

Minutes

Licensing Committee

11th September 2013



Present:

Councillors	Present	Councillors	Present
J S Allen	Yes	C Gibson	Yes
M J Banthorpe	Yes	M Green	Yes
J Baugh	Apologies	S A Howell	Yes
T G Cunningham	Yes	H D Johnson	Yes
J G J Elliott	Yes	J A Pell	Apologies
J H G Finbow	Yes	L S Walters	Yes
M J Fincken	Yes	S A Wilson	Yes
M E Galione	Apologies	B Wright	Apologies

16 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

17 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 17th July 2013 be approved as a correct record and signed by the Chairman, subject to the Decision in Minute 13 – ‘Hackney Carriage and Private Hire Drivers’ Knowledge Test – Exemptions Policy’ being amended to a Recommendation to Cabinet as follows:-

DECISION: That it be Recommended to Cabinet:-

- (1) That the policy set out at Appendix 1 to the report to exempt drivers undertaking limousine or executive work and/or school contracts from the topographical aspects of the Braintree District Council licensed driver’s knowledge test be approved.
- (2) That the Braintree District Council Penalty Point scheme be amended to include an additional offence category – ‘17. Drivers failing to comply with a knowledge test exemption (5-10 points)’, as set out at Appendix 2 to the report.

18 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made during Question Time.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

19 **SCRAP METAL DEALERS ACT 2013 - APPLICATION REQUIREMENTS AND SCHEME OF DELEGATION**

INFORMATION: Members were reminded that at the Licensing Committee meeting on 17th July 2013, they had received an overview of the provisions of the Scrap Metal Dealers Act 2013 and had been advised that the Home Office would be issuing Regulations and detailed guidance prior to implementation of the Act. The Act had received Royal Assent on 28th February 2013 and it was due to come into force from 1st October 2013. The Act repealed the Scrap Metal Dealers Act 1964 and Part of the Vehicles (Crime) Act 2001, creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The Council was required to introduce administrative procedures in order to discharge its duties and obligations under the Act. However, as clarification was awaited from the Home Office on whether or not the new licensing function should remain classified as an executive function under the Local Government Act 2000, Members were advised that the Committee would not be able to make a decision on this matter. In the circumstances, the Cabinet would be requested to approve the procedures and the fees to be charged.

The meeting closed at 7.32pm.

M J Banthorpe

(Chairman)