

MEETING:	Statutory Licensing Regulatory Board
DATE:	Wednesday 26 October 2022
TIME:	2.30 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Green (Chair), Bowser, Cherryholme, Clarke, Danforth, Greenhough, Hunt, Osborne, Shepherd and Webster

4 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of the item on the agenda

5 Minutes

The minutes of the meeting held on the 22nd June, 2022 were taken as read and signed by the Chair as a correct record.

6 Enforcement Update

Debbie Bailey provided members with an overview of the enforcement work Licensing Officers has recently undertaken.

Members were informed that Licensing Officers had carried out regular proactive licensing enforcement work since the last enforcement update. Some examples of the work undertaken was provided to members.

A Police led operation was held on 21st September 2022 alongside Licensing Officers, other local authority departments and the DVSA to conduct checks on vehicles licensed to carry scrap metal to ensure they were correctly licensed under the Scrap metal Dealers Act 2013. 4 vehicles were stopped and examined, out of which 1 vehicle was correctly licensed, 1 was identified as requiring a collectors licence and 2 required further investigations into whether they required a Scrap Metal License for the items they were carrying.

On the 23rd September, 2022 a joint evening operation was undertaken in the Town Centre, comprising of Licensing Officers, South Yorkshire Police Officers, South Yorkshire Police Licensing Officers and the Investigations Officer for the Security Industry Authority. The focus of the operation was to visit licensed town centre premises and the Door Supervisors to those licensed venues. In total 16 premises were visited and 35 Door Supervisors were inspected. All Door Supervisors were found to be compliant with one minor issue raised relating to a damaged photocard. Members heard how pleasing the level of compliance was and that no sanctions against anyone were necessary.

Licensing Officers alongside HM revenue and Customs Officers visited and inspected 2 licensed premises. Both premises were found to be compliant with the

requirements of their premises licence. However, there is an ongoing investigation in relation to one of the premises for an alleged offence which is being carried out by HMRC Officers.

In the ensuing discussion the following matters were raised:

- Members queried as to why only 4 vehicles had been stopped and checked. They were informed that as it was a static check that needed to be in a reasonable place on the highway to pull over vehicles, it is expected that other scrap metal collectors were made aware to avoid the area.
- Queries were raised as to the validity of the records kept by scrap metal collectors and how they could prove that what was written in their log books was correct. Members were informed that it was a difficult offence to prove when provided with a list of names and addresses, however all documentation was checked.
- Members queried what licences were required, the Licensing Officer informed them that both the Scrap metal Licence and Waste Carriers Licence run independently and both are required.
- The details and logs kept by scrap metal sites were of a high standard in the Borough. Members were informed that in order to pay someone for their scrap, photo ID, proof of address and bank account details were required in order to create an audit trail. Cash payments had been abolished.

RESOLVED:-

- (i) that the Board place on record their thanks and appreciation to all those involved in enforcement activities and continually working with premises and scrap metal carriers ensuring a good understanding and compliance with Legislation; and
- (ii) that update reports on all enforcement activity continue to be submitted to the Regulatory Board on a regular basis.

Chair