in force would remain in force as if they were provisions of a PSPO. During the 3 year transitional period a review of all DPPOs should be considered prior to them becoming PSPOs. This would provide the Council with the opportunity to ensure that its PSPOs were appropriate, proportionate and used to their full potential.

The Senior Community Safety Officer responded to Members' questions in respect of the delays in replacing current signage and if there would be a need to replace newly erected signage once the Bill had received Royal Assent. The Senior Community Safety Officer was tasked to provide Committee Members with more detailed information with regard to the outstanding areas where signage had yet to be replaced.

RESOLVED:

- (a) that the review of current Designated Public Place Orders (DPPOs) in the Bromsgrove District be deferred until the Anti-Social Behaviour Crime and Policing Act obtains Royal Assent; and
- (b) that officers be requested to provide a further update report to Licensing Committee Members to brief them on the new legislation in the Anti-Social Behaviour Crime and Policing Act once the Act has received the Royal Assent.

12/13 **LICENSING ANNUAL REPORT**

The Committee considered an annual report which provided an overall view of functions carried out by Worcestershire Regulatory Services (WRS) Enforcement and Licensing Teams for Bromsgrove District Council during 2012/2013.

The Senior Licensing Practitioner introduced the report and in doing so informed the Committee that since 1st June 2010 the WRS Licensing Team had taken over the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003, the Gambling Act 2005 and taxi licensing on behalf of Bromsgrove District Council.

The report detailed the number of new licences issued and granted by Bromsgrove District Council in 2012/2013, under the Licensing Act 2003 and the number of premises which had continued to be licensed by the Council under the Gambling Act 2005. The number of Hackney Carriage and Private Hire licensed vehicles and drivers had remained fairly consistent within the District.

Licensing Officers attended the Taxi Forum which the licensed Hackney Carriage and Private Hire trade held approximately 4 times a year. This forum continued to be a useful opportunity for members of the trade to raise and discuss any issues which they felt were current and relevant with the Council. Licensing Officers kept in regular contact with the appointed taxi trade representatives. WRS Licensing Team officers regularly attended and represented Bromsgrove District Council at a number of local and regional meetings as detailed at paragraph 3.16 of the report.

The Senior Licensing Practitioner responded to Members' questions with regard to the accuracy of the number of betting premises as detailed at paragraph 3.9 of the report. The Senior Licensing Practitioner agreed to clarify the figure shown with officers and to provide Members with further detailed information on the location of the betting premises within the District.

The Senior Licensing Practitioner responded to Councillor S. P. Shannon in respect of the volume of personal licenses due for renewal in 2015. Members were informed that WRS would have a strategy in place to deal with the high number of re-applications for the District in 2015.

RESOLVED that the Licensing Annual Report 2012/2013 be noted.

13/13 **HACKNEY CARRIAGE FARE INCREASE - REQUEST**

The Committee were asked to consider a report which detailed a formal request received by the Council from the Bromsgrove Taxi Association to increase the mileage rates charged to passengers by adding 50 pence to the flag charge. The flag charge was the initial amount displayed on the meter and charged for the first mile of the journey.

The Senior Licensing Practitioner introduced the report and in doing so informed the Committee that the Bromsgrove Taxi Association had only requested an increase on the flag charge and had not requested an increase on the running mile cost or any change to any other tariff or surcharge. The formal request from the Bromsgrove Taxi Association, as detailed at Appendix 2 to the report, highlighted a rise of 14.3% over the last five years, this equated to 2.86% per annum, increasing the flag charge from £3.50 to £4.00. As a consequence, the Council had consulted with all Hackney Carriage owners on the proposal put forward by the Bromsgrove Taxi Association. Paragraph 3.8 of the report detailed the responses received.

Members were informed there was a statutory requirement to publish the proposal in the form of a Notice, specifying the day on which it would come into force, in at least one local newspaper and to allow 14 days for any objections to be made. During that period a copy of the Notice must be made available for inspection at the Council offices at all reasonable hours.

At the invitation of the Chairman, Mr. L. Eacock spoke, as Chairman of the Bromsgrove Taxi Association. He informed the Committee that there had not been an increase in fares in the last five years. Bromsgrove Taxi Association had made a formal request to increase the flag charge only. Licensed drivers had faced an increase in fuel charges and insurance costs.

RESOLVED:

- (a) that Members agree to vary the Hackney Carriage table of fares as proposed by the Bromsgrove Taxi Association; and
- (b) that authority be delegated to the Head of Worcestershire Regulatory Services to carry out the required advertising of the variation and to implement the variation if no objections were received.

14/13 **FEES AND CHARGES**

The Committee considered a report which requested authorisation to consult on proposed increases to the fees and charges charged for Hackney Carriage Vehicle licenses and Private Hire Vehicle licences and operator licenses.

The Senior Licensing Practitioner informed the Committee that in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976, where fees in respect of Hackney Carriage and Private Hire and operator licenses were varied, this had to be advertised before the increases could be implemented. At the Cabinet meeting held on 22nd February 2012 Members approved an increase to the fees and charges in respect of Hackney Carriage Vehicle licenses and Private Hire Vehicle licenses and operator licenses. Unfortunately, due to a communication error these proposed fees were not advertised after being approved by Cabinet.

Approval was being sought to advertise the proposed fees with a view to implementing them as soon as possible. Paragraphs 3.10 and 3.11 of the report detailed the necessary actions to be taken if any objections were made during the consultation period.

RESOLVED:

- (a) that authority be delegated to the Head of Worcestershire Regulatory Services to consult on the increases made to the fees and charges for Hackney Carriage Vehicle licenses and Private Hire Vehicle licenses and operator licences, and to implement the increased fees if no objections were received or if all objections received were withdrawn.

