



# CABINET

12 July 2023

A meeting of the CABINET will be held on Thursday, 20th July, 2023, 6.00 pm in Town Hall, Market Street, Tamworth

## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**3 Minutes of Previous Meeting (Pages 5 - 8)**

**4 Question Time:**

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

**5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules**

**6 FHSF Update (Pages 9 - 12)**

*(Report of The Leader of the Council)*

**7 Write Offs 1 April 2022 to 31 March 2023 (Pages 13 - 22)**

*(Report of the Portfolio Holder for Operations and Finance)*

- 8 Armed Forces Covenant** (Pages 23 - 46)  
*(Report of the Portfolio Holder for Entertainment and Leisure)*
- 9 Scrap Metal Policy 2024 - 2028** (Pages 47 - 82)  
*(Report of the Portfolio Holder for Environmental Health and Community Partnerships)*
- 10 Museum Accreditation** (To Follow)  
*(Report of the Portfolio Holder for Entertainment and Leisure)*

**11 Exclusion of the Press and Public**

To consider excluding the Press and Public from the meeting by passing the following resolution:-

*“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”*

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

**12 Update on Commercial Lease** (To Follow)

*(Portfolio Holder for Town Centre and Commercial Property)*

Yours faithfully



**Chief Executive**

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**Access arrangements**

*If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail [democratic-services@tamworth.gov.uk](mailto:democratic-services@tamworth.gov.uk). We can then endeavour to ensure that any particular requirements you may have are catered for.*

**Filming of Meetings**

*The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.*

*If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat.*

### **FAQs**

*For further information about the Council's Committee arrangements please see the FAQ page [here](#)*

To Councillors: P Turner, T Jay, A Cooper, S Smith, P Thompson and M Summers.

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## **MINUTES OF A MEETING OF THE CABINET HELD ON 29th JUNE 2023**

**PRESENT:** Councillor P Turner (Chair), Councillors T Jay, A Cooper, S Smith, P Thompson and M Summers

Chair of Corporate Scrutiny, Councillor D Cook

The following officers were present: Andrew Barratt (Chief Executive), Nicola Hesketh (Monitoring Officer), Tracey Pointon (Legal Admin & Democratic Services Manager) and Tracey Smith (Democratic Services Assistant)

### **9 APOLOGIES FOR ABSENCE**

There were no apologies for absence

### **10 MINUTES OF PREVIOUS MEETING**

The minutes of the previous meeting held on 8<sup>th</sup> June 2023 were approved and signed as a correct record.

*(Moved by Councillor T Jay and seconded by Councillor A Cooper)*

### **11 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **12 QUESTION TIME:**

There were no Questions.

### **13 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES**

Report of the Chair of the Corporate Scrutiny Committee to update Cabinet and to make recommendations to it following consideration of the Housing Repair Performance Update by Corporate Scrutiny Committee on 20<sup>th</sup> June 2023.

**RESOLVED:** That Cabinet endorsed the recommendation that all avenues of complaints are fed in through the Tell Us process.

*(Moved by Councillor T Jay and seconded by Councillor S Smith)*

#### **14 QUARTER FOUR 2022/23 PERFORMANCE REPORT**

Report of the Leader of the Council to provide the Committee with an overview of Council performance, risk and financial health-check towards achieving the strategic projects detailed within the Corporate Plan and Medium-Term Financial Strategy. The information contained within the report covers performance for the final quarter of the financial year (January to March 2023). Corporate Scrutiny considered the report on 20<sup>th</sup> June 2023.

Members asked for the following updates within the Quarter Four report:

Layout of document, page 23/15 - current risk matrix calculation – requested additional numbers around this on a separate page for better visualisation.

From page 25/17 - target dates required.

Page 26/18 – Risk control measure status - arrow to right but nothing to identify what this means (key on page 21/13 represents something different).

Warning statuses – would like to see action plans built in as well against those items deemed as issues - either as an appendix or notes to a further action plan (as with the corporate risk on the original matrix).

**RESOLVED:** That Cabinet

1. endorsed the contents of the report and;
2. Approved for each of the projects detailed with the capital outturn section of the Financial Health check report (Appx 1), the re-profiling of the budget into the authority's Capital Programme for 2023/24 (total £29.154m)

*(Moved by Councillor T Jay and seconded by Councillor A Cooper)*

#### **15 TAMWORTH BOROUGH COUNCIL GRANT SCHEMES**

Report of the Portfolio Holder for Environmental Health and Community Partnerships to inform Members of the Community Grants, Councillor Grants, and Festive Grants awards made during 2022/23.

**RESOLVED:** *That Cabinet endorsed the outturn of the funding approved by the Nominations and Grants Sub-Committee in 2022/23.*

*(Moved by Councillor M Summers and seconded by Councillor A Cooper)*

## 16 AUTHORITY TO RELEASE PROCESS

Report of the Portfolio Holder for Operations and Finance to provide Councillors with a revised process and guidance to enable access to personal information processed by the Council with respect to constituents.

**RESOLVED:** That Cabinet approved the Authority to Release procedure and guidance for Councillors requesting access to information from the Council for immediate implementation.

*(Moved by Councillor T Jay and seconded by Councillor A Cooper)*

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Leader

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20<sup>th</sup> July 2023**Report of the Leader of the Council****FHSF Update****Not Exempt****Purpose**

To provide an update on the Future High Streets Fund (FHSF) programme of works.

**Recommendations**

It is recommended that:

1. The Committee endorse the report.

**Executive Summary**

The Programme has progressed well since the last update with Speller Metcalfe appointed as main contractor to undertake works. The college have also appointed Kier as their contractor.

**Project Specific Updates****Middle Entry:**

The Planning application for the Flex building and Middle Entry bridge link and glazed canopy demolitions has been consented by the Local Planning Authority. Speller Metcalfe have been appointed to undertake the works contract following a robust tendering process throughout Feb/March and April. Unfortunately there are significant budget pressures on this particular project and as such officers have made recommendations to the Programme Board to consider project scope to reduce the cost by c.£1.5m with the aim to bring the total estimated programme cost within budget. At the time of writing it is not yet known what the outcome is. As a consequence, the Pre-construction Services Agreement (PCSA) is yet to be signed due to the potential change in scope of the project, however, it is expected that this will change as soon a decision is made which should be week commencing 5 June. A stopping up application for the highways to the rear of the Middle Entry units is being progressed with support from Staffordshire County Council. The stopping up order is important because the construction of the new Flex building is on Highways land. Utilities diversions around the middle entry units are being identified and will fall into Speller Metcalfe's scope of works. The TBC project team are working with the Economic Development Lead who is preparing the operational business case for the units, this will crystallise the routes to market and tenancy model.

**Castle Gateway:**

The Nationwide legal agreements are agreed with a final documents check to be

completed by Nationwide Building Society Surveyors prior to execution. Speller Metcalfe are due to start on site at the Peel Café in June/July. Due to the unavailability of access at the rear of the Peel Café, the front of the building on Market street will be the main thoroughfare in and out of that building for all materials and people. The seating area at the front of the building will need to be temporarily removed to allow for the hoarding and safety of pedestrians.

Initial design and opening up works scope for Market Street properties has been prepared and has had conservation officer input. This will now go to Speller Metcalfe to price.

Castle Gateway designs have been submitted for planning consent. The TBC project team are in dialogue with Staffordshire Highways with regards to plans for the public realm in this area. The TBC project team have applied for UK Shared Prosperity Funding to aid with improvements to the Castle Gateway area and Scheduled Ancient Monument as these elements are outside the scope of the original FHSF scheme.

Once Speller Metcalfe have completed their pricing exercise and have drafted the PCSA for Castle Gateway and the Market Street Properties it will go to Programme Board for sign off. It is anticipated that these projects will start on site later in the year.

**College Quarter:**

TBC have appointed Speller Metcalfe to undertake the refurbishment of the Victorian Co-op building and South Staffordshire College have appointed Kier as their contractor for the college build. Demolition of the 1960s Co-op department store is complete with Kier now on site. The application for the St Editha’s Square landscaping works has been submitted to the Local Planning Authority for determination.

It is anticipated that the refurbishment of the TEC will start in the Autumn.

**Programme:**

The programme remains challenging with such an ambitious suite of projects. As a reminder the requirements of the government funding is to ensure that money is contractually committed by the end of March 2024, actual delivery can continue after this date. It is clear that some of the projects whilst moving along well are likely to extend beyond this date.

Programme and Progress					
Milestone	Coop Demolition	Enterprise Centre	Middle Entry/Flex	Peel Café	Market St
Planning Submission	Complete	Complete	Complete	Complete	To be confirmed
Planning Determination	Complete	Complete	Complete	Complete	To be confirmed
Tender Documents Ready	Complete	Complete	Complete	Complete	To be confirmed
Commence Tender	Complete	Complete	Complete	Complete	To be confirmed
Select Preferred Contractor	Complete	Complete	Complete	Complete	In Progress
Start on Site	Complete	31/07/2023	21/08/2023	03/07/2023	To be confirmed
Practical Completion	23/04/2023	25/04/2024	29/06/2024	28/03/2023	To be confirmed

- St.Edithas Square / Castle Gateway and Public Realm - Following agreement of the PCSA's for Peel Café and TEC and the impending agreement of the Flex PCSA, we are now planning to share the public realm, Castle Gateway and Market St Properties works with Speller Metcalfe for initial pricing and to agree PCSA's for each.

**Budget:**

Like the programme the budget is also challenged, with the majority of increases seen in the draft costs as a result of inflationary pressures. That said, Middle Entry has come in significantly higher for a number of reasons, which is the basis of a review by Programme Board. Unfortunately there are significant budget pressures on this particular project and as such officers have made recommendations to the Programme Board to consider project

scope to reduce the cost by c.£1.5m with the aim to bring the total estimated programme cost within budget. It should also be noted that draft costs have not yet been received for the Castle Bridge or Market Street properties. The condition of the Market Street properties were considerably worse than anticipated when the bid was pulled together due to specialist reports that have subsequently been commissioned. There is potential that the costs for the project may be higher than anticipated, given the extent of repairs required.

### **Communications:**

Communications to date have been challenging because the programme timetable keeps moving forwards and backwards as the design process continues. As a starting point there will be more comms around the Peel café project as the start on site is imminent. The economic development team were in dialogue with the market, as recently as the week commencing 5 June. Leafletting also took place with businesses that week. The plan is to start moving those market pitches directly impacted upon by the Peel construction works. Market stall holders will be asked to move to St Editha's Square in the first instance.

### **Resource Implications**

N/A

### **Legal/Risk Implications Background**

N/A

### **Equalities Implications**

N/A

### **Environment and Sustainability Implications (including climate change)**

N/A

### **Background Information**

N/A

### **Report Author**

Anna Miller- Assistant Director – Growth & Regeneration  
Alice Poulton- Regeneration Project Officer

### **List of Background Papers**

N/A

### **Appendices**

N/A

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Thursday, 20 July 2023

**Report of the Portfolio Holder for Operations and Finance****Write Offs 1 April 2022 to 31 March 2023****Exempt Information**

None

**Purpose**

That Members endorse the amount of debt written off for the period 01 April 2022 to 31 March 2023.

