

**MINUTES of the meeting of Licensing Committee held on 2 October 2013  
at 7.00pm**

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**Present:** Councillors Mike Stone (Chair), Ben Maney, Wendy Curtis, Sue Gray, Steve Liddiard, Sue Little, Robert Ray, Andrew Roast

**Apologies:** Councillors Gerard Rice, Lynn Carr, Phil Smith, John Purkiss, Angie Gaywood (Portfolio Holder)

**In attendance:** Gavin Dennett – Head of Public Protection  
Paul Adams – Principal Licensing Officer  
Adam Rulewski – Solicitor  
Jan Natynczyk – Senior Democratic Services Officer

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The Chair informed the Committee that the meeting would be audio recorded and published on the Council's website.

**6. MINUTES**

The minutes of the meeting held on 16 July, 2013 were approved as a correct record.

**7. SCRAP METAL DEALERS ACT 2013**

Paul Adams, Principal Licensing Officer, informed Members that a report was presented to the last meeting of this Committee, outlining the provisions of the Scrap Metal Dealers Act 2013. That report advised that a further report would be submitted to this Committee in relation to the fee setting and delegation of powers.

The Scrap Metal Dealers Act 2013 ("the Act") received Royal Assent on 28 February 2013 and it came into force from 1 October, 2013.

The Government, when introducing this legislation, made it an executive function to allow for implementation in the short time period that had been given. The Home Office had advised that an amendment would be made in the near future, to make it a non executive function, which would return the responsibility for licensing of scrap metal dealers to the Licensing Committee. For now, this was an executive function and the responsibility of the Cabinet.

Members expressed some concerns, that the intended fees seemed high in comparison with other Councils.

Officers replied that the fees were based on the cost of recovery. To date, some areas in Essex had not provided details of fees. It was

acknowledged that the proposed fees were in the high category, but there were a large number of dealers in the borough and this would be an extensive piece of work.

Members asked for further clarification in terms of the breakdown between fixed sites and collectors and how unlicensed dealers would be dealt with.

Officers reported that currently, there was approximately a 50/50 split between fixed sites and collectors. However, it was likely that a number of collectors would register their home address as a site, as this would allow them to collect far more scrap. The breakdown was then likely to be 60/40 in favour of fixed sites.

In terms of enforcement, this would be a shared responsibility with Essex Police.

**RESOLVED that the information contained within the report be noted.**

## **8. REVIEW OF THE STATEMENT OF POLICY FOR LICENSING ACT 2003**

Paul Adams, Principal Licensing Officer, informed the Committee that the Licensing Act 2003 previously required Local Councils to review their Statement of Licensing Policy every three years. This had now been amended to every 5 years after the review. A reviewed policy had been produced for consideration and adoption as the current policy expired in 2014.

The following correction to the report was noted: page 27, point 1.8 – delete reference to 2013 and replace with 2014. Also, delete reference to 2018 and replace with 2019.

Members requested that the first bullet point on page 31 of the report (powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly), be reworded to better reflect the concept of DPPO's and the wording be agreed by Officers in consultation with the Chair and Vice-Chair of this Committee.

It was also requested, that the reference to the Primary Care Trust be removed from the report, as it no longer existed and be replaced with the appropriate body.

Members suggested that the possibility of adopting a Cumulative Impact Policy be investigated and the outcome reported back to the Chair and Vice-Chair of this Committee.

Finally, Members commented on the general length of reports to this Committee and requested that more emphasis be given to summarising key points at the front of reports.

Gavin Dennett, Head of Public Protection, stated that this would be taken on board for future reports.

**RESOLVED that**

- (a) it be recommended that Full Council adopts the reviewed Statement of Licensing Policy for Thurrock, as detailed at Appendix A of the report, subject to the amendments noted above;**
- (b) the possibility of adopting a Cumulative Impact Policy be investigated and the outcome reported back to the Chair and Vice-Chair of this Committee.**

**ACTION: PAUL ADAMS**

**The meeting finished at 7.20pm.**

Approved as a true and correct record

**CHAIRMAN**

**DATE**

**Any queries regarding these Minutes, please contact  
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