15/13 **LICENSING COMMITTEE WORK PROGRAMME 2013/2014**

Members were asked to consider the Licensing Committee Work Programme 2013/2014.

RESOLVED that the Licensing Committee Work Programme 2013/2014 be noted.

The meeting closed at 7.52 p.m.

Chairman

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SCRAP METAL DEALERS ACT 2013

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Scrap Metal Dealers Act 2013 (“the Act”) received Royal Assent on 28th February 2013 and comes into force from 1st October 2013. On 25th September 2013 a report is due to be considered by Full Council seeking Members approval to delegate authority and set fees so that the legislation can be implemented from 1st October 2013.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

That the contents of the report be noted.

3. KEY ISSUES

Financial Implications

- 3.1 Implementation of the Act will be achieved using existing resources.
- 3.2 The proposed licence fees have been calculated on a cost recovery basis, having regard to the statutory guidance and reflecting the cost of the procedures and formalities of administering the statutory regime.

Legal Implications

- 3.3 The Scrap Metal Dealers Act 2013 provides the Council with a number of powers and duties in relation to the regulation of scrap metal dealers. Appropriate delegation of these powers and duties by the Council is required to enable the effective implementation of the legislation.

- 3.4 Schedule 1(6) of the Scrap Metal Dealers Act 2013 provides the Council with the power to set fees for licences. In setting the fees the Council must have regard to any guidance issued from time to time by the Secretary of State with the approval of the Treasury.
- 3.5 A report to Full Council seeking the appropriate delegations as referred to at 3.3 above is due to be considered by members at the Full Council meeting on 25th September 2013. The report will also ask members to set the fees for licences as referred to in 3.4.

Service / Operational Implications

3.6 Background

The increased value of metal has caused a growing problem of metal thefts throughout the U.K. The Home Office has provided an estimate that there were between 80,000 – 100,000 reported metal theft offences in 2010/11 alone and which is costing the economy up to an estimated £260 million per year. A wide range of sectors have been targeted, which includes transport infrastructure, electricity and telephone links, street furniture, memorials, commercial and residential buildings, including churches and schools.

- 3.7 The Council currently regulates the scrap metal and motor salvage industries under the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicles (Crime) Act 2001.
- 3.8 In late 2012, the Government introduced initial measures to prohibit cash payments for scrap metal; to amend Police powers of entry into unregistered scrap metal sites; and to increase the existing financial penalties for offences under the Scrap Metal Dealers Act 1964. These changes were contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- 3.9 The Scrap Metal Dealers Act 2013 (“the Act”) received Royal Assent on 28th February 2013. On 6th August 2013 the Scrap Metal Dealers Act 2013 (Commencement and Transitional Provisions) Order 2013 was made which confirmed that the majority of the provisions of the Act will come into force on 1st October 2013.
- 3.10 Due to the tight timescales provided by the Government for implementing the Act, there was no time for a report to be considered by the Licensing Committee prior to Council being asked to delegate authority and set fees.
- 3.11 The Act repeals the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicle (Crime) Act 2001, creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries. The Act maintains local authorities as the principal regulator, but gives them the power to better regulate these industries by allowing them to refuse to grant a licence to ‘unsuitable’ applicants and a power to revoke licences if the dealer becomes ‘unsuitable’.

3.12 Summary of the Act

The main aim of the 2013 Act is to raise standards within the scrap metal industry, by replacing the overlapping regimes for vehicle salvage and scrap metal with one regulatory regime, and by giving Councils the responsibility for the licensing and enforcement of the Act in conjunction with the police.

3.13 A detailed explanation of the provisions of the Act is attached at **Appendix 1**.

3.14 The main provisions of the 2013 Act are:

- An extended regime to include a wide range of businesses.
- Amended definition of scrap metal.
- The introduction of a national register of licenses to be held by the Environment Agency (Each Council previously held a register individually).
- The introduction of two different types of licences, Site and Collector.
- The introduction of a suitability test for applications and licensees.
- The introduction of a licence fee to be determined by the Council.
- The introduction of the power to revoke a licence
- The introduction of entry and inspection powers
- The power to obtain closure notices for unlicensed sites
- The introduction of increased record keeping requirements
- The introduction of a requirement to display licenses
- The continuation of the offence of buying scrap metal for cash and additional offences relating to each of the powers and duties contained in the 2013 Act.

3.15 Transitional Timetable

The majority of the provisions of the 2013 Act are coming into force on 1st October 2013. A summary of the key dates is shown below:

1 st September 2013	Power for local authority to set fees under the 2013 Act was commenced.
1 st October 2013	Requirement for a licence under the 2013 takes effect.
1 st October 2013	All operators already registered under the 1964 or 2001 Acts deemed to have a licence under the 2013 Act.
1 st October 2013 – 15 th October 2013	All operators registered under the 1964 or 2001 Acts to apply for licences under the 2013 Act. Provided that an existing operator applies during this period, their deemed licence will continue to have effect until their application under the 2013 Act is determined (including any appeals against refusals).
16 th October 2013	If an operator registered under the 1964 or 2001 Acts has failed to apply for a licence under the 2013 Act by this date, their “deemed” licence will lapse and they will not be able to trade until a licence under the 2013 Act is

	granted.
1 st December 2013	The remaining "enforcement" provisions under the 2013 Act take effect.

3.16 Delegation of Functions and Powers Under the Act

If a Local Authority proposes to either refuse an application or revoke or vary a licence, it must give the applicant or licensee a notice that sets out what the authority proposes to do and the reasons for it.

3.17 The applicant or licensee will have not less than 14 days to either make a representation or inform the Council that it wishes to do so. If the applicant or licensee informs the Council that it wishes to make representation then it must be allowed a further reasonable period in which to do so.

3.18 The Council must consider the representations made and if the applicant or licensee wishes to make oral representations the Council must allow them to do so by giving them the opportunity of appearing before and being heard by a person appointed by the Council.