**Recommendations**

That Members

1. Endorse the amount of debt written off for the period of 1st April 2022 to 31 March 2023 – **Appendix A-E**

**Executive Summary**

The Assistant Directors and Heads of Service are responsible for the regular review of debts and consider the need for write off and authorise where necessary appropriate write offs in line with the Corporate Credit Policy. This report shows the position for the last financial year. Further updates will continue to be produced on a quarterly basis.

<b>Type</b>	<b>01/04/22 – 31/03/23</b> <b>£ p</b>
Council Tax	£23,386.14
Business Rates	£92,601.26
Sundry Income	£6,854.51
Housing Benefit Overpayments	£44,141.73
Housing	£53,613.76
<b>Total</b>	<b>£220,597.40</b>

Write offs for the previous financial year 2021/2022 totalled £174,653.36.

**Options Considered**

A revised approach to the calculation of Business Rates bad debt has been developed which involves a review of all of the outstanding debts to ascertain whether they are likely to be collectable. This has then been used to determine the balance to apply the usual aged debtor percentage.

<b>Business Rates</b>	<b>01/04/22 – 31/03/23</b> <b>£ p</b>
Bad Debt provision	(£942,985.29)
Amount written off to date under delegated powers	£92,601.26
Amount remaining	(£850,384.03)

## Resource Implications

The write offs detailed are subject to approval in line with the Corporate Credit Policy/Financial Regulations and have been provided for under the bad debt provision calculation.

## Legal/Risk Implications Background

Not applicable

## Equalities Implications

Not applicable

## Environment and Sustainability Implications (including climate change)

Not applicable

## Background Information

This forms part of the Council's Corporate Credit Policy and effective management of debt. The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off in accordance with the schemes of delegation prescribed in the Corporate Credit Policy.

The Council views such cases very much as exceptions. Before writing off debt, the Council will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt together with any factors that it feels are relevant to the individual case.

## Debt Write Off

Authorisations are needed to write off debt:

<b>Authority</b>	<b>Account Value</b>
Executive Director/Assistant Director (or authorised delegated officer)	up to £5,000
Executive Director Finance	£5,001 - £10,000
Cabinet	over £10,000

## Bad Debt Provision

The level of the provision must be reviewed jointly by the unit and Accountancy on at least a quarterly basis as part of the management performance review, and the table below gives the mandatory calculation. Where the debt is less than 6 months old it will be written back to the service unit.

<b>Debt Outstanding Period</b>	<b>Debt Outstanding Provision (net of VAT) %</b>
Between 6 and 12 months old	50%
Between 12 and 24 months old	75%
Over 24 months old	100%

The financial effects of providing for Bad Debts will be reflected in the Council's accounts at Service Unit level.

**Report Author**

Michael Buckland – Head of Revenues and Benefits  
e-mail [michael-buckland@tamworth.gov.uk](mailto:michael-buckland@tamworth.gov.uk)

**List of Background Papers**

Corporate Credit Policy - effective management of debt

**Appendices**

**Appendices A to E** give details of write offs completed for Revenues and Benefits Services and Housing for 01 April 2022 to 31 March 2023.

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# Appendix A

## Summary of Council Tax Write Offs 01/04/2022-31/03/2023

Date of Write Off	Head of Revenues			Assistant Director of Finance (£2,000.01-£5,000)	Executive Director of Finance (£5,000.01-£10,000.00)	Cabinet (£10,000.01 and Over)	Remitted	Credit Write Off	Reversed Write Off	Total	No. of Accounts (Write Off Only)	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£2,000.00)									
19/01/2023			£1,466.01							£1,466.01	1	Hardship
24/01/2023									(£1,001.25)	(£1,001.25)		Voluntary arrangement failed
08/02/2023		£412.97								£412.97	1	Hardship
07/03/2023		£181.44								£181.44	1	Hardship
08/03/2023									(£5.65)	(£5.65)		Dividend received
22/03/2023				£3,678.95						£3,678.95	1	Deceased
24/03/2023			£1,861.54							£1,861.54	1	Hardship
29/03/2023		£473.39								£473.39	1	Benefits decision
30/03/2023									(£418.66)	(£418.66)		Voluntary arrangement failed
<b>Q4 Totals</b>	<b>£0.00</b>	<b>£1,067.80</b>	<b>£3,327.55</b>	<b>£3,678.95</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£1,425.56)</b>	<b>£6,648.74</b>	<b>6</b>	

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<b>Q1 Totals (B/F)</b>	£0.00	£476.18	£1,916.51	£3,911.18	£0.00	£0.00	£0.00	£0.00	(£40.52)	£6,263.35	3	
<b>Q2 Totals (B/F)</b>	£0.00	£255.00	£1,372.36	£4,976.09	£0.00	£0.00	£0.00	£0.00	(£7.41)	£6,596.04	3	
<b>Q3 Totals (B/F)</b>	£176.40	£339.48	£10,787.64	£0.00	£0.00	£0.00	£0.00	£0.00	(£7,425.51)	£3,878.01	20	
<b>Overall Total</b>	<b>£176.40</b>	<b>£2,138.46</b>	<b>£17,404.06</b>	<b>£12,566.22</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£8,899.00)</b>	<b>£23,386.14</b>	<b>32</b>	

Appendix B

Summary of NNDR Write Offs 01/04/2022-31/03/2023

Date of Write Off	Head of Revenues			Assistant Director of Finance	Executive Director of Finance	Cabinet	Remitted	Credit Write Off	Reversed Write Off	Total	No. of Accounts (Write Off Only)	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£2,000.00)									
26/01/2023		£1,354.10								£1,354.10	3	Liquidation
"			£1,567.87							£1,567.87	1	No trace
30/01/2023					£6,654.33					£6,654.33	1	Unable to pursue further
23/02/2023						£34,447.27				£34,447.27	2	Liquidation
"						£11,789.55				£11,789.55	1	Deceased/unable to pursue further
"						£36,839.16				£36,839.16	2	Struck off
<b>Q4 Totals</b>	<b>£0.00</b>	<b>£1,354.10</b>	<b>£1,567.87</b>	<b>£0.00</b>	<b>£6,654.33</b>	<b>£83,075.98</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£92,652.28</b>	<b>10</b>	

<b>Q1 Totals (B/F)</b>	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	(£51.02)	(£51.02)	0
<b>Q2 Totals (B/F)</b>	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0
<b>Q3 Totals (B/F)</b>	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0
<b>Overall Total</b>	<b>£0.00</b>	<b>£1,354.10</b>	<b>£1,567.87</b>	<b>£0.00</b>	<b>£6,654.33</b>	<b>£83,075.98</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£51.02)</b>	<b>£92,601.26</b>	<b>10</b>

# Appendix C

## Summary of Sundry Income Write Offs 01/04/2022-31/03/2023

Date of Write Off	Assistant Director of Assets (up to £5,000.00)	Assistant Director Growth & Regeneration (up to £5,000.00)	Assistant Director People (up to £5,000.00)	Assistant Director Operations & Leisure (up to £5,000.00)	Assistant Director Neighbourhoods (up to £5,000.00)	Head of Revenues (£0.00-£2,000.00)	Assistant Director of Finance (£2,000.01 -£5,000.00)	Assistant Director Partnerships (up to £5,000.00)	Executive Director of Finance (£5,000.01-£10,000.00)	Cabinet (£10,000.01 +)	Total	No. of Accounts	Reason(s)
11/01/2023	£541.14										£541.14		1 Uneconomic to pursue
27/03/2023	£375.00			£295.00							£670.00		4 Unable to recover
"				£329.00							£329.00		1 Team folded
29/03/2023				£237.00				£582.14			£237.00		1 Team folded
"											£582.14		1 Unable to recover
<b>Q4 Totals</b>	<b>£916.14</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£861.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£582.14</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£2,359.28</b>	<b>8</b>	

<b>Q1 Totals (B/F)</b>	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	
<b>Q2 Totals (B/F)</b>	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	
<b>Q3 Totals (B/F)</b>	£4,495.23	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£4,495.23	6		
<b>Overall Total</b>	<b>£5,411.37</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£861.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£582.14</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£6,854.51</b>	<b>14</b>		

# Appendix D

## Summary of Benefit Overpayment Write Offs 01/04/2022-31/03/2023

Date of Write Off	Head of Benefits				Executive Director of Finance	Cabinet	Reversed Write Off	Total	No. of Accounts	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£1,000.00)	(£1,000.01-£2,000)						
31/01/2023		£478.40					£478.40		1	Insolvency (BAN)
"		£540.84					£540.84		4	<2 wks o/s due to death
"						£16,589.88	£16,589.88		1	Deceased (Cabinet approval agreed)
28/02/2023	£64.70	£120.75					£185.45		2	<2 wks o/s due to death
"		£486.51					£486.51		2	Deceased
"					£3,188.51		£3,188.51		1	Deceased
31/03/2023		£485.00					£485.00		5	<2 wks o/s due to death
"					£3,639.55		£3,639.55		1	Bankruptcy (Insolvency)
<b>Q4 Totals</b>	<b>£64.70</b>	<b>£2,111.50</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£6,828.06</b>	<b>£16,589.88</b>	<b>£0.00</b>	<b>£25,594.14</b>	<b>17</b>	

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<b>Q1 Totals (B/F)</b>	£128.03	£763.61	£0.00	£1,032.92	£0.00	£0.00	£0.00	£1,924.56	12
<b>Q2 Totals (B/F)</b>	£280.24	£1,585.46	£0.00	£1,072.95	£4,199.16	£0.00	£0.00	£7,137.81	13
<b>Q3 Totals (B/F)</b>	£155.87	£1,243.80	£0.00	£1,892.10	£6,200.95	£0.00	(£7.50)	£9,485.22	20
<b>Overall Total</b>	<b>£628.84</b>	<b>£5,704.37</b>	<b>£0.00</b>	<b>£3,997.97</b>	<b>£17,228.17</b>	<b>£16,589.88</b>	<b>(£7.50)</b>	<b>£44,141.73</b>	<b>62</b>

# Appendix E

## Summary of Housing Write Offs 01/04/2022-31/03/2023

Date of Write Off	Assistant Director - Neighbourhoods				Executive Director of Finance (£5,000.01-£10,000.00)	Cabinet (£10,000.01 and Over)	Remitted	Credit Write Off	Reversed Write Off (Write On)	Total	No. of Accounts (Write Off Only)	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£2,000.00)	(£2,000.01-£5,000)								
13/03/2023 "	£78.51 £35.00	£1,963.30 £1,194.82	£1,237.53							£3,279.34 £1,229.82	9 9	Deceased. No estate or under £250 Over 6 years old Statute Barred, no contact during at least last 6 years
<b>Q4 Totals</b>	<b>£113.51</b>	<b>£3,158.12</b>	<b>£1,237.53</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£4,509.16</b>	<b>18</b>	
<b>Q1 Totals (B/F)</b>	<b>£202.57</b>	<b>£3,974.94</b>	<b>£1,720.15</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£6,086.17)</b>	<b>£0.00</b>	<b>(£188.51)</b>	<b>30</b>	
<b>Q2 Totals (B/F)</b>	<b>£18,002.51</b>	<b>£21,330.79</b>	<b>£16,994.72</b>	<b>£11,794.73</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£17,918.54)</b>	<b>(£911.10)</b>	<b>£49,293.11</b>	<b>452</b>	
<b>Q3 Totals (B/F)</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>-</b>	
<b>Overall Total</b>	<b>£18,318.59</b>	<b>£28,463.85</b>	<b>£19,952.40</b>	<b>£11,794.73</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>(£24,004.71)</b>	<b>(£911.10)</b>	<b>£53,613.76</b>	<b>500</b>	

