

Licensing Committee

Wednesday, 10 June 2020

Attendees: Councillor Lyn Barton, Councillor Roger Buston, Councillor Helen Chuah, Councillor Simon Crow, Councillor John Elliott, Councillor Dave Harris, Councillor Mike Hogg, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Barbara Wood, Councillor Tim Young

Substitutes: No substitutes were recorded at the meeting

Also Present:

100 Appointment of Chairman

RESOLVED (UNANIMOUSLY) that Councillor Harris be elected Chairman for the forthcoming Municipal Year.

101 Appointment of Deputy Chairman

RESOLVED (UNANIMOUSLY) that Councillor Hogg be elected Deputy Chairman for the forthcoming Municipal Year.

102 Minutes of Previous Meeting

RESOLVED that the minutes of the meeting held on 22 January 2020 were confirmed as a correct record.

103 CCTV in Licensed Vehicles Policy Consultation extension

Jon Ruder, Licensing, Food and Safety Manager, presented a report on the Draft Scrap Metal Dealers Policy, and assisted the Committee with their discussions. Jon explained that the consultation period for the draft CCTV in Licensed Vehicles Policy, as approved by the Licensing Committee at its meeting on 22 January 2020, had been due to conclude at the end of May, with a report due to be presented to the Committee at the meeting of 10 June 2020. However, due to the ongoing difficulties presented by the Covid-19 pandemic, the consultation period for the draft policy had been extended until 12 June 2020, and the Committee were requested to note this.

RESOLVED that the extension of the consultation period until 12 June 2020 in relation to the draft CCTV in Licensed Vehicles Policy be noted.

104 Draft Scrap Metal Dealers Policy

Jon Ruder, Licensing, Food and Safety Manager, presented a report on the Draft Scrap

Metal Dealers Policy, and assisted the Committee with their discussions. The report was introduced and Members were advised that the Policy had to be renewed for the next few years, and as such, had been circulated in order that consultation on the contents could take place. Following the end of the consultation period, no responses at all had been received, and the Committee were requested to agree the adoption of the draft policy, and to recommend to Council that it form part of the statutory framework.

Councillor Hogg enquired whether the policy would apply to all persons carrying out relevant activities, or whether some groups would in fact stand outside the policy and instead have to be the subject of a criminal investigation. Jon Ruder explained that no one was treated as 'standing outside the law', and confirmed that the rules, and therefore the proposed policy, would apply equally to all, and if a licence was required it would be required regardless of who was conducting the activity. Jon further commented that if people had entered an area and were trading unlawfully, then it would be the job of Colchester Borough Council working in conjunction with the Police to oppose such activity. It was also clarified that responsibility lay with members of the public to ensure that any scrap metal that they disposed of was passed to a properly licensed collector. Jon explained that it was now unlawful to trade scrap metal for cash and he would happily investigate any allegations of wrongdoing whenever he was presented with any evidence of this.

Councillor Harris commented that the legislation governing the licensing of scrap metal dealers had come into force in 2013, and enquired whether it was known how many licences there currently were within Colchester Borough. Jon Ruder explained that there had been a recent audit on the number of licences and that from memory there were between six to eight site licences, and a similar number of collectors licences issued.

Councillor Buston asked whether there were any items in the policy that Officers would like to bring to Members attention that were of particular importance or relevance, in order that they may be prepared for any questions that might arise on the document in the future. Jon Ruder said that there was nothing that he would highlight in particular in the policy, and stated that the document has been drafted to be as easy to read and user friendly as possible.

Councillor Harris commented that licences lasted for three years, and questioned whether in the light of this the policy would also be reviewed every three years. Jon Ruder confirmed that the policy would be reviewed every three years, and that in the meantime premises were subject to inspections by licensing staff to ensure compliance with their existing licences.

Councillor Moore enquired whether there was any evidence that the new legislation had in fact reduced thefts and other criminal activity? Jon Ruder said that there was evidence that across the country crimes associated with scrap metal dealing had reduced, in no small part to the restrictions placed on the industry which removed the capacity to trade in scrap metal for cash, and required an audit trail to be kept for all items received and

sold. Councillor Moore further enquired what was in place to stop stolen metal being exported to the continent, and Jon Ruder explained that despite laws and policies being in place, it was unlikely that this practice could be fully combatted.

Councillor Tim Young referred to the point previously raised by Councillor Hogg, and asked Jon Ruder to confirm whether there was any intelligence that linked specific groups of people to scrap metal crimes. Jon Ruder responded by stating that he paid no attention to whether or not a person he was investigating was a member of any specific group, but instead focussed only on the task at hand. Jon stated that it was irrelevant whether a person under investigation was the member of any particular group of people, as everyone would be investigated in the same manner by him and his team. Councillor Hogg confirmed that all he had been seeking was clarification that the proposed policy would apply to everyone equally, and he was satisfied with the response.

RESOLVED that the Scrap Metal Dealers Policy be approved and recommended to Full Council for adoption as part of the Council's statutory framework.

105 Licensing Committee Work Programme 2020-2021

Matthew Evans, Democratic Services Officer, introduced the work programme 2019-2020.

RESOLVED that the contents of the work programme be noted.