

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

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meeting date: TUESDAY, 21 MARCH 2023  
title: REVIEW OF SCRAP METAL LICENSING POLICY AND UPDATED HOME OFFICE GUIDANCE  
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE  
principal author: STEPHEN BARKER – SOLICITOR

## 1 PURPOSE

- 1.1 To seek Committee's approval of draft revisions to the Scrap Metal Dealers' Act Policy, and to authorise the Head of Legal and Democratic Services to consult upon it.
- 1.2 To inform Committee of the issue of updated guidance by the Home Office on the Scrap Metal Dealers' Act 2013.
- 1.3 Relevance to the Council's ambitions and priorities:
- Community Objectives – }
  - Corporate Priorities – } The Council aims to be a well-managed authority. These proposals support that objective.
  - Other Considerations – }

## 2 BACKGROUND

- 2.1 The Scrap Metal Dealers' Act 2013 ("the Act") came into force on 1 October 2013. Committee approved a Scrap Metal Dealers' Policy in March 2015, which was revised and updated in September 2018 ("the Policy").
- 2.2 The purpose of the Policy is to provide guidance on the way in which the Council will administer and enforce the requirements of the Act. While there is no requirement under the Act for the Policy to be reviewed, the Policy itself states that it will be reviewed every 5 years or sooner to reflect any legislative or other changes.
- 2.3 The Act was supported by Home Office guidance issues in 2013. That guidance has been updated in January 2023. A copy of the updated guidance is attached at **Appendix 1**. The guidance helpfully includes a list of amendments at page 2.

## 3 ISSUES

- 3.1 In light of the above, it was thought that this was an opportune moment for the Council to review the Policy, shortly before its 5 year anniversary. Since the commencement of the Act and introduction of the Policy, there have been relatively few licences applied for and only one application has gone to a hearing of the Licensing Sub-Committee. Currently, there are 2 licensed mobile collectors and 1 licensed scrap metal site.
- 3.2 The Policy has been revised to reflect minor textual corrections and clarification from the January 2023 guidance. These revisions are shown in track changes and enclosed at Appendix 2.

3.3 In preparation for the publication of the revised policy, the Council will consult the bodies named in paragraph 1.1 of the Policy.

3.4 Committee is asked to consider the contents of the draft revised Policy and, should it be approved, to authorise the Head of Legal and Democratic Services to consult upon it with those parties listed in the Policy. The results of the consultation will then be reported to Committee.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified.
- Technical, Environmental and Legal - No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

#### 5 **RECOMMENDED THAT COMMITTEE**

5.1 Approve the revisions to the Scrap Metal Dealers' Policy.

5.2 Authorise the Head of Legal and Democratic Services to consult upon the revised Policy.

5.3 Note the updated Home Office guidance.

STEPHEN BARKER  
SOLICITOR

MARSHAL SCOTT  
CHIEF EXECUTIVE

#### BACKGROUND PAPERS

None.

For further information please ask for Stephen Barker, extension 3216.