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Thursday, 20 July 2023

## Report of the Portfolio Holder for Entertainment and Leisure

### Armed Forces Covenant

#### Exempt Information

N/A

#### Purpose

To approve and endorse the commitment of the Council to the Armed Forces Covenant and associated plan

#### Recommendations

It is recommended that Cabinet:

1. Endorse the re-affirmation by the Council to the re-signing of the Armed Forces Covenant in February 2023 endorsing the Covenant Duty
2. Approve support and commitment to the Staffordshire County Council plan
3. Approve the Tamworth Borough Council Armed Forces Covenant work plan
4. Delegate authority to the Portfolio Holder for Entertainment and Leisure and Assistant Director Partnerships to oversee the associated work plan and report on an annual basis to the Health and Wellbeing Scrutiny Committee

#### Executive Summary

The Armed Forces Covenant is a promise by the nation that the Armed Forces Community should be treated fairly and face no disadvantage when accessing public and commercial services, with special provision made in appropriate cases for those who have sacrificed the most. The Covenant was established in its current form in 2011 and since then, thousands of different organisations – including businesses, local authorities, universities, and charities – have chosen to sign a pledge to honour the Covenant and support their Armed Forces Community.

Tamworth Borough Council, with Staffordshire County Council and all other districts and boroughs in Staffordshire, re-affirmed commitment to the Armed Forces Covenant and the Armed Forces Act 2021 Covenant Duty in February 2023. Attached as Appendix 1.

The Armed Forces Act 2021 amended the Armed Forces Act 2006 by inserting sections 343AA to 343AF. These place a legal duty (the 'Covenant Duty') on specified public persons and bodies to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education and housing ('relevant functions').

When a specified body exercises a relevant function, it must have due regard to:

- (a) the unique obligations of, and sacrifices made by, the Armed Forces;
- (b) the principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the Armed Forces
- (c) the principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces

Relevant functions in scope of the Covenant Duty include healthcare, education and housing.

The Council must have due regard to:

- Allocations policy for social housing
- Tenancy strategies (England only)
- Homelessness
- Disabled Facilities Grants

The Housing Allocations and Homelessness strategies have due regard to the Duty and are compliant. Disabled Facility grant administration has just been brought back into Council management which fund adaptations to a disabled person's home to enable them to live independently and comfortably. Links to this information will be included as part of the plan.

A County working group has been re-established attended by the Assistant Director Partnerships and supported by the Community Cohesion Officer and a County plan established which each borough and district must report progress on with regard to the Duty and the wider covenant pledges to address the negative experiences of the Armed Forces Community, arising from Service life, ensuring positive community integration and involvement. The County plan is attached as Appendix 2.

Following a small working group in March 2023, a Tamworth plan has been drafted to ensure that the covenant commitments are given due regard and that the Council can comply with the Covenant Duty. The plan is attached as Appendix 3.

The proposal is for the Tamworth plan to be included in the Health and Wellbeing Scrutiny workplan for ongoing monitoring and the report was discussed on 11<sup>th</sup> July 2023.

### **Options Considered**

The Council had already committed to the Armed Forces Covenant and re-affirmed in line with the other boroughs/districts in Staffordshire in line with the Armed Forces Act 2021

### **Resource Implications**

The Community Cohesion Officer will work in conjunction with appropriate teams within the Council to ensure that the action plan is implemented and is appointed until May 2025.

There are no direct financial implications as a result of this report. Events or activities identified through the Action Plan will be subject to budgetary resourcing and further reports.

### **Legal/Risk Implications Background**

The Covenant Duty is not prescriptive about the approach the Council should take in order to comply with their legal obligations. It also does not mandate that any particular conclusions are reached or specific public service delivery outcomes achieved as a result of that consideration. The actions and outcomes that bodies deem appropriate will vary across the country depending on local circumstances.

- The Covenant Duty does not abolish or replace existing Covenant pledges and other commitments.
- The Duty only applies to specific functions in healthcare, education, and housing. Other functions in these three areas, and functions in other, unrelated areas, are not within the scope of the Duty, though may still be relevant to the wider Covenant commitments
- The Duty only applies to specified bodies. Many organisations that have signed the wider Covenant pledge are therefore not within scope of the legal Duty at all.
- The Duty applies to specific groups in the Armed Forces Community. Other groups in the Community may be included within the purposes of the wider Covenant.



The Covenant Duty does not supersede or replace any other statutory requirement. Those subject to the Duty must balance the requirements of the Duty with the need to deliver services more generally and the need to satisfy other statutory requirements, such as the Public Sector Equality Duty in England, Scotland and Wales, or the statutory duty on public authorities regarding equality of opportunity in s.75 of the Northern Ireland Act 1998.

### **Equalities Implications**

Advantageous treatment as a matter of course is not within scope of the Duty, such as offering discounts to all through the Defence Discount Service, or to a broad group through the Veterans Railcard. However, bodies are still free to implement such schemes as part of their support to the Armed Forces Community through the Covenant . Similarly, the Duty does not give an individual any automatic right to the best house, best school, or to jump a queue. However, special provision can sometimes be justified on a case by case basis.

A Community Impact Assessment has been completed and attached as Appendix 4

### **Environment and Sustainability Implications (including climate change)**

There are no environmental or sustainability implications as a result of this report

### **Background Information**

Tamworth Borough Council has committed to the Armed Forces Covenant since 2012 and recognise the commitment to those that have and still remain serving the nation.

This report reaffirms this commitment.

### **Report Author**

Joanne Sands – Assistant Director Partnerships

### **List of Background Papers**

Armed Forces Act 2021

### **Appendices**

Tamworth Armed Forces Covenant  
Staffordshire County Council Plan  
Tamworth Borough Council Armed Forces Covenant Action Plan 2023-2025  
Community Impact Assessment

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## Tamworth Borough Council

We, the undersigned, commit to honour the Armed Forces Covenant and support the Armed Forces Community. We recognise the value Serving Personnel, both Regular and Reservists, Veterans and military families contribute to our business and our country.

Signed on behalf of:  
**Tamworth Borough Council**

Signed on behalf of:  
**Ministry of Defence**

Name: Councillor Jeremy Oates  
Position: Leader of the Council  
Date: 16<sup>th</sup> February 2023

Name: Lieutenant Colonel Lewis Matthews  
Position: Commanding Officer 22 Signal Regiment  
Date: 16<sup>th</sup> February 2023

**Tamworth**  
Borough Council



**Ministry  
of Defence**

# The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

His Majesty's Government

and

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

## Section 1: Principles of the Armed Forces Covenant

1.1 We **Tamworth Borough Council** will endeavour in our business dealings to uphold the key principles of the Armed Forces Covenant, which are:

- *no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen*
- *in some circumstances special treatment may be appropriate, especially for the injured or bereaved.*

## Section 2: Demonstrating our Commitment

2.1 We recognise the significant value that serving personnel, reservists, veterans and military families bring to our business and to our country. We will work closely with partners to ensure the principles of the Armed Forces Covenant are upheld locally through priorities based upon local and national insight with a clear focus on practically supporting our Armed Forces community, through:

- **Promoting our Armed Forces:** advocating for our Armed Forces community and increasing support of organisations, businesses and individuals for the important mutual support between our civilian and Armed Forces communities
- **Supporting Employment:** supporting the employment of former service personnel and their families, together with Reservists and Cadet Volunteers, and recognising the valuable skills and experience they can bring to Staffordshire, enabling them to enjoy full and rewarding careers after their service
- **Celebrating our Armed Forces:** supporting local and national events such as Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities

2.2 We will publicise these commitments, setting out how we will seek to honour them and inviting feedback from our Service community, our staff and our customers on how we are doing.

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## Armed Forces Covenant Action Plan 2022 / 2024

The AFC Action Plan 2022 / 24 sets out how we will recognise, support and integrate our Armed Forces as a valued part of Staffordshire's communities. We want everyone in our county to prosper, be healthy and happy.



### **PRIORITY: Armed forces community insight / information, advice and guidance (IAG):**

Providing a better understanding of key issues / needs / support already in place. Includes working with partners to help match providers of services to areas of need, and along with IAG, ensure access to the right support and opportunities as quickly as possible.

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
<p>Gain a greater and more granular insight of the Staffordshire Armed Forces Community, including:</p> <ul style="list-style-type: none"> <li>Explore opportunities to gain a greater understanding of the Armed Forces community, bringing together a range of data and information sources, including the Armed Forces Veteran Gateway; and</li> <li>Prepare for and maximise the value of Armed Forces Census 2021 data, ensuring this insight is used to inform the planning and delivery of services that support the Armed Forces community (available by end of 2022, with exploratory conversations ahead of this) -</li> </ul> <p><b>Census 2021 Armed Forces briefing paper complete.</b>  <b>Draft Armed Forces Veterans Data Summary report complete.</b></p> <ul style="list-style-type: none"> <li>Explore feasibility / any opportunities for Armed Forces community insights via Healthwatch Staffordshire</li> </ul>	<p>Jan 23</p> <p>Jan 23</p> <p>Mar 23</p>	<p>Insight Team / Amanda Dawson-Blower (SCC)</p> <p>Keith Luscombe (SCC)</p>	<p>Analysis and reporting of Armed Forces data has improved our understanding of this community.</p> <p>Alongside future planned Census releases this will enable more robust Armed Forces data and insight to target services and support.</p>
<p>Identify / initially map key national / local organisations supporting the AF (Armed Forces) community, to help inform wider IAG approach -</p> <p><b>Developed / to be further shaped with Partnership group.</b></p>	<p>Jan 23</p>	<p>Amanda Dawson-Blower (SCC) / All partners</p>	<p>AF community accessing information/ support they need</p>
<p>Initially review Staffordshire AFC online content / webpages, with a view to updating and ensuring a consistent offer / information –</p> <p><b>Review undertaken and new County Council AFC webpage developed and live.</b>  <b>Partners encouraged to develop / update own AFC webpages.</b></p>	<p>Sept 22</p>	<p>Amanda Dawson-Blower (SCC)</p>	<p>Up to date webpages to enable AF community to access support / advice / guidance they need</p>
<p>Review and improve signposting for our Armed Forces community, as part of the wider refresh of Staffordshire Connects online directory –</p>	<p>Apr 23</p>	<p>Amanda Dawson-Blower / Public Health (SCC)</p>	<p>AF community better equipped to access</p>

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
<p><b>Exploratory conversations taking place to improve Staffordshire Connects search engine to better enable AF community to access support.</b></p> <p><b>Staffordshire Connects to be updated with key AFC support organisations.</b></p> <p><b>The use of Community Help points being explored to provide IAG to AF community.</b></p>			information/ support they need
<p>Identify any opportunities to build on Enhanced Two-Tier working and further explore a consistent 'Staffordshire Offer' for AF community access to support / services (e.g. with District / Borough Councils) -</p> <p><b>Further opportunities to promote consistent support to AF community to be identified with CEOs Group / Leaders Board in 2023.</b></p>	Jul 23	Cristian Marcucci / Keith Luscombe (SCC) / District / Borough Councils	Any member of AF community, regardless of postcode, can access same level of support across Staffs.



