

# COMMUNITY PROTECTION COMMITTEE

<b>DATE</b>	10 <sup>th</sup> March 2021
<b>REPORT OF</b>	Sharon Wroot Executive Director of Environment, Economy & Resources
<b>SUBJECT</b>	Scrap Metal Dealers Licences - Fees Review
<b>STATUS</b>	Open

## CONTRIBUTION TO OUR AIMS

### Stronger Community:

- Ensure fees are in place to fund an effective system of scrap metal licensing aimed at preventing metal theft.

### Stronger Economy:

- Strengthen the local economy by supporting compliant scrap metal collectors through action against non-compliant businesses.

## EXECUTIVE SUMMARY

- This report sets out a proposed revised fee structure for Scrap Metal Licensing in North East Lincolnshire following a review of the costs involved in the work undertaken in this area since the last full review in 2020.

## RECOMMENDATIONS

- That Committee approve the revised table of fees set out in appendix 1 of this report from 1<sup>st</sup> April 2021.

## REASONS FOR DECISION

- To provide a legally robust basis for funding the on-going administration and enforcement of the Scrap Metal Dealers Act 2013.

## 1. BACKGROUND AND ISSUES

1.1. The Scrap Metal Dealers Act 2013 provides local authorities with the power to regulate these industries by providing a power to refuse to grant a licence and revoke licences if the dealer is considered 'unsuitable'.

1.2. Key features of the Act include:

- Locally set licence fees
- Suitability test
- Revocation powers
- Entry and inspection powers
- Licence conditions supported by criminal offences;

Closure powers for unlicensed sites  
Site and vehicle badging;  
National register of licensed dealers.

1.3. Two types of licence are specified within the Act:

#### **Site Licence**

This requires all sites at which the licensee carries on business as a scrap metal dealer within the local authority area to be identified; and requires a site manager to be named for each site. They are 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.

#### **Collector's Licence**

This 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.

Licenses last for 3 years unless revoked or surrendered.

1.4. Local authorities can charge licence fees to cover the costs of work associated with the licensing of Scrap Metal Dealers.

1.5. The Provision of Services Regulations 2009, Regulation 18 (4) states that –

*Any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.*

1.6. All licence fees are reviewed annually to ensure cost recovery and compliance with the above legislation and principles as far as possible.

## **2. RISKS AND OPPORTUNITIES**

- The effective implementation of this legislation is designed to the control of scrap metal dealers and prevention of crime associated with scrap metal
- The rights of currently licensed operators must be maintained.
- Where necessary literacy issues must be taken into account with the implementation and enforcement of the Act
- The fees must be set on a cost recovery basis with regards to Home Office guidance.

- The effective implementation of this legislation can play a part in improving the Social, Economic and Environmental well-being of the Borough through reduction in metal theft, support for compliant operators and enforcement action against rouge traders. Failure to do so will have the opposite effect.

### **3. OTHER OPTIONS CONSIDERED**

3.1 Alternative fees could be set but they would not comply with Section 5 of this report.

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

4.1 There are potential positive reputational implications in relation to effective implementation of this legislation although the proposed increase in fees may not be well received by some sections of the trade. An action plan has been agreed with the Council's communications service covering information requirements and communication channels to be utilised.

### **5. FINANCIAL CONSIDERATIONS**

5.1 The proposal is consistent with the Council's finance strategy in relation to cost recovery.

### **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

6.1 No direct implications

### **7. FINANCIAL IMPLICATIONS**

7.1 Fees are set in order to fully recover the costs of the service.

### **8. LEGAL IMPLICATIONS**

8.1 The Council can set its own fees. The fee must be reasonable and proportionate to recover its costs in the administration of the applications and further costs to ensure compliance.

### **9. HUMAN RESOURCES IMPLICATIONS**

9.1 No Implications.

### **10. WARD IMPLICATIONS**

10.1 All Wards

### **11. BACKGROUND PAPERS**

11.1 None

### **12. CONTACT OFFICER**

**Adrian Moody 324759**

**SHARON WROOT  
EXECUTIVE DIRECTOR OF ENVIRONMENT, ECONOMY & RESOURCES**

<b>APPENDIX 1 - PROPOSED SCRAP METAL DEALERS FEES 2021-2022</b>		
	<b>Current</b>	<b>Proposed</b>
<b>Site Licence with one site</b>	£530	£544
<b>Each additional site added to a site licence on application</b>	£280	£288
<b>Collectors Licence</b>	£370	£382
<b>Change of Licence Details</b>	£35	£36
<b>Changes to Site Details on Site Licence</b>	£35 plus £35 for each additional site	£36 plus £36 for each additional site
<b>Changes to Site Manager on Site Licence</b>	£140	£142
<b>Change from Site Licence to Collectors Licence</b>	£140	£142
<b>Change from Collectors Licence to Site Licence</b>	£307 plus £140 for each additional site	£322 plus £144 for each additional site
<b>Copy of Licence</b>	£25	£26