3.19 It was recommended to Council that Licensing Sub-Committees are appointed to consider any representations made by the applicant or licensee. It was also recommended that the power to refuse applications and to revoke or vary licences should be delegated to Licensing Sub-Committees.

3.20 It was recommended that authority is delegated to the Head of Worcestershire Regulatory Services to carry out all other functions and exercise all other powers provided under the Scrap Metal Dealers Act 2013. This will include:

- The administration of all applications
- The grant of licences to applicants deemed suitable persons
- The supply of relevant information to those agencies described in the section 6 of the Act
- Compliance with the notification requirements imposed on the authority under section 8 of the Act
- Exercise of the compliance and enforcement powers contained in the Act

3.21 Setting Fees

Schedule 1(6) of the 2013 Act provides that an application must be accompanied by a fee set by the local authority.

This fee raising power is an essential component of the legislation as it will provide local authorities with the funding they need to administer the regime and ensure compliance.

- 3.22 In setting a fee, the authority must have regard to any guidance issued from time to time by the Secretary of State with the approval of the Treasury. The fee guidance was published by the Home Office on 12th August 2013 and is attached at **Appendix 2**.
- 3.23 Officers calculated proposed fees with regard to this guidance and included in the calculations the costs arising from the time spent assessing and administering applications, processing them, having experienced licensing officers review them, storing them, consulting on the suitability of an applicant, reviewing relevant offences, the decision on whether to issue a licence, as well as the cost of issuing licences in a format that can be displayed.
- 3.24 The costs associated with dealing with contested licence applications, including any required Licensing Sub-Committees, were also included in the calculations.
- 3.25 The calculations also included the costs of ensuring those who are licensed under the Act as scrap metal dealers comply with the provisions of the Act, but do not include the costs involved in any enforcement activity against unlicensed scrap metal dealers.
- 3.26 The fees which are being proposed to Council are shown at **Appendix 3**.

Customer / Equalities and Diversity Implications

- 3.27 There are no specific implications arising from this report.

4. RISK MANAGEMENT

- 4.1 Failure to take steps to enable implementation the legislation would result in the Council being unable to control and regulate scrap metal dealers.
- 4.2 If no fees were to be set, then the Council would not be able to charge applicants who apply for licences after 1st October 2013.
- 4.3 If fees were set incorrectly, without due regard to the guidance issued by the Secretary of State, they may be subject to legal challenge.

5. APPENDICES

Appendix 1 - Explanation of the provisions of the Act
Appendix 2 - Guidance from Secretary of State on setting licence fees
Appendix 3 – Proposed fees

6. BACKGROUND PAPERS

Scrap Metal Dealers Act 2013

AUTHOR OF REPORT

Name: Dave Etheridge, Senior Licensing Practitioner

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APPENDIX 1

THE SCRAP METAL DEALERS ACT 2013 (“Act”)

Definition of Scrap Metal Dealer

1. A person carries on business as a scrap metal dealer (“SMD”) for the purposes of this Act if the person:

- a. Carries on business which consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought, or
- b. Carries on business as a motor salvage operator (so far as that does not fall within paragraph (a)).

This will not include persons who manufacture articles if the selling of scrap metal is only a by-product of that or are surplus materials not needed in the manufacturing.

2. A person carries on business as a motor salvage operator if the person carries on business which consists:

- a. Wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale and subsequently selling or otherwise disposing of the rest of the vehicle for scrap,
- b. Wholly or mainly in buying written off vehicles and subsequently repairing and reselling them,
- c. Wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b), nor
- d. Wholly or mainly in activities falling within paragraph (b) and (c).

3. Scrap metal includes:

- a. Any old, waste or discarded metal or metallic material, and

- b. Any product, article or assembly which is made from or contains metal and is broken worn out or regarded by its last holder as having reached the end of its useful life.

This does not however include gold, silver or any alloy, which contains 2% or more (by weight) of gold or silver. There is also provision for the Secretary of State to amend the definition of scrap metal.

Requirement for Licence

4. The Act repeals the previous regulatory regime contained in the Scrap Metal Dealers Act 1964, and introduces a licensing regime under which:
 - a. No person may carry on business as a scrap metal dealer unless authorised by a licence under the Act ("**Scrap Metal Licence**").
 - b. Introduces an offence for failure to comply with 1(a) above, which is punishable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).
5. The Licence will be issued by the Local Authority and must be one of the following types:
 - a. A site licence; or
 - B. A collector's licence.

Site licence

6. This will authorise the licensee to carry on business at any site in the authority's area, which is identified in the licence.
7. It must include:
 - a. Name of licensee;
 - b. Name of authority;
 - c. Identify all sites in the authority's area at which the licensee is authorised to carry on business;
 - d. Name the site manager of each site, and
 - e. State the date on which the licence is due to expire.

Collector's licence

8. This authorises the licensee to carry on business as a mobile collector in the authority's area.
9. It must:
 - a. Name the licensee;
 - b. Name the authority; and
 - c. State the date on which the licence is due to expire.

Term of the Licence

10. A licence expires at the end of the period of **3 years** beginning with the day on which it is issued.
11. But if an application to renew a licence is received before the licence expires, the licence continues in effect and –
 - a. If the application is withdrawn, the licence expires at the end of the day on which the application is withdrawn;
 - b. If the application is refused, the licence expires when no appeal is either possible or is finally determined or withdrawn;
 - c. If the licence is renewed, it expires at the end of the period of 3 years beginning with the day on which it is renewed or (if renewed more than once) the day on which it is last renewed.