**PRIORITY: Provision of and Access to Health**

Working together, partners can help advocate for and ensure the right care and treatment is available to all, also taking account specific needs of the Armed Forces community. As acknowledged nationally, ensuring access to healthcare is crucial and the number of serving and ex-service people and families settling locally likely to increase.

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
<p>Explore and identify opportunities with health partners, to ensure the right care and treatment is available to the Armed Forces community and taking account of specific needs (as part of the developing Integrated Care System). For example, through:</p> <p><b>Armed Forces/Veterans expected to be key element of the Integrated Care Partnership Strategy 5 Year Joint Forward Plan when it is published at the end of June 2023, and also to be a key component of the operational plans 2023/4 for each NHS and Local Government organisation who are part of the ICB.</b></p> <ul style="list-style-type: none"> <li>- increasing the number of veteran friendly GP practices</li> </ul> <p><b>Report produced setting out location of current veteran friendly GP practices by District/Borough area across Staffordshire and Stoke – update report to be undertaken in September 2023.</b></p> <p><b>Primary care team is continuing to raise the profile and encourage practices to sign up. Next step will be to make direct contact with those practices still to sign up with face-to-face visits if necessary.</b></p> <ul style="list-style-type: none"> <li>- increasing the number of veteran aware hospitals</li> </ul> <p><b>North Staffordshire Combined Healthcare NHS Trust have been awarded Veteran Aware Accreditation.</b></p> <ul style="list-style-type: none"> <li>- encouraging veterans to register with their GP /identify themselves as a veteran</li> <li>- Exploring how to further encourage GPs use of the ‘veteran status’ read code</li> </ul>	Summer 23	Paul Edmondson-Jones (ICB (Integrated Care Board) / Cristian Marcucci and Amanda Dawson-Blower (SCC)	<p>Increase in number of veteran friendly GPs and hospitals</p> <p>Armed Forces community accessing the care / treatment required</p> <p>Health partners supported to better understand needs of Armed Forces community</p>
<p>Ensure our Armed Forces community are considered / engaged through the Joint Strategic Needs Assessment, helping to inform health and social care commissioning / wider decision making</p> <p><b>Best practice exercise is being undertaken to inform future inclusion of Armed Forces community in JSNAs.</b></p>	2023	Wendy Tompson / Insight Team (SCC) / Paul Edmondson-Jones (ICB)	Future assessments, including JSNAs, more fully consider AF community issues and needs
<p>Explore further ways to promote health and well-being information / support / services to the Armed Forces community, for example through Staffordshire Connects online directory / Community Helplines</p> <p><b>Exploratory conversations taking place to improve Staffordshire Connects search engine to better enable AF community to access support.</b></p> <p><b>Staffordshire Connects to be updated with key AFC support organisations.</b></p>	Apr 23	Amanda Dawson-Blower (SCC)	AF community better equipped to access information/ support they need, particularly around Access to Health

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
<p>The use of Community Help points being explored to provide IAG to AF community.  Approach being considered with Public Health to improve engagement with veterans and promote mental health and wellbeing support – consultation with veterans undertaken to produce joint SCC/ICB ‘Good Mental Health in Staffordshire Strategy’  Conversations taken place with Public Health to promote Suicide Prevention training.</p>			

**PRIORITY: Armed Forces Legislation**

This aims to improve public service delivery and the new duty, requiring public services to fully consider the Armed Forces community when shaping decisions. Ensuring Staffordshire is well placed to deliver on this, particularly around housing, education and healthcare, fully considering the opportunities and implications across Covenant partners will be key.

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
Promote/communicate MOD AFC Act 2021 guidance/online resources across networks <b>Guidance / summary of functions in scope circulated.</b>	Jan 23	All partners	Promoted and partners understand resources available
Work across public sector partners to ensure relevant decision making considers key policy areas (healthcare, housing, education). To include:  Healthcare – engage with health partners to consider implications/best practice alongside developing Integrated Care System and healthcare provision <b>Links with key Health partners / HWBB conversations taken place to raise awareness of the Act.</b>  Housing – consider implications/best practice alongside exploring a consistent Staffordshire offer around housing policy/support <b>Guidance provided to Districts/Boroughs to raise awareness and dialogue begun around Housing policy.</b>  Education – consider implications/best practice, alongside Staffordshire’s Education & Skills Strategy and MOD Local Authority Partnership (SEND transition) <b>Assessment of Education functions including best practice opportunities undertaken and considered with Education Lead.</b>	Dec 22 / early 23	<i>Health:</i> Paul Edmondson-Jones (ICB) / Tony Bullock (SCC)  <i>Housing:</i> District / Borough Councils / Mark Parkinson (SCC)  <i>Education:</i> Tim Moss / Amanda Dawson-Blower (SCC)	
Review wider decision-making practices to enable consideration of the Act/Armed Forces community, for example: - Ensuring Community Impact Assessments etc build in key further considerations <b>SCC updated CIA documentation finalised, further work by partners underway as necessary.</b>	Dec 22	SCC / District & Borough Councils / ICB partners	Our decision-making processes are fit for purpose taking account of Act

**PRIORITY: Promotion and Awareness of the Covenant / Advocacy**

Raising awareness more effectively, helping to increase the support of organisations and individuals for the important mutual support between the civilian and Armed Force communities, to the positive benefit of all Staffordshire residents. Business promotion and engagement will also be key, including to ensure we build on the relevant skills that ex-service people bring.

Deliverable (We will...)	Date	Delivery Leads	Impact / What does success look like?
<p>Promote AFC Fund programmes to organisations/provide support to eligible bids that can help support delivery of the Covenant</p> <p><b>Support provided to organisations to develop applications.</b></p> <p><b>Comms undertaken as and when new programmes are announced.</b></p> <p><b>Two successful Staffordshire organisations in 2023 so far.</b></p>	Ongoing	Amanda Dawson-Blower / Niall McPhilemy (SCC)	Staffordshire organisations can successfully secure AFC funding
<p>Promote and expand recruitment / employment opportunities, recognising the transferable skills and experience ex-service people can bring for local employers, including through:</p> <ul style="list-style-type: none"> <li>Working with the Staffordshire Chambers of Commerce, Federation of Small Businesses, and West Midlands Employer Engagement Team to identify opportunities and coordinate engagement with local businesses / employers</li> </ul> <p><b>SCC Enterprise Centres offering 50% discount to veterans for 6 months – launched April 2023.</b></p> <p><b>Armed Forces week employer engagement event held in June 2023.</b></p> <p><b>Promotion of Covenant undertaken to Staffordshire Jobs &amp; Careers brokerage employers.</b></p> <ul style="list-style-type: none"> <li>Share best practice to enhance recruitment policies / practices across member organisations (e.g. identifying Armed Forces candidates at the point of application and committing to shortlist any Armed Forces candidates who meet the minimum role criteria, time-off policy for Reservists)</li> </ul> <p><b>Best practice research on Armed Forces community recruitment and employment policies in progress to inform expansion of SCC policies.</b></p> <p><b>Promotion of polices to Districts/Boroughs to be undertaken.</b></p> <ul style="list-style-type: none"> <li>Attend and promote Armed Forces recruitment fairs / events to promote employment opportunities</li> </ul>	<p>Ongoing</p> <p>Ongoing – review quarterly</p> <p>Ongoing</p>	<p>SCC / Sara Williams (Staffordshire Chambers) /</p> <p>Karen Woolley (FSB (Federation of Small Businesses)) / Phil Sinclair (REED)</p> <p>SCC Talent &amp; Resourcing Team / All partners</p>	<p>Increase in number of bronze / silver / gold award holders &amp; AF Covenant signatories, raising the profile of the AF community across businesses and organisations</p> <p>Ensuring businesses and organisations are better placed to help increase the number of ex-service personnel employed</p>
<p>Support the Army Cadets’ young persons’ scheme, including:</p> <ul style="list-style-type: none"> <li>SCC support to build a network of partners that can identify children who may benefit from joining</li> <li>Promote Army Cadets to Children and Young People services staff, to identify children who may be more vulnerable and would benefit from Army Cadets support / engagement</li> </ul>	Ongoing – review early 23	Natasha Moody (SCC) / Simon Donegan (Army Cadets)	Ensuring a clear process is in place to promote and review Army Cadets Young Persons scheme

Deliverable (We will....)	Date	Delivery Leads	Impact / What does success look like?
<p><b>Engagement with the Army Cadets is taking place to consider promotion of the scheme to young people and partners.</b></p> <p><b>Presentation given to Headteachers forum took place in May – webinar being organised for July.</b></p>			
<p>Celebrate and promote recognition and remembrance of AF community (communication / events to support our AF community to explain what they do and why on behalf of the Country):</p> <ul style="list-style-type: none"> <li>• Armed Forces Day</li> <li>• Remembrance Day</li> <li>• Further key opportunities / dates TBC</li> </ul> <p><b>Comms plan has been produced and key activities are being promoted.</b></p>	Ongoing	All partners	Opportunities are identified to promote Covenant and further celebrate our AF community
<p>Maximise promotion through County events and collaborate with partners to promote the Covenant, advocating for our AF community</p> <p><b>All Staffordshire Local Authorities have joined together to sign the Covenant - Comms undertaken encouraging other organisations / businesses to pledge their support.</b></p>	Ongoing – as and when	All partners	Opportunities are identified to promote Covenant
<p>Adopt and promote emerging new Armed Forces Covenant e-learning modules to partners</p> <p><b>Work to incorporate new AFC learning modules into SCC Learning Hub is progressing</b></p> <p><b>Further modules expected Spring 2023.</b></p>	Spring 23	Amanda Dawson-Blower (SCC) / Hayley Corbett / All partners	<p>All relevant partners adopted training modules</p> <p>For SCC - % of staff completing the modules to be baselined and monitored</p>
<p>Regular communications / key updates across Partnership Group / wider partners and stakeholders</p> <p><b>Comms plan has been developed and key updates are being undertaken.</b></p>	As required	Amanda Dawson-Blower / Niall McPhilemy (SCC)	Opportunities are identified to promote Covenant

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**Armed Forces Covenant Action Plan  
Tamworth Borough Council  
April 2023 – March 2025**

The Armed Forces Covenant defines the general principles that should govern the relationship between the Nation, the Government and the Armed Forces community and has several key principles

- Members of the Armed Forces Community should not face disadvantages arising from their service in the provision of public and commercial services.
- In some circumstances special provision may be justified, especially for those who have given the most, such as the injured or bereaved.

It also seeks to encourage local communities to develop a relationship with the service community in their area.

