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<b>REPORT TO:</b>	Cabinet Member for Housing and Safer Communities
<b>DATE:</b>	23 November 2021
<b>SERVICE AREA:</b>	Safer Communities
<b>REPORTING OFFICER:</b>	Gareth Bentley ( <i>Food, Licensing and Occupational Safety Manager</i> ) and Alison Tierney ( <i>Senior Environmental Health Officer</i> )
<b>SUBJECT:</b>	<b>REVIEW OF CHARGES FOR SCRAP METAL DEALERS LICENCES 2022/23</b> <b>SCRAP METAL DEALERS ACT 2013</b>
<b>WARDS AFFECTED:</b>	All
<b>FORWARD PLAN REF:</b>	N/A

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## **1.0 PURPOSE OF REPORT**

- 1.1 This report deals with the review of Safer Communities discretionary charges for scrap metal dealers for 2022/23.

## **2.0 RECOMMENDATIONS**

- 2.1 That the fees for scrap metal dealers licences recommended by the Licensing Committee contained in **Appendix A** are approved for 2022/23.

## **3.0 RECOMMENDED REASON/S FOR DECISIONS**

- 3.1 The recommended charges for 2022/23 are designed to recover the costs of their administration and associated monitoring work. The recommended increase follows the decision of Cabinet on 18 August 2021 that fees and charges be increased by 2.5%.

## **4.0 ALTERNATIVE OPTION/S CONSIDERED AND RECOMMENDED FOR REJECTION (Must be used for reports to Cabinet & Cabinet Members)**

- 4.2 The Cabinet Member for Housing and Safer Communities could choose not to increase the fees for Scrap Metal Dealers licences but this would not deliver full cost recovery or follow the decision of Cabinet in respect of the Council's Medium Term Financial Strategy 2022/23 – 2026/27 on 18 August 2021 that fees and charges be increased by 2.5%.

## **5.0 THE REPORT – Scrap Metal Dealers licence fees**

- 5.1 The Safer Communities service issues approximately 2,500 licences, permits and

registrations (excluding Taxis and Hackney Carriages which are dealt with separately). Some licence fees are prescribed by law e.g. the Licensing Act 2003 (not included within this report), some have a maximum level prescribed by law (i.e. the Gambling Act 2005), and others can be determined locally. In respect of discretionary fees, a charge is set which, wherever possible, will cover the cost of administration and associated monitoring, but does not generate profit. The responsibility for setting licence fees is largely delegated to the Licensing Committee as a Council function but scrap metal fees are an Executive function.

5.2 The main aim of the Scrap Metal Dealers 2013 Act was 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.

5.3 For consistency, when setting the other licence fees, the Licensing Committee recommends changes to Scrap Metal Dealers licence fees to the Cabinet Member for Housing and Safer Communities. The Licensing Committee met on 17 November 2021 and recommended the proposed change in fees set out in **Appendix A**.

5.4 All recommended fees are rounded up to the nearest £1 for simplicity.

## 6.0 REQUIRED ASSESSMENTS AND IMPLICATIONS

6.1 The following were considered: Financial Implications; Human Resources Implications; Legal Implications; ICT Implications; Strategic Property/Asset Management Considerations; Risk Assessment; Equality and Diversity (the Public Sector Equality Duty and impact upon people with protected characteristics). If applicable, the outcomes of any consultations, assessments, considerations and implications considered necessary during preparation of this report are detailed below.

6.2 There is a risk that fees are challenged but setting fees in compliance with the Hemmings “type A” approach reduces this risk to a minimum. The Council’s fee structure reflects the Type A scheme for charging as endorsed by the Supreme Court.

## 7.0 CONCLUSIONS

7.1 It is necessary to increase Safer Communities charges to meet the general increases in the operating costs of the licensing service and to address the cost of administration and associated monitoring.

7.2 The fees for scrap metal dealers licences as recommended by the Licensing Committee contained in **Appendix A** for 2022/23 are recommended for approval.

## Background papers - None

**OFFICER CONTACT:** Please contact Gareth Bentley, Food, Licensing and Occupational Safety Manager, if you require any further information on the contents of this report. The officer can be contacted at Safer Communities, Harrogate Borough Council, PO Box 787, HG1 9RW, by telephone on 01423-500600 or by e-mail – [licensing@harrogate.gov.uk](mailto:licensing@harrogate.gov.uk)