Applications

12. A licence is to be issued or renewed on an application, which must be accompanied by-
 - a. If the applicant is an individual, the full name, date of birth and usual place of residence of the applicant,
 - b. If the applicant is a company, the name and registered number of the applicant and the address of the applicant's registered office,

- c. If the applicant is a partnership the full name, date of birth, and usual place of residence of each partner,
- d. Any proposed trading name,
- e. The telephone number and email address (if any) of the applicant,
- f. The address of any site in the area of any other local authority at which the applicant carries on business as a scrap metal dealer or proposes to do so,
- g. Details of any relevant environmental permit or registration in relation to the applicant,
- h. Details of any other scrap metal licence issued (whether or not by the local authority) to the applicant within the period of 3 years ending with the date of the application,
- i. Details of the bank account, which is proposed to be used in order to comply with section 12 (scrap metal not be bought for cash etc).

If the application relates to a site licence, it must also be accompanied by-

- j. The address of each site proposed to be identified in the licence (or, in the case of an application to renew, of each site identified in the licence whose renewal is sought), and
- k. The full name, date of birth and usual place of residence of each individual proposed to be named in the licence as a site manager (other than the applicant).

13. The Local authority may request (either when the application is made or later) that the applicant provide such further information as the authority considers relevant for the purpose of considering the application.

14. An applicant who in response made to a request under 10 above:

- a. Makes a statement knowing it to be false in a material particular, or
- b. Recklessly makes a statement which is false in a material particular,

Is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

Fee

15. The Local Authority must set the fee to accompany the application and in doing so must have regard to the guidance issued from time to time by the Secretary of State.

Issue of Licence

16. The Council must not issue or renew a Scrap Metal Licence unless it is satisfied that the applicant is a suitable person to carry on business as a scrap metal dealer.

Suitable person

17. In determining whether an applicant is a suitable person the Council may have regard to any information which it considers relevant including:

- a. Whether the applicant or site manager has been convicted of any relevant offence (as defined by regulations to follow);
- b. Whether the applicant or site manager has been the subject of any relevant enforcement action (as defined by regulations to follow);
- c. Any previous refusal of any application for the issue or renewal of a Scrap Metal Licence (and the reasons for refusal);
- d. Any previous refusal of an application for a relevant environmental permit or registration (and the reasons for the refusal);
- e. Any previous revocation of a Scrap Metal Licence (and the reasons for the revocation);
- f. Whether the applicant has demonstrated that there will be in place adequate procedures to ensure that the provisions of this Act are complied with.
- g. Any guidance issued by the Secretary of State on determining suitability.

18. When considering applications from companies or partnerships the Council shall apply the criteria set out in 8 to any director, secretary, shadow director (i.e. any person in accordance with whose directions or instructions the directors of the company are accustomed to act) of the company and each partner within a partnership.

19. The Council may also consult the following on the suitability of an applicant:
- a. Any other local authority;
 - b. The environment agency;
 - c. The Natural Resources Body for Wales;
 - d. An officer of a police force.

Conditions on Licence

20. If the applicant or any site manager has been convicted of a relevant offence, the authority may include in the licence one or both of the following conditions:
- a. That the dealer must not receive scrap metal except during the hours 9am to 5pm;
 - b. All scrap metal received must be kept in the form in which it is received for a specified period, not exceeding 72 hours, beginning with the time when it is received.

Variation of licence

21. A local authority may, on application vary a licence by changing it from one type of licence to the other, but the licence cannot be transferred from one person to another.
22. If any of the details of the licence or its sites changes the Licensee must apply for a variation. A Licensee who fails to do so is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000). It is a defence to this offence that the person took all reasonable steps to avoid committing the offence.

Revocation of Licence

23. The Council may revoke a Scrap Metal Licence if it is:
- a. satisfied that the Licensee does not carry on business at any of the sites identified in the licence;
 - b. satisfied that a site manager named in the licence does not act as site manager at any of the sites identified in the licence;

- c. no longer satisfied that the licensee is a suitable person to carry on business as a scrap metal dealer.
- 24. If the licensee or any site manager is convicted of a relevant offence the Council can vary the licence to add the conditions at 11(a-b) above.
- 25. The revocation comes into effect when either an appeal is not made within the allotted time or when the appeal is finally determined or withdrawn.
- 26. If during the appeal period the Council considers that the licence should not continue in force without conditions it may by notice provide:
 - a. That until revocation comes into effect the Scrap Metal Licence is subject to the conditions set out at 11(a-b) above.
 - b. That a variation as in 13 above comes into effect immediately.

Right to make representations

- 27. If a Local Authority proposes to:
 - a. Refuse an application;
 - b. Revoke a licence;It must give the applicant or licensee a notice that sets out what the authority proposes to do and the reasons for it.
- 28. The applicant or Licensee will have not less than 14 days to either make a representation or inform the Council that it wishes to do so. If the applicant or licensee informs the Council that it wishes to make representation then it must be allowed a further reasonable period in which to do so.
- 29. The Council must consider the representations made and if the applicant or licensee wishes to make oral representations the Council must allow them to do so by giving them the opportunity of appearing before and being heard by a person appointed by the Council.

Notice of Decision

30. If the Authority refuses an application or revokes or varies the licence it must give a notice setting out the decision and the reasons for it.

31. The notice must state:

- a. That they may appeal against the decision;
- b. The time within which they may appeal;
- c. In the case of a revocation or variation when that will take effect.

Appeals

32. An applicant/licensee may appeal to the Magistrates court against:

- a. The refusal of an application;
- b. The inclusion of a condition on a licensee;
- c. The revocation/variation of a licensee.

33. The appeal must be made within 21 days beginning with the day on which the notice referred to above was given.

34. On appeal the Magistrates Court may:

- a. Confirm, vary or reverse the authority's decision, and
- b. Give such directions as it considers appropriate having regard to the provisions of this Act.