Tamworth Borough Council, alongside all local authorities within Staffordshire re-signed the Staffordshire Covenant to reaffirm our commitment to the Armed Forces Community following the Armed Forces Act 2021

Every Local Authority adhering to the Covenant is committed to produce and publish an Action Plan to underpin the Covenant. This forms part of the 'Core infrastructure for Covenant Delivery' which includes naming an Armed Forces Champion. This action plan sets out the overall direction of the Covenant and helps ensure the Council keeps on track with its commitments.

## Armed Forces Action Plan

Aims	Actions	Comments/ Date for Next Review
<b>1. Recognise and remember the sacrifices and challenges faced by the Armed Forces community.</b>	<b>1.1 Remembrance and Recognition Days</b> Promote participation in, and support events and functions, to celebrate and remember the sacrifices of Armed Forces personnel, both past and present. Armed Forces 'Remembrance and Recognition' days to include: <ul style="list-style-type: none"> <li>• Armed Forces day (June 21<sup>st</sup> 2023/June 29<sup>th</sup> 2024)</li> <li>• Poppy Appeal (October/November)</li> <li>• Remembrance Sunday (Nearest Sunday to 11<sup>th</sup> November)</li> <li>• Armistice day (November 11<sup>th</sup>)</li> </ul>	Next review 2024 Events in calendar Flags on Marmion House and the Castle
	<b>1.2 Maintain Mercian Regiment Freedom of the Borough</b> Promote and support Freedom of Borough events and parade	Ongoing and supported on request
	<b>1.3 Consider Events for 80<sup>th</sup> Anniversary of VE Day</b> May 2025 <b>1.4</b>	Discussions and planning meetings to commence April 2024 Link to national events
<b>2. Promote understanding and awareness amongst the public of issues affecting the Armed Forces community</b>	<b>2.1 Publicise the Commitments made in the Armed Forces Covenant</b> Publicise Tamworth's commitment to Armed Forces personnel, and their families, receiving equal access and opportunity	Endorsement through Cabinet July 2023 Link to County plan and pages New TBC web content to be developed by September 2023
<b>3. Encourage the local community to support the Armed Forces community in the Borough</b>	<b>3.1 Community Volunteering</b> Encourage collaborative community volunteering by signposting to charities and volunteering opportunities in the district.	To link back to County plan and through Staffordshire Connects. Webpage information
<b>4. Encourage activities which help to integrate the Armed Forces Community into local life</b>	<b>4.1 Signpost</b> Direct Armed Forces Community members to volunteering opportunities, additional support, services, sports clubs, charities	Link web pages to Support Staffs Voluntary Organisations and Staffordshire Connects



	<p><b>4.2 Promote best practice engagement with communities</b> Work with Staffordshire County/Armed Forces to identify and promote examples of good practice for community engagement and integration across Staffordshire</p>	Promote on social media platforms as examples occur/ Link to Staffordshire Armed Forces communications plan
<p><b>5. Encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement, utilising funding obtained through the Community Covenant Grant scheme as appropriate</b></p>	<p><b>5.1 Volunteering and Community Action</b> Support members of the Armed Forces Community to access volunteering and community action opportunities, especially for Forces personnel during transition</p>	Support Staffordshire engagement/VCSE promotion
	<p><b>5.2 Access to Council Services</b> Support Armed Forces Personnel, and their families, as well as service leavers and veterans to access Tamworth Borough Council Services.</p>	To be directed via web page
<p><b>6. Provide advice, support and information to service personnel regarding their housing needs</b></p> <p><b>STATUTORY ARMED FORCES HOUSING DUTY</b></p>	<p><b>6.1 Housing Allocations Scheme</b> Priority status is awarded to Armed Forces personnel that meet the criteria set out in the 2017 Housing Allocations Scheme.</p>	Policy is compliant
	<p><b>6.2 Support and Advice</b> Promote the Veterans' Housing Advice Service. This service provides a pathway for ex-Service personnel in housing need by supporting them to move into a permanent home.</p>	<p>Link to the VHAS and other support organisations on our webpages</p> <p>Include links to Disabled Facilities Grants information</p>
	<p><b>6.3 Homelessness</b></p> <p>Armed Forces personnel are considered as per current legislation with the aim of understanding any concerns relating to service leavers at risk of homelessness within the Borough and possible solutions.</p>	Policy is compliant
<p><b>7. Maintain core infrastructure for Covenant delivery</b></p>	<p><b>7.1 Tamworth BC to be represented on Staffordshire Armed Forces Covenant Partnership Board</b> Armed Forces Champion to attend the working group</p>	Community Cohesion Officer to attend and action in conjunction with AD Partnerships

	<b>7.2 Name an Armed Forces Champion and Armed Forces council officer lead</b>	Armed Forces Champion: Councillor Andrew Cooper  Armed Forces officer lead: Jo Sands, Assistant Director Partnerships
	<b>7.3 Tamworth Borough Council Armed Forces Action Plan</b> The Armed Forces Action Plan will be updated annually.	Progress to be considered by the Health and Wellbeing Scrutiny Committee
<b>8. Support the recruitment of members of the Armed Forces community</b>	<b>8.1 HR Policies</b> Ensure due regard to Armed Forces Covenant	Annual Leave/Reservist Policies compliant and subject to regular review  Community Impact Assessment for all policies to include reference to Covenant Duty
	<b>8.2 Consider The Defence Employer Recognition Scheme</b> The Scheme recognises employers who support defence and the armed forces community. <a href="http://www.gov.uk/government/publications/defence-employer-recognition-scheme/defence-employer-recognition-scheme">www.gov.uk/government/publications/defence-employer-recognition-scheme/defence-employer-recognition-scheme</a>	TBC has Bronze status and to be reviewed for action plan and use of logo Sept 23
	<b>8.3 Encourage Business Community to sign up to Covenant</b>	Part of County plan and to be included in webpage links. Communications to be shared with Chamber of Commerce

# Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Armed Forces Covenant Plan	
Date Conducted	29 June 2023	
Name of Lead Officer and Service Area	Jo Sands, Assistant Director Partnerships	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Rob Barnes, Executive Director Communities	
Who are the main stakeholders	Councillors, Armed Forces personnel (ex and current), community of Tamworth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Duty under the Armed Forces Act 2021, Staffordshire County/District/Borough Leaders and CEOs, UK Armed Forces, County Armed Forces Group, Tamworth Councillors	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)		
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input type="checkbox"/>
	A function, service or project	X
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>
	Being reviewed	X

	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>
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## Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

The Council has reaffirmed their commitment to the Armed Forces Covenant by re-signing in February 2023. A workplan has now been created for approval by Cabinet 21 July 2023

Who will be affected and how?

Armed Forces personnel (ex and serving) – ensuring the Council undertakes duty in relation to the Armed Forces Act 2021

Are there any other functions, policies or services linked to this impact assessment?

Yes  No

If you answered 'Yes', please indicate what they are?

Housing Allocations/Homelessness Strategy  
Disabled Facilities Grants

## Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation )
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ensuring Armed Forces have details around grants available to remain in their homes
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Consideration to the issues facing armed forces families leaving the forces and seeking accommodation
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Sex	<input type="checkbox"/>	X	
Gypsy/Travelling Community	<input type="checkbox"/>	X	
Those with Caring/Dependent responsibilities	X	<input type="checkbox"/>	Due consideration for carers of disabled veterans
Those having an offending past	<input type="checkbox"/>	X	
Children	X	<input type="checkbox"/>	Families of veterans
Vulnerable Adults	<input type="checkbox"/>	<input type="checkbox"/>	
Families	X	<input type="checkbox"/>	Families of veterans
Those who are homeless	X	<input type="checkbox"/>	Duty to consider housing under the allocations policy for veterans. Ensure support in place
Those on low income	<input type="checkbox"/>	X	
Those with Drug or Alcohol problems	<input type="checkbox"/>	X	
Those with Mental Health issues	<input type="checkbox"/>	X	
Those with Physical Health issues	<input type="checkbox"/>	X	
Other (Please Detail)	X	<input type="checkbox"/>	Covenant is specific in supporting the UKs Armed Forces to community integration and prevent social isolation

#### Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living &amp; subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>
Armed Forces personnel and families	Adoption of Covenant and Duty	Ensure awareness and promotion. Support affected veterans Plan in place

**Part 5 - Action Plan and Review**

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

**If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why**

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	<b>Outcomes and Actions entered onto Covalent</b>			
Support for Armed Forces veterans and serving personal and families	Covenant signed and plan adopted Actions reported to H&W Scrutiny	Jo Sands Anna McLauchlan	Cabinet July2023	Approval for plan and annual review of actions

Date of Review (If applicable) .....

Thursday, 20<sup>th</sup> July 2023

## Report of the Portfolio Holder for Environmental Health and Community Partnerships

### Scrap Metal Policy 2024 - 2028

#### Exempt Information

None

#### Purpose

This report provides Members with information and guidance on a new draft Scrap Metal Licensing Policy which requires Members comments and approval prior to formal public consultation.

#### Recommendations

Cabinet to endorse the draft Scrap Metal Policy and to approve the document for public consultation.

#### Executive Summary

The Council, in its capacity as Licensing Authority, is required to consider applications for Scrap Metal Site's & Collectors. There is currently no policy in force covering the Council area for these activities and it is considered necessary and appropriate for such a policy to be prepared, consulted upon and published in order to ensure that applications for this type of authorisation are considered and determined in a fair, consistent and transparent manner.

The draft policy sets out the legal requirements and application process, along with the Licensing Authority's approach to preventing nuisance to residents and businesses located within the Council area and the enforcement of unlicensed activities.

If approved by Cabinet and subject to any suggested amendments, the draft policy will undergo a consultation process with all relevant stakeholders, including existing licence holders, Staffordshire Police, Community Safety officers, residents, businesses, Members, and Community Boards.

Following the consultation process, a further report will be presented to the Licensing Committee providing full details of any comments received and amendments proposed as a result. The draft Policy together with any amendments will then be presented to Cabinet for adoption.

#### Options Considered

The Council could choose not to have a policy on scrap metal dealers however to do so would be contrary to best practice and may lead to a lack of clarity on the application of the legislation.

The Committee could consider not consulting on the proposed policy; however this would not accord with good governance, giving interested parties an opportunity to consider the proposed policy and make any representations where they consider that changes might be made before adoption.

### **Resource Implications**

There are no direct financial implications for Tamworth Borough Council concerning this matter at present. However, if at any time in the future the policy was subject to legal challenge, there could be costs associated with this process which would be met through the licence fee. We currently charge £490 for a Site Licence and £260 for a Collectors Licence.

### **Legal/Risk Implications Background**

The 2013 Act introduced a comprehensive licensing regime for all scrap metal dealers. In accordance with the Act the Council must licence all scrap metal dealers. The Council must determine the suitability of applicants to hold licences. The Council also has the powers to impose conditions on licences, revoke licences and take enforcement action against unlicensed operators.

Whilst there is no statutory requirement for the Council to have a Scrap Metal Dealers Licensing Policy it provides the framework under which Tamworth Borough Council will exercise its powers and duties under the 2013 Act and ensures that fair and equitable decisions are taken by Tamworth Borough Council

### **Equalities Implications**

The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.

When considering scrap metal applications, only issues provided for in the Scrap Metal Act 2013 and provided for in the Scrap Metal Dealers policy for Tamworth Borough Council will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.