Supply of information by authority

35. The Council must supply any information (which has been supplied to it under this Act and which relates to a Scrap Metal Licence or to an application for or relating to a licence) to:

- a. Any other local authority;
- b. The Environment Agency;
- c. The Natural Resources Body for Wales; or
- d. An officer of a police

Who requests it for purposes relating to the Act.

36. This does not limit any other power the Council has to supply such information.

Register of Licences

37. The ***Environment Agency*** must maintain a register of Scrap Metal Licences issued by authorities in England. This was previously the responsibility of the Council.

Display of Licence

Site Licence

38. The licence holder must display a copy of the licence (in a prominent place in an area accessible to the public) at each site identified in the licence.

Collector's Licence

39. The licence holder must display a copy of the licence (in a manner which enables it easily to be read by a person outside the vehicle) on any vehicle that is being used in the course of the dealer's business.

Penalty

40. A licence holder who fails to comply with the above is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

Verification of supplier's identity

41. A SMD must not receive scrap metal from a person without verifying the person's full name and address.

42. Verification must be made by reference to documents, data or other information obtained from a reliable and independent source. Regulations may be made to specify what these will be.

43. Breach of the above is an offence for which the following are liable:

- a. The SMD;
- b. If the metal is received at site the site manager;
- c. Any person who, under arrangements made by a person within (a –b) above who has responsibility for verifying the name and address.

44. It is a defence to this offence to show that the person made arrangements to ensure that the metal was not received in breach of the Act and took all reasonable steps to ensure that those arrangements were complied with.

45. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

Offence of buying scrap metal for cash

46. A SMD must not pay (including paying in kind for goods or services) for scrap metal except by cheque or by electronic transfer. This may be amended by the Secretary of State to include other methods of payment.

47. If a SMD breaches this section the following persons are guilty of an offence:

- a. The SMD;
- b. If payment is made at a site, the site manager;
- c. Any person who makes the payment acting for the dealer.

48. It is an defence if the person made arrangements to ensure that the payment was not made in breach and took all reasonable steps to ensure that the payment was not made in breach.

49. A person guilty of an offence under this section is liable to a fine not exceeding level 5 on the standard scale (currently £5,000).

Records: receipt of metal (Section 13)

50. If the SMD receives any scrap metal in the course of their business they must record the following information:

- a. The description of the metal, including the type, form, condition, weight and any marks identifying previous owners or other distinguishing features;
- b. The date and time of its receipt;
- c. If the metal is delivered in or on a vehicle, the registration mark of the vehicle;
- d. If the metal is delivered from a person, the full name and address of that person;
- e. If the SMD pays for the metal the name of the person who makes the payment acting for the dealer.

51. The SMD must keep copies of any documents it uses to verify the name and address of that person.

52. If the SMD pays for the metal by cheque they must keep a copy of the cheque, or if they pay by electronic transfer a copy of the receipt identifying the transfer or the particulars identifying the transfer.

Records: disposal of metal

53. If a SMD disposes of any scrap metal in the course of business (which applies whether or not it is in the same form in which it was received, it is disposed of to another person or it is despatched from site) it must record the information set out below:

Site licence

- a. The description of the metal, including its type (or types if mixed), form and weight;
- b. The date and time of its disposal;
- c. If the disposal is to another person, the full name and address of that person;

- d. If the dealer receives payment for the metal (whether by way of sale or exchange), the price or other consideration received.

Collector's Licence

- a. The date and time of disposal;
- b. If the disposal is to another person, the full name and address of that person.

Supplementary

54. The information must be recorded in a manner, which allows the information and the scrap metal to be readily identified by reference to each other.

55. The information must be kept for 3 years from when the metal was either received or disposed of.

56. If there is a breach of any of the requirements relating to record keeping the following persons will be guilty of an offence:

- a. The SMD;
- b. If metal is received at or (as the case may be) despatched from a site, the site manager;
- c. Any person who, under arrangements made by a person within (a) or (b) has responsibility for fulfilling the requirement.

57. It is a defence to prove that the person:

- a. Made arrangements to ensure that the requirement was fulfilled, and
- b. Took all reasonable steps to ensure that those arrangements were complied with.

58. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

Right to enter and inspect

59. A constable or an officer of the local authority may enter and inspect a licensed site at any reasonable time on notice to the site manager, or without notice to the site manager if:

- a. Reasonable attempts to give such notice have been made and have failed, or
- b. Entry to the site is reasonably required for the purpose of ascertaining whether the provisions of this Act are being complied with or investigating offences under it and (in either case) the giving of notice would defeat the purpose.

This does not however apply to residential premises, nor is the constable or officer allowed to use force to enter the premises this can only be done in exercise of a warrant (which can be obtained under the act).

60. A constable or officer may require production of and inspect any scrap metal kept at any premises or mentioned in any warrant obtained under the Act.

61. A person who:

- a. Obstructs the exercise of a right of entry or inspection under this section, or
- b. Fails to produce a record required to be produced under this section is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

Closure of Unlicensed Sites

62. Where a constable or the local authority is satisfied that premises are being used by a SMD in the course of business and that it is not a licensed site they may issue a closure notice.

63. When the notice has been given the constable or LA may make a complaint to a justice of the peace for a closure order. This must be made not less than 7 days after or more than 6 months after the date on which the closure notice was given.

64. The justice may then issue a summons to answer the complaint.

65. A closure order may require:

- a. That the premises be closed immediately to the public and remain closed until a constable or LA make a certificate to terminate the order;

- b. That the use of the premises by a SMD in the course of business be terminated immediately;
- c. That any defendant pays into court such sum as the court determines and that the sum will not be released by the court to that person until the other requirements of the order are met.

66. It may also make such conditions as the court considers appropriate to the admission of persons to the premises and the access by persons to another part of any building or other structure of which the premises form part.

67. The police and LA also have powers to enforce a closure order and any person who intentionally obstructs them in exercising those powers is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

Review of the Act

68. Before the end of 5 years beginning with the day on which section 1 of the act comes into force the Secretary of State must carry out and publish the conclusion of its review of the Act.

69. The report must in particular:

- a. Set out the objectives intended to be achieved by this Act,
- b. Assess the extent to which those objectives have been achieved, and
- c. Assess whether it is appropriate to retain or repeal the Act or any of its provisions in order to achieve those objectives.

Scrap Metal Dealer Act 2013: guidance on licence fee charges

Context

The Scrap Metal Dealers Act 2013 (referred to in this guidance as the 2013 Act) received Royal Assent on the 28 February 2013, delivering much needed reform of the scrap metal sector. The 2013 Act will provide effective and proportionate regulation of the sector, creating a more robust, local authority run, licensing regime that will support legitimate dealers yet provide the powers to effectively tackle unscrupulous operators. It will raise trading standards across the whole sector.

Introduction

The 2013 Act will allow local authorities to decide who should and should not be licensed, allowing them to refuse a licence upon application or to revoke a licence at any time if they are not satisfied that the applicant is a suitable person to carry on business as a Scrap Metal Dealer. The act also creates closure powers for unscrupulous dealers who operate without a licence. It extends the record keeping requirements placed upon scrap metal dealers and requires the verification of the people Scrap Metal Dealers are transacting with. The act will integrate the separate regulation for motor salvage operators with the scrap metal sector and bring to an end the cash exemption given to some collectors under the 1964 Act.

Finally, the 2013 Act creates a fee raising power, to allow local authorities to recover the costs stemming from administering and seeking compliance with the regime. This element of the legislation will be the focus of this guidance.

The intention is for the act to be implemented in October 2013.

Licensing requirements placed upon scrap metal dealers

Section one of the 2013 Act requires a scrap metal dealer to obtain a licence in order to carry on business as a scrap metal dealer¹. It will be an offence to carry on a business as a scrap metal dealer in breach of the requirement to hold a licence. This offence is punishable on summary conviction with a fine not exceeding level 5 on the standard scale. In addition, Schedule 1(6) of the 2013 Act provides that an application must be accompanied by a fee set by the authority.

Aim and scope

Local authorities will be responsible for administration and compliance activity in relation to the 2013 Act. This guidance is provided to local authorities in relation to the carrying out of their fee raising function. It also provides information for the benefit of those who will be applying for a scrap metal dealer's licence and the general public. This guidance applies to local authorities in England and Wales and is produced in accordance with the 2013 Act.

Legal status

Schedule 1(6) of the 2013 Act provides that an application must be accompanied by a fee set by the local authority. In setting a fee, the authority must have regard to any guidance issued from time to time by the Secretary of State with the approval of the Treasury. This Guidance is therefore binding on all licensing authorities to that extent.

What costs can local authorities charge for when issuing a licence?

The 2013 Act provides that an application for a licence must be accompanied by a fee set by the local authority. This fee raising power is an essential component of the legislation as it will provide local authorities with the funding they need to administer the regime and ensure compliance.

The power to set fees has been passed to individual local authorities, so that any fees levied in each local area is set by reference to the actual costs to each authority. The EU services directive states that a licence fee can only be used to pay for the cost associated with the licensing process. In effect, each local authority must ensure that the income from fees charged for each service does not exceed the costs of providing the service.

LAs should specify fees for each category of application. Specifically we would expect a fee to be specified for the assessment of an application for a licence, the assessment of an application to vary a licence, and the assessment of an application for licence renewal.

Local authorities should specify fees which are payable by licence applicants for the assessment and administration activity within the new licensing regime brought about by the 2013 Act. They should do this by identifying what they need to do to assess the type of licence in question and calculating their best estimate of the cost to be incurred by the LA. The authority will then be able to calculate a best estimate of unit cost for each case.

In effect, the costs of a licence should reflect the time spent assessing and administering applications, processing them, having experienced licensing officers review them, storing them, consulting on the suitability of an applicant, reviewing relevant offences, the decision on whether to issue a licence, as well as the cost of issuing licences in a format that can be displayed. Consulting the local authority's enforcement records in order to determine the suitability of the applicant is chargeable within the licence fee costs as are costs associated with contested licence applications.

Registering authorities should review fees regularly to check whether they remain appropriate.

Can a local authority charge for enforcement activity?

The licence fee cannot be used to support enforcement activity against unlicensed scrap metal dealers. Any activity taken against unlicensed operators must be funded through existing funds. Such activity against unlicensed operators includes issuing closure notices; with applications for closure orders subsequently made to a magistrates court. The cost of applying to the Magistrates Court for a warrant (Section 16(5)(6) and (7) of the 2013 Act) for entry to unlicensed premises, by force if necessary, will incur legal costs to be borne by the local authority and police.

What are the different types of licences?

There are two types of licence specified within the act, one is for a site licence and the other is for a mobile collector licence (carrying on business otherwise than at a site). The licence authorises the licensee to carry on business as a scrap metal dealer at the sites listed in it (in the case of a site licence) or within the local authority area (in the case of a mobile collector's licence).

Site licences

A site licence requires all of the sites at which the licensee carries on the business as a scrap metal dealer within the local authority area to be identified and a site manager to be named for each site. In doing so, they will be permitted to operate from those sites as a scrap metal dealer, including transporting scrap metal to and from those sites from any local authority area.

Collectors licences

A collector's licence authorises the licensee to operate as a mobile collector in the area of the issuing local authority, permitting them to collect any scrap metal as appropriate. This includes commercial as well as domestic scrap metal.

The licence does not permit the collector to collect from any other local authority area. A separate licence should be obtained from each local authority from which the individual wishes to collect in. A collector's licence does not authorise the licensee to carry on a business at a site within any area. Should a collector wish to use a fixed site, they will need to obtain a site licence from the relevant local authority.