### **Environment and Sustainability Implications (including climate change)**

The Council is committed to tackling climate change and the proposed Policy will assist in ensuring that it contributes appropriately to this ambition.

### **Background Information**

The Scrap Metal Dealers Act 2013 revised the regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The 2013 Act repealed the Scrap Metal Dealers Act 1964 and the Vehicle Crime Act 2001, replacing them with a more robust licensing regime that gives a local authority the powers to refuse the grant of a licence where the applicant is deemed unsuitable; and the powers to revoke a licence should a licence holder become unsuitable.

The 2013 Act aims are to raise the standards across the scrap metal industry and to help achieve this, licensed operators have to keep detailed records of their transactions, and verify the identity of those selling scrap metal to them.

In addition to replacing the Scrap Metal Dealers Act 1964 and the Vehicle and Crime Act 2001, the 2013 Act revised the definition of a 'Scrap Metal Dealer' so as to take into account the modern way in which people collect and deal in scrap metal. The 2013 Act provides for two types of Scrap Metal Dealer licences. A 'Site Licence' and a 'Collector's Licence' both of which last for three years.

### **Site Licence**

A site licence is applicable where the licence holder has a physical site(s) that they use to carry on their business as a scrap metal dealer. This licence allows the licence holder to



accept scrap metal from any of the sites listed on the licence and to transport scrap metal to and from the sites listed on the licence.

### **Collectors Licence**

A collector's licence is applicable where the licence holders business consists of collecting scrap metal, for example by going from door to door asking for scrap. This licence allows the licence holder to collect scrap metal from within the boundaries of the local authority that a person wishes to operate in.

Tamworth Borough Council have been undertaking this activity in line with legislation since 2013. We currently licence 9 Collectors and 3 Site's. By bringing forward this policy we will be providing a framework and be transparent about how we operate.

The Draft Scrap Metal Policy 2024 - 2028 was presented to the Licensing Committee on the 22<sup>nd</sup> June 2023. No amendments to the draft policy were suggested at that committee.

### **Report Author**

Sarah Gear – Senior Licensing Officer

### **List of Background Papers**

[Scrap Metal Dealers Act 2013 \(legislation.gov.uk\)](https://legislation.gov.uk)

[Scrap Metal Dealers Act 2013: supplementary guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

### **Appendices**

Appendix 1 – Draft Scrap Metal Policy 2024 – 2028

Appendix 2 – Impact Assessment form

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**Tamworth Borough  
Council**



**Statement of Policy and Guidelines for  
the Licensing of Scrap Metal Dealers**

**2024 - 2028**

## Contents

<b>Section</b>	
1	Introduction
2	Types of Licence
3	Suitability of Applicant
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11	Payment for Scrap Metal
12	Records: Receipt of Metal
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15	Right of Entry & Inspection
16	Closure of Unlicensed Sites
Annex A	Prescribed Relevant Offences and Relevant Enforcement Action
Annex B	Code of Practice for Scrap Metal Dealers

## **1 INTRODUCTION**

### **1.1 The Policy**

- 1.1.1 This document sets out Tamworth Borough Council's policy on the regulation of Scrap Metal Dealers in its capacity as the relevant local authority for the purposes of the Scrap Metal Dealers Act 2013 (and the expressions "Tamworth Borough Council" and "local authority" shall be construed accordingly).

### **1.2 The Law**

- 1.2.1 The Scrap Metal Dealers Act 2013 ("the Act") received Royal Assent on 28 February 2013. The Act repeals the Scrap Metal Dealers Act 1964 (and linked legislation) and Part 1 of Vehicles (Crime) Act 2001 creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The Act maintains local authorities as the principal regulator, but replaces the old registration system with a full licensing regime. It grants power to refuse a licence to "unsuitable" applicants and a power to revoke licences if the dealer becomes "unsuitable".

The Act requires a scrap metal dealer to obtain a licence in order to carry on business as a scrap metal dealer.

### **1.3 Definition of a Scrap Metal Dealer**

- 1.3.1 A person carries on business as a scrap metal dealer if:
- (a) They wholly or partly buy or sell scrap metal (whether or not sold in the form it was bought); or
  - (b) They carry on business as a motor salvage operator (see 1.3.3).
- 1.3.2 Ancillary sales - a person selling scrap metal merely as surplus materials or as a by-product of manufacturing articles is NOT regarded as a scrap metal dealer.
- 1.3.3 Motor salvage operation is defined in the Act as a business that consists wholly or mainly of:
- (a) Recovering salvageable parts from motor vehicles for re-use or sale and selling the remainder of the vehicle for scrap

- (b) Buying written-off vehicles, repairing and reselling them
- (c) Buying or selling motor vehicles which are to be the subject of any of the activities mentioned in (a) or (b)
- (d) Wholly or mainly in activities falling within paragraphs (b) and (c)

1.3.4 Scrap metal includes:

- (a) Any old, waste or discarded metal or metallic material, and
- (b) Any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life.

1.3.5 Scrap metal does not include:

- (a) Gold
- (b) Silver
- (c) Any alloy of which 2% or more by weight is attributable to gold or silver

## **2 TYPES OF LICENCE**

2.1 Anyone wishing to operate a business as a scrap metal dealer will require:

- I. A site licence, or
- II. A collector's licence.

The licence is valid for three years and permits the licence holder to operate within the boundaries of Tamworth Borough.

A person may hold more than one licence issued by different local authorities but may not hold more than one licence issued by any one authority.

### **2.2 SITE LICENCE**

2.2.1 The site licence authorises the licensee to carry on business at the site(s) identified in the licence.

2.2.2 The site licence must include:

- (a) Name of the licensee
- (b) Name of the authority
- (c) Identify all the sites in the authority's area at which the licensee is authorised to carry on business

- (d) Name of the site manager of each site
- (e) Date of expiry

2.2.3 The site licence also permits the licence holder to act as a collector.

## **2.3 COLLECTOR'S LICENCE**

2.3.1 The collector's licence authorises the licensee to carry on business as a mobile collector within the authority's area.

2.3.2 The collector's licence must include:

- (a) Name of the licensee
- (b) Name of the authority
- (c) Date of expiry

## **3 SUITABILITY OF APPLICANT**

3.1 The local authority must determine whether an applicant is a suitable person to carry on business as a scrap metal dealer and may not issue a licence unless satisfied that the applicant is suitable.

3.2 In determining this, the authority may have regard to any information which it considers to be relevant, in particular:

- (a) Whether the applicant or site manager has been convicted of any relevant offence;
- (b) Whether the applicant or site manager has been the subject of any relevant enforcement action;
- (c) Any previous refusal of an application for the issue or renewal of a scrap metal licence (and the reasons for the refusal);
- (d) Any previous refusal of an application for a relevant environmental permit or registration (and the reasons for the refusal);
- (e) Any previous revocation of a scrap metal licence (and the reasons for the revocation);
- (f) Whether the applicant has demonstrated that there will be in place adequate procedures to ensure that the provisions of this Act are complied with.

3.3 In this section:

- (a) “Site manager” means an individual proposed to be named in the licence as a site manager
- (b) “Relevant offence” means an offence which is prescribed for the purposes of the Act in regulations made by the Secretary of State
- (c) “Relevant enforcement action” means enforcement action which is so prescribed by regulations.

The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 at Annex A provides a list of the relevant offences and relevant enforcement action that the council may have regard to when determining the suitability of an applicant.

3.4 In determining whether a company is suitable to carry on business as a scrap metal dealer, a local authority is to have regard, in particular, to whether any of the following is a suitable person:

- (a) Any director of the company
- (b) Any secretary of the company
- (c) Any shadow director of the company (that is to say, any person in accordance with those directions or instructions the directors of the company are accustomed to act)

3.5 In determining whether a partnership is suitable to carry on business as a scrap metal dealer, a local authority is to have regard, in particular, to whether each of the partners is a suitable person.

3.6 The authority must also have regard to any guidance on determining suitability which is issued from time to time by the Secretary of State

3.7 The authority may consult other persons regarding the suitability of an applicant, including in particular:

- (a) Any other local authority;
- (b) The Environment Agency;
- (c) An officer of a police force;

3.8 If the applicant or any site manager has been convicted of a relevant offence, the authority may include in the licence one or both of the following conditions:



- (a) That the dealer must not receive scrap metal except between 9am and 5pm on any day;
- (b) That all scrap metal received must be kept in the form in which it is received Inventoried, marked and In a separate designated area, for a specified period, not exceeding 72 hours, beginning with the time when it is received.

3.9 In assessing an applicant's suitability the council can consider any other information it considers relevant including the applicant's behaviour in the operation of their business or the details of any relevant convictions that may be spent.

### **Code of Practice**

3.10 In relation to all considerations of possible revocation or variation and all applications for grant or renewal of a licence the authority shall consider the suitability of the applicant or licence holder with regard to adherence or otherwise by the licence holder or any other person identified in the licence to the Code of Practice annexed to this policy at Annex B or the applicant's willingness to adhere to the Code of Practice or to any other relevant body or licensing authority's Code of Practice in the case of a first application. Failure to adhere to the Code of Practice shall be considered particularly relevant to the suitability of the applicant or licence holder to hold a licence.

Without prejudice to the above, where an officer of the Council has reason to believe that a licence is not being operated in accordance with the Code of Practice but it is in that officer's opinion reasonable to deal with the cause of complaint by way of a written warning or further written warning then the matter may be dealt with by written warning to the licence holder.

Where a licence holder has received a second written warning from an officer of the Council then the licence holder shall be asked to meet with the appropriate officer of the Council to discuss the reasons for the issue of the previous written warnings and the officer shall warn the licence holder that the licence shall be subject to revocation should there be any repetition of the matter of complaint, on the basis that the licence holder is no longer considered to be suitable to hold a licence.

Where an officer of the Council has reason to believe that there are grounds for issuing a third written warning then the relevant licence holder shall be presumed by the Council to be an unsuitable person to hold a licence, subject to any representation from the licence holder that there may be exceptional circumstances to justify the circumstances of the failure to remedy the cause

of complaint.

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## **4. APPLICATION PROCEDURE**

### **4.1 Term of Licence**

A licence is valid for three years beginning from the day it is issued. A renewal application must be received prior to the licence expiry.

If withdrawn the licence expires at the end of the day of withdrawal.

If refused, the licence expires when no appeal is possible or any such appeal is finally determined or withdrawn.

If renewed, the licence expires at the end of the three year period from the date of the renewal.

### **4.2 Application**

The application form, available from the Licensing Team, should be accompanied by:

- a) Full name of applicant (if an individual), date of birth and usual place of residence
- b) Name and registered number of the applicant (if a company) and registered office
- c) If a partnership – full name of each partner, date of birth and usual place of residence
- d) Proposed trading name
- e) Telephone number and email address (if any) of applicant
- f) Address of any site within any other local authority at which carry on business as a scrap metal dealer or propose to do so
- g) Any relevant environmental permit or registration in relation to the applicant
- h) Details of any other scrap metal licence issued to the applicant within a period of 3 years ending with the date of the application.
- i) Details of the bank account which is proposed to be used in order to comply with section 11
- j) Details of any relevant conviction or enforcement action taken against the applicant.