The Act 2013 also specifies that a licence will be issued by the local authority in whose area a scrap metal site is situated, or (in respect of a mobile collector) in the area that the collector operates.

Do different fees apply?

Yes. Fees charged for a site licence would reflect the extra work involved in processing these licences and will vary from a collector's licence.

Display of licences

The form in which a licence is issued must enable it to be displayed in accordance with section ten of the 2013 Act. All licensees are therefore required to display a copy of their licence. For site operators the licence must be displayed in a prominent place in an area accessible to the public. For mobile collectors, it must be in a manner which enables the licence to be easily read by a person outside the vehicle. A criminal offence is committed by any scrap metal dealer who fails to fulfil this requirement. This offence is punishable on summary conviction with a fine not exceeding level 3 on the standard scale.

The cost of providing a licence in a form which can be displayed should be included in the local authority licence fee charges.

Police objections to licence applications

The police may object to a licence application where they believe that the applicant is not a suitable person as defined within the act. The police can object where, for example, the applicant has been convicted of a relevant offence. LAs should also consider representations from other organisations or individuals in considering the applicant's suitability

Where the police do object, the local authority should take this into consideration but must use their own judgement and discretion when taking a licence decision. The local authority must allow for the person whose licence is about to be refused or revoked to be afforded the right to make representations. The local authority considering the matter must restrict its consideration to the issue of suitability of applicant and provide comprehensive reasons for

its decision.

Costs associated with considering oral and written representations should be included in licence fee charges.

Appeals

There is a right of appeal to the Magistrates' Court against a decision to refuse a licence application, to include a condition within the licence, to revoke the licence or to vary the licence. The costs associated with appeals and the costs of defending an appeal in the Magistrate Court should not be included in licence fee charges.

The costs associated with defending a Judicial Review into whether the local authority has failed to have regard to the guidance on fees is not chargeable under the licence regime.

Revocation of a licence and formulating and imposing licence conditions

If a licence has been granted, it may be revoked or licence conditions imposed on a scrap metal dealer if the subsections within Clause 4 of the Scrap Metal Dealers Act are triggered. A local authority may impose conditions pending an appeal against revocation (section 4 (7)) or if the applicant or site manager has been convicted of a relevant offence (section 3 (8)).

Variation of licence

Schedule 1 paragraph 3(1) indicates that a local authority may, on an application, vary a licence by changing it from one type to another and (2) if there is a change in any of the matters mentioned in section 2(4)(a), (c) or (d) or (6)(a).

These changes should be recorded by the local authority. The applicant is also under a duty to notify any convictions for relevant offences to the local authority. These measures ensure that a single record will be held of the licence holder's history in terms of licensing matters.

National Register of Scrap Metal Dealers

Whilst a local authority can recover any costs incurred in transmitting information about a licence, the costs which the Environment Agency incurs are not chargeable under the licence regime.

How long will a licence be valid for?

Schedule 1 paragraph 1 of the 2013 Act specifies the terms of a licence. It indicates that a licence expires at the end of the period of 3 years beginning with the day on which it is issued.

Additional regulations and guidance

The Home Office will be publishing regulations in relation to relevant offences and the identification required to sell scrap metal over the summer of 2013. These regulations will be published on www.gov.uk. We will also be working with the Local Government Association, the British Metal Recycling Association and British Transport Police to produce additional guidance on the requirements of the new act.

The Local Government Association guidance will include a breakdown of reasonable timescales for each of the activities associated with setting a fee.

Annex A - Definitions

What is a local authority?

'Local authority' means —

- (a) in relation to England, the council of a district, the Common Council of the City of London or the council of a London borough;
- (b) in relation to Wales, the council of a county or a county borough.

What is a scrap metal dealer?

21 'Carrying on business as a scrap metal dealer' and 'scrap metal'

(2) A person carries on business as a scrap metal dealer if the person—

- (a) carries on a business which consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought, or
- (b) carries on business as a motor salvage operator (so far as that does not fall within paragraph (a)).

What is a mobile collector?

'Mobile collector' means a person who—

- (a) carries on business as a scrap metal dealer otherwise than at a site, and
- (b) regularly engages, in the course of that business, in collecting waste materials and old, broken, worn out or defaced articles by means of visits from door to door.

What is a motor salvage operator?

(4) For the purposes of subsection (2)(b), a person carries on business as a motor salvage operator if the person carries on a business which consists —

- (a) wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale and subsequently selling or otherwise disposing of the rest of the vehicle for scrap,
 - (b) wholly or mainly in buying written-off vehicles and subsequently repairing and reselling them,
 - (c) wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b), or
 - (d) wholly or mainly in activities falling within paragraphs (b) and (c).
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APPENDIX 3

Proposed Fees – Scrap Metal Dealers Act 2013

Site Licence (New)	£290 (plus £150 per additional site)
Site Licence (Renewal)	£240 (plus £150 per additional site)
Collectors Licence (New)	£145
Collectors Licence (Renewal)	£95
Variation of Licence	£65
Copy of Licence (if lost or stolen)	£25

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LICENSING COMMITTEE

30th September 2013

WORCESTER ROAD HACKNEY CARRIAGE STAND - UPDATE

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide members with an update regarding the proposal to amend the Worcester Road Hackney Carriage stand to incorporate a further 7/8 ranks spaces approximately.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

That the contents of the report be noted.

3. KEY ISSUES

Financial Implications

- 3.1 The cost of the public notice and other administrative costs have so far been met from existing budgets held by Worcestershire Regulatory Services.
- 3.2 The cost of amendments to the Traffic Regulation Order will be met by the Highways Authority; who is also responsible for marking out of any changes to the road.

Legal Implications

- 3.3 Licensing Authorities have power under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to create, amend and revoke Hackney Carriage Stands (ranks). This allows district councils to “appoint stands for Hackney Carriages” either on public highways or private land and the stands can be for either continual or part-time use.