For site licence, the applicant must also provide:

- a) The address of each site proposed to be identified in the licence (or if renewal, each site identified for which renewal is sought)
- b) The full name, date of birth and usual place of residence of each individual proposed to be named in the licence as a site manager (other than the applicant).
- c) Site manager details to be included for (g) (h) and (j) above

Please note the collectors licence allows a business or individual to operate only within that authority's area, therefore individuals wishing to collect across borders will be required to obtain a collectors licence from the relevant local authority where they wish to collect and sell.

All applicants are required to provide a basic disclosure of criminal convictions with the application. This can be applied for through Disclosure Scotland at <https://www.gov.uk/government/organisations/disclosure-and-barring-service> . Further information about other ways to apply can be obtained by calling Disclosure and Barring Service on 03000 200 190.

Certified copies of the disclosure certificate will be sufficient to allow for the fact that applicants who wish to apply in other authorities. To certify a document applicants should ask a professional person such as: a bank or building society official, councillor, dentist, police officer, solicitor or teacher. Persons related to the applicant, living at the same address or in a relationship with the applicant are not permitted persons to certify the disclosure certificate. In order to certify a certificate the applicant should take the photocopied document and the original to the professional person and ask the person to certify the copy by:

- Writing 'certified to be a true copy of the original seen by me' on the document
- Signing and dating it
- Printing their name under the signature
- Adding their occupation, address and telephone number.

Licensing authorities must carry out certain checks on applications from individuals, companies and any type of partnership to make sure they are aware of their tax responsibilities - if a new applicant - or have completed a tax check (for renewal applicants).

If you're an individual, company or any type of partnership you must complete a tax check if you're:

- renewing a licence
- applying for the same type of licence you previously held, that ceased to be valid less than a year ago
- applying for the same type of licence you already hold with another licensing authority

You can [complete this tax check here](#). You will get a tax share code which you'll need to give us as part of your application. We'll use this code to receive confirmation from HMRC that you've completed the tax check. We will not have access to information about your tax affairs.

You will not need to complete a tax check if you have:

- never held a licence of the same type before
- had a licence of the same type that ceased to be valid a year or more before making this application

However you must still make yourself aware of the tax obligations by using the following website addresses. You will be required to confirm this awareness to us when making your application

#### 4.3 Variation of Licence

A licence may be varied from one type to the other. A variation application must be made to reflect changes to:

- Site licence – the name of licensee, the sites, site manager
- Collector's licence – name of licensee

The variation can amend the name of the licensee but cannot transfer the licence to another person.

Application is to be made to the issuing authority and contain particulars of the changes to be made to the licence.

#### 4.4 Renewal

When a licence is renewed the three year validity period commences on the day of receipt. Should a renewal application be withdrawn, the licence expires at the end of the day on which the application is withdrawn.

Where a renewal application has been refused – the licence expires when no appeal has been made under paragraph 2 of Schedule 1 of the Act or any

such appeal has resulted in confirmation of the refusal.

#### 4.5 Further Information

The Council may request (at the time of application or later) that additional information is provided, as may be considered relevant for the purpose of considering the application.

Failure to provide such information may result in the application being declined.

#### 4.6 Fee

The application must be accompanied by the fee set by the Council, under guidance from the Secretary of State with the approval of the Treasury.

#### 4.7 Right to Make Representations

If the Council proposes to refuse an application or to revoke/vary a licence a notice shall be issued to the applicant/licensee setting out what the authority proposes to do and the reasons for this. The notice shall also state that within the period specified the applicant/licensee can either:

- a) Make representations about the proposal, or
- b) Inform the authority that the applicant/licensee wishes to do so.

The period specified in the notice shall be not less than 14 days beginning with the date on which the notice is given to the applicant/licensee. Within this time the applicant/licensee must notify the Council whether the applicant / licensee wishes to make representations. Should this period expire and the applicant/licensee has not made representations or informed the authority of their wish to do so the authority may refuse the application, or revoke or vary the licence.

If, within the period specified, the applicant/licensee informs the authority that they wish to make representations, the authority shall allow a reasonable period to make representations and may refuse the application or revoke or vary the licence if they fail to make representations within that period.

If the applicant/licensee notifies the authority that they wish to make oral representations, the authority shall give them the opportunity of appearing before, and being heard by a panel of two Council Officers selected from the Assistant Director – Growth & Regeneration, Head of Environmental Health, Senior Licensing Officer along with a legal advisor.

#### 4.8 Notice of Decision

If the application is refused, or the licence is revoked or varied, notice shall be given to the applicant/licensee setting out the decision and the reasons for it. The notice shall also state that the applicant/licensee may appeal against the decision, the time within which the appeal may be brought (21 days beginning with the day on which notice of the decision was given) and, if revoked or varied, the date on which the revocation or variation is to take effect.

#### 4.9 Appeals

An applicant may appeal to a magistrates' court against the refusal of an application or a variation. The licensee may appeal to a magistrates' court against the inclusion in a licence of a condition under Section 3(8) of the Act or the revocation or variation of a licence.

An appeal must be made within 21 days beginning on the day the notice to refuse the application, to include the condition or to revoke or vary the licence under section 4 was given.

On appeal, the magistrates' court may confirm, vary or reverse the authority's decision, and give such directions as it considers appropriate having regard to the provisions of the Act.

The authority must comply with any directions given by the magistrates' court. Although the authority need not comply with such directions until the time for making an application under section 111 of the Magistrates' Courts Act 1980 has passed or if such an application is made, until the application is finally determined or withdrawn.

### **5 REVOCATION OF LICENCE/IMPOSITION OF CONDITIONS**

- 5.1 The authority may revoke a scrap metal licence if it is satisfied that the licensee does not carry on the business of scrap metal dealing at any of the sites identified in the licence.
- 5.2 The authority may revoke a licence if it is satisfied that a site manager named in the licence does not act as site manager at any of the sites identified in the licence.
- 5.3 The authority may revoke a licence if it is no longer satisfied that the licensee is a suitable person to carry on business as a scrap metal dealer and the authority shall have particular regard to any "relevant offences" and "relevant enforcement action" and to those matters contained in paragraphs 3.10 of this policy.

- 5.4 If the licensee or any site manager named in a licence is convicted of a relevant offence, the authority may vary the licence by adding one or both of the conditions set out in paragraph 3.8.
- 5.6 A revocation or variation comes into effect when no appeal under paragraph 16.9 is possible in relation to the revocation or variation, or when any such appeal is finally determined or withdrawn.
- 5.7 If the authority considers that the licence should not continue in force without conditions, it may by notice provide:
- (a) That, until a revocation comes into effect, the licence is subject to one or both of the conditions set out in paragraph 3.8, or
  - (b) That a variation under this paragraph comes into effect immediately.
- 5.8 All licences issued by the Council pursuant to the Act remain the physical property of the Council and must be returned to the Council as required on expiry or revocation of the relevant licence or copy licence. Action may be taken for the recovery of any licence not returned as required by the Council and any such action may be taken into account in relation to any future application for a licence.
- 5.9 All reference in this policy to copy licences shall be construed as original copies officially endorsed and issued by the Council as the licensing authority.

## **6. SUPPLY OF INFORMATION BY AUTHORITY**

- 6.1 This section applies to information which has been supplied to a local authority under this Act and relates to a scrap metal licence or to an application for or relating to a licence.
- 6.2 The local authority must supply any such information to any of the following persons who request it for purposes relating to this Act:
- (a) Any other local authority;
  - (b) The Environment Agency;
  - (c) An officer of a police force.
- 6.3 This section does not limit any other power the authority has to supply that information.

## **7. REGISTER OF LICENCES**

- 7.1 The Environment Agency maintains a register of scrap metal licences issued by authorities in England and each entry must record:



- (a) The name of the authority which issued the licence
- (b) The name of the licensee
- (c) Any trading name of the licensee
- (d) The address of the site identified in the licence
- (e) The type of licence, and
- (f) The date on which the licence is due to expire

7.2 The registers are to open for inspection to the public

## **8. NOTIFICATION REQUIREMENTS**

8.1 An applicant for a scrap metal licence, or for the renewal or variation of a licence, must notify the authority to which the application was made of any changes which materially affect the accuracy of the information which the applicant has provided in connection with the application.

8.2 A licensee who is not carrying on business as a scrap metal dealer in the area of the authority which issued the licence must notify the authority within 28 days.

8.3 If a licence is issued to a business under a trading name the licensee must notify the authority which issued the licence of any change to that name within 28 days.

8.4 The authority must notify the Environment Agency, of –

- (a) any notification given to the authority under paragraph 8.2 or 8.3
- (b) any variation made by the authority under paragraph 16.3 (variation of type of licence or matters set out in licence), and
- (c) any revocation by the authority of a licence

8.5 Notification under paragraph 8.4 must be given within 28 days of the notification, variation or revocation in question.

## **9. DISPLAY OF LICENCE**

9.1 A copy of a site licence must be displayed at each site identified in the licence. The copy must be displayed in a prominent place in an area accessible to the public.

9.2 A copy of a collector's licence must be displayed on any vehicle that is being used in the course of the dealer's business. This must be displayed in a

manner which enables it easily to be read by a person outside the vehicle.

## **10. VERIFICATION OF SUPPLIER'S IDENTITY**

10.1 Prior to receiving scrap metal the scrap metal dealer must verify the person's full name and address by reference to documents, data or other information obtained from a reliable and independent source.

Should verification not be gained then each of the following are guilty of an offence:

- (a) The scrap metal dealer
- (b) If metal is received at the site, the site manager
- (c) Any person who, under arrangements made by a person within subparagraph (a) or (b), has responsibility for verifying the name and address.

## **11. PAYMENT FOR SCRAP METAL**

11.1 A scrap metal dealer must only pay for scrap metal by either:

- (a) A cheque (which is not transferrable under Section 81A Bills of Exchange Act 1882); or
- (b) Electronic transfer of funds (authorised by a credit, debit card or otherwise)

Payment includes paying in kind – with goods or services.

## **12. RECORDS: RECEIPT OF METAL**

12.1 If any metal is received in the course of the dealer's business the dealer must record the following information:

- (a) Description of the metal, including its type (types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features
- (b) Date and time of receipt
- (c) The registration mark of the vehicle delivered by
- (d) Full name and address of person delivering it
- (e) Full name of the person making payment on behalf of the dealer

12.2 The dealer must keep a copy of any documents used to verify the name and address of the person delivering the metal.

- 12.3 If payment is made via cheque, the dealer must retain a copy of the cheque.
- 12.4 If payment is made via electronic transfer, the dealer must keep a receipt identifying the transfer, or (if no receipt identifying the transfer) record particulars identifying the transfer.