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- 3.4 Under the Local Government (Miscellaneous Provisions) Act 1976 s63 a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections made.
- 3.5 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand a district council is required to give notice to the chief officer of police.
- 3.6 Additionally a district council cannot create a Hackney Carriage stand:
- (a) so as unreasonably to prevent access to any premises;
 - (b) so as to impede the use of any points authorised to be used in connection with a local service within the meaning of the Transport Act 1985 or PSV operator's licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
 - (c) on any highway except with the consent of the highway authority;
- 3.7 The Traffic Regulation Order for Worcester Road would need to be amended and Worcestershire County Council's Highways Unit has the power to do this. There is also statutory consultation period as part of their process.

Service / Operational Implications

- 3.8 At the Licensing Committee meeting that took place on 20th May 2013, Members considered a report concerning a request from the Bromsgrove Taxi Association with support from the West Mercia Police to amend the Worcester Road Hackney Carriage stand to incorporate a further 7/8 ranks spaces.
- 3.9 The Licensing Committee agreed with this proposal and resolved to carry out a public consultation on the proposal.
- 3.10 The funding for the works to the carriageway necessary to facilitate the extension of the stand was anticipated to be provided as part of the project to regenerate the High Street in Bromsgrove.

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- 3.11 Following the Licensing Committee meeting on 20th May 2013, the start of the consultation was delayed to allow officers extra time to confirm the availability of this funding and a number of discussions and meetings took place between officers. It has subsequently been confirmed that the funding is available.
- 3.12 In the intervening period officers from Worcestershire Regulatory Services have also been engaged in dialogue with the relevant officers from West Mercia Police and the Highways Department of Worcestershire County Council and have met on site to discuss the proposal.
- 3.13 Now that it has been confirmed that the funding for the required works is available, the public consultation on the extension of the Hackney Carriage stand has been commenced. A plan showing the location of the proposed Hackney Carriage stand can be seen at Appendix 1.
- 3.14 The required public notice was published in the Bromsgrove Standard newspaper on Friday 13th September 2013. A copy of the public notice can be seen at Appendix 2.
- 3.15 Consultation letters have been sent to all the proprietors of vehicles licensed by the Council for use as Hackney Carriages.
- 3.16 Consultation letters have also been delivered to residents and businesses in the vicinity of the proposed Hackney Carriage stand.
- 3.17 The consultation will run until 11th October 2013 and any representations or objections received will be brought back to Members at the next Licensing Committee meeting.

4. RISK MANAGEMENT

- 4.1 The main risk associated with the detail included in this report is:
- To ensure that public transport is readily available, accessible and effective in contributing to the night time economy.

5. APPENDICES

- Appendix 1 – Location Plan
Appendix 2 – Copy of Public Notice

**LICENSING
COMMITTEE**

30th September 2013

AUTHOR OF REPORT

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Worcestershire Regulatory Services
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BROMSGROVE DISTRICT COUNCIL
APPOINTMENT OF A HACKNEY CARRIAGE STAND

The District Council of Bromsgrove hereby gives notice that it intends to appoint the following stand for Hackney Carriages, under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976:

To the south east side of Worcester Road, Bromsgrove in a north-easterly direction between the junctions with Station Street and George Street (equivalent to 7 vehicle spaces). It is proposed that this area will operate as a stand between the hours of 7pm and 7am.

Any objection to the proposed Hackney Carriage stand must be made in writing to the Licensing Officer, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcestershire, B60 1AA, not later than Friday 11th October 2013.

Details of the proposed stand may be seen free of charge, at the Customer Service Centre, Dolphin Centre, School Drive, Bromsgrove, B60 1AY during normal office hours.

Dated this 13th day of September 2013.

S.GARRATT
Licensing and Support Services Manager
Worcestershire Regulatory Services



Bromsgrove
District Council
www.bromsgrove.gov.uk



Appointment of Hackney Carriage Stands

The District Council of Bromsgrove hereby gives notice that it intends to appoint the following stands for Hackney Carriages, under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

Worcester Road, Bromsgrove (equivalent to 4 vehicle spaces) will operate as a stand between the hours of 7pm and 7am.

New Road Service Road, Rubery (North side adjacent to Nos 161 – 215 New Road) (equivalent to 4 vehicle spaces) will operate as a stand for 24 hours.

The Strand, Bromsgrove (equivalent to 2 vehicle spaces) will operate as a stand for 24 hours.

Market Street Bus Station, Bromsgrove (equivalent to 5 vehicle spaces) will operate as a stand for 24 hours.

Any objections to the Hackney Carriage Stands must be made in writing to the Principal Licensing Officer, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcs., B60 1AA, not later than 20th February 2009.

Details of the proposed Stands may be seen free of charge, at the Customer Service Centre, School Drive, Bromsgrove, during normal office hours.

Dated this 23rd day of January 2009.

D. Hammond
Head of Planning and Environment Services

LICENSING COMMITTEE

30th September 2013

LICENSING COMMITTEE WORK PROGRAMME 2013/14

30th September 2013

- Worcester Road Taxi Rank – Consultation update
- Scrap Metal Dealers Act 2013
- Scrap Metal Dealers Act 2013 – Members to receive relevant training on the Act

25th November 2013

- Licensing Act 2003 – Statement of Licensing Policy

17th March 2014

To Be Allocated To Suitable Available Dates

DPPO – Designated Public Places Order – further update report from the Senior Community Safety Officer, to brief Members on the new legislation in the Anti-Social Behaviour Crime and Policing Act once the Act has received the Royal Assent.

Street Collections

Licensing Annual Report

Fees and Charges 2014

Systems Thinking Approach – update for Committee Members 2013

Street Café Policy

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