### **13. RECORDS: DISPOSAL OF METAL**

- 13.1 The Act regards the metal to be disposed of:
- (a) Whether or not in the same form it was purchased,
  - (b) Whether or not the disposal is to another person
  - (c) Whether or not the metal is despatched from a site
- 13.2 Where the disposal is in the course of business under a site licence, the following must be recorded:
- (a) Description of the metal, including its type (or types if mixed), form and weight
  - (b) Date and time of disposal
  - (c) If to another person, their full name and address
  - (d) If payment is received for the metal (by sale or exchange) the price or other consideration received
- 13.3 If disposal is in the course of business under a collector's licence, the dealer must record the following information:
- (a) The date and time of the disposal
  - (b) If to another person, their full name and address

### **14. RECORDS: SUPPLEMENTARY**

- 14.1 The information in paragraphs 11 and 12 must be recorded in a manner which allows the information and the scrap metal to which it relates to be readily identified by reference to each other.
- 14.2 The records mentioned in paragraph 11 must be marked so as to identify the scrap metal to which they relate.
- 14.3 Records must be kept for a period of 3 years beginning with the day on which the metal is received or (as may be the case) disposed of.
- 14.4 If a scrap metal dealer fails to fulfil a requirement under paragraph 11 or 12 or this paragraph each of the following is guilty of an offence by way of section

15 of the Act:

- (a) The scrap metal dealer
- (b) If the metal is received at or (as the case may be) despatched from a site, the site manager
- (c) Any person who, under arrangements made by a person within paragraph (a) or (b) has responsibility for fulfilling the requirement.

14.5 It is a defence for a person within who is charged with an offence under section 15 of the Act to prove that the person:

- (a) Made arrangements to ensure that the requirement was fulfilled, and
- (b) Took all reasonable steps to ensure that those arrangements were complied with

## **15. RIGHT OF ENTRY & INSPECTION**

15.1 A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time on notice to the site manager.

15.2 A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time, otherwise than on notice to the site manager, if

- (a) Reasonable attempts to give notice have been made and failed, or
- (b) Entry to the site is reasonably required for the purpose of ascertaining whether the provisions of this Act are being complied with or investigating offences under it and (in either case) the giving of the notice would defeat that purpose.

15.3 Paragraphs 14.1 and 14.2 do not apply to residential premises.

15.4 A constable or an officer of the Council is not entitled to use force to enter premises in the exercise of the powers identified in paragraphs 15.1 and 15.2.

15.5 A justice of the peace may issue a warrant authorising entry in accordance with section 16 of the Act to any premises within paragraph 15.6 if the justice is satisfied by information on oath that there are reasonable grounds for believing that entry to the premises is reasonably required for the purpose of:

- (a) Securing compliance with the provisions of the Act, or
- (b) Ascertaining whether those provisions are being complied with

- 15.6 Premises are within this paragraph if
- (a) The premises are a licensed site, or
  - (b) The premises are not a licensed site but there are reasonable grounds for believing that the premises are being used by a scrap metal dealer in the course of business.
- 15.8 A constable or an officer of the Council may, if necessary, use reasonable force in the exercise of the powers under a warrant under section 16 of the Act.
- 15.9 A constable or an officer of the Council may:
- (a) Require production of, and inspect, any scrap metal kept at any premises mentioned in paragraphs 14.1 or 14.2 or in a warrant under section 16.
  - (b) Require production of, and inspect, any records kept in accordance with section 13 or 14 of the Act and any other records relating to payment for scrap metal
  - (c) Take copies of or extracts from any such records.
- 15.10 Officers of the Council will undertake where reasonable and practicable to give a notice of their powers and your rights on entry to any site licensed pursuant to the Act and the licence holder, site managers and other operatives should note that officers may use recording to assist them in their duties whilst on site.

## **16. CLOSURE OF UNLICENSED SITES**

### **16.1 Interpretation**

A person with an interest in premises is the owner, leaseholder or occupier of the premises.

### **16.2 Closure Notice**

These are not applicable if the premises are residential premises.

A constable or the local authority must be satisfied that the premises are being used by a scrap metal dealer in the course of business and that the premises are not a licensed site.

In such circumstances a “closure notice” may be issued by a constable or local authority which states they are satisfied of the above, the reasons for that, that the constable or local authority may apply to the court for a closure

order and the notice shall specify the steps which may be taken to ensure that the alleged use of the premises ceases.

The notice shall be given to the person who appears to be the site manager of the premises and any person who appears to be a director, manager or other officer of the business in question. The notice may also be given to any person who has an interest in the premises.

The notice shall be given to a person who occupies another part of any building or structure of which the premises form part and the constable or local authority believes at the time of giving the notice, that the person's access to that other part would be impeded if a closure order were made in respect of the premises.

#### 16.3 Cancellation of Closure Notice

A "cancellation notice" issued by a constable of local authority may cancel a closure notice. This takes effect when it is given to any one of the persons to whom the closure notice was given. This must also be given to any other person to whom the closure notice was given.

#### 16.4 Application for Closure Order

When a closure notice has been given, a constable or the local authority shall make a complaint to a justice of the peace for a closure order. This may not be made less than 7 days after the date on which the closure notice was given or more than 6 months after that date.

A complaint under this paragraph may not be made if the constable or authority is satisfied that the premises are not (or are no longer) being used by a scrap metal dealer in the course of business and there is no reasonable likelihood that the premises will be so used in the future.

#### 16.5 Closure Order

A closure order requires that a premises be closed immediately to the public and remain closed until a constable or the local authority makes a termination of closure order by certificate, the use of the premises by a scrap metal dealer in the course of business be discontinued immediately and that any defendant pay into court such sum as the court determines and that the sum will not be released by the court to that person until the other requirements of the order are met.

The closure order may include a condition relating to the admission of persons into the premises, the access by persons to another part of any building or other structure of which the premises form part.

A closure order may include such provision as the court considers appropriate for dealing with the consequences if the order should cease to have effect.

As soon as practicable after the closure order is made, the complainant must fix a copy of it in a conspicuous position on the premises in respect of which it was made.

A sum ordered to be paid into court under a closure order is to be paid to the designated officer for the court.

#### 16.6 Termination of Closure Order by Certificate

Once a closure order has been made and a constable or the local authority is satisfied that the need for the order has ceased a certificate may be issued.

This ceases the closure order and any sum paid into a court is to be released by the court to the defendant.

As soon as is practicable after making a certificate, a constable or local authority must give a copy to any person against whom the closure order was made, give a copy to the designated officer for the court which made the order and fix a copy of it in a conspicuous position on the premises in respect of which the order was made.

A copy of the certificate must be given to any person who requests one.

#### 16.7 Discharge of Closure Order by Court

A closure order may be discharged by complaint to a justice of the peace. This can be done by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was not given.

The court will make a discharge order if it is satisfied that there is no longer a need for the closure order. The justice may issue a summons directed to a constable as the justice considers appropriate or the local authority, requiring that person appear before the magistrates' court to answer to the complaint.

If a summons is issued, notice of the date, time and place at which the complaint will be heard must be given to all persons to whom the closure notice was given (other than the complainant).

#### 16.8 Appeal in relation to Closure Orders

Appeal may be made to the Crown Court against:

- a) A closure order

- b) A decision not to make a closure order
- c) A discharge order
- d) A decision not to make a discharge order

The appeal must be made before the end of 21 days beginning with the day on which the order or decision in question was made.

An appeal under (a) or (b) may be made by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was not given.

An appeal under (b) or (c) may be made by a constable or the local authority.

## 6.9 Enforcement of Closure Order

A person is guilty of an offence, if without reasonable excuse they permit premises to be open in contravention of a closure order, or fail to comply with, or do an act in contravention of a closure order.

If the closure order has been made, a constable or a person authorised by the local authority may (if necessary using reasonable force) enter the premises at any reasonable time, and having entered the premises, do anything reasonably necessary for the purpose of securing compliance with the order.

If the owner, occupier or other person in charge of the premises requires the officer to produce evidence of identity or evidence of authority to exercise powers, the officer must produce that evidence.



## Annex A

### CRIMINAL LAW SCRAP METAL DEALERS

#### Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013

##### Citation, commencement and interpretation

1. (1) These regulations may be cited as the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 and shall come into force on 1<sup>st</sup> October 2013.

(2) In these Regulations –

“environment –related offence” means an offence which relates to the transportation, shipment or transfer of waste, or to the prevention, minimisation or control of pollution of the air, water or land which may give rise to any harm:

“harm” means:

- (i) Harm to the health of human beings or other living organisms;
- (ii) Harm to the quality of the environment;
- (iii) Offence to the senses of human beings;
- (iv) Damage to property; or
- (v) Impairment of, or interference with, amenities or other legitimate uses of the environment.

##### Relevant offences

2. For the purposes of section 3(3)(b) of the Scrap metal Dealers Act 2013, “relevant offence” means any offence specified in the Schedule to these Regulations, and includes an offence of –

- a. Attempting or conspiring to commit any offence falling within the Schedule;
- b. Inciting or aiding, abetting, counselling or procuring the commission of any offence falling within the Schedule, and

- c. An offence under Part 2 of the Serious Crime Act 2007 (a) (encouraging or assisting crime) committed in relation to any offence falling within the Schedule.

### **Relevant enforcement action**

- 3. For the purposes of section 3(3)(c) of the Scrap Metal dealers Act 2013, a person is the subject of “relevant enforcement action” if –
  - a. The person has been charged with an offence specified in the Schedule to these Regulations, and the criminal proceedings in respect of that offence have not yet concluded; or
  - b. An environment permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 (b) has been revoked in whole, or partially revoked, to the extent that the permit no longer authorises the recovery of metal.

## **SCHEDULE**

### **PART 1**

#### Primary Legislation

- a) An offence under section 1, 5 or 7 of the Control of Pollution (Amendment) Act 1989
- b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal
- c) An offence under section 110 of the Environment Act 1990
- d) An offence under sections 33, 34 or 34B of the environmental Protection Act 1990
- e) An offence under section 9 of the Food and Environmental Protection Act 1985
- f) An offence under section 1 of the Fraud Act 2006, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- g) An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
- h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002
- i) Any offence under the Scrap Metal Dealers Act 1964

- j) Any offence under the Scrap Metal Dealers Act 2013
- k) An offence under sections 1, 8, 9, 11, 17, 18, 22 or 25 of the Theft Act 1968, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- l) Any offence under Part 1 of the Vehicles (Crime) Act 2001
- m) An offence under sections 85, 202 or 206 of the Water resources Act 1991

## **PART 1**

### Secondary Legislation

- a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007
- b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010
- c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005
- d) Any offence under the Hazardous Waste (Wales) Regulations 2005
- e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002
- f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000
- g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007
- h) Any offence under the Transfrontier Shipment of Waste Regulations 1994
- i) Any offence under the Transfrontier Shipment of Waste Regulations 2007
- j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006
- k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011

## **Annex B      Code of Practice for Scrap Metal Dealers.**

All scrap metal dealers and merchants signing up to this Code agree to abide by the following requirements:

- a) All reasonable steps will be taken to ensure stolen metals are not bought.
- b) Metals will only be accepted from those whose ID has been/can be verified as required by the Scrap Metal Dealers Act 2013
- c) No payment shall be made to any person other than the person as identified on the scrap metal collector's licence displayed on the vehicle where metals are produced by a licensed scrap metal collector.
- d) Staff must be trained in administrative processes and all paperwork should be relevant and kept up-to-date.
- e) Dealers will co-operate with police and local authorities by allowing access and inspection when requested.
- f) No blackened copper wire that has obviously had its insulation removed should be bought.
- g) Metals will not be accepted from customers on foot.
- h) Metal will not be accepted from customers arriving in taxis or private hire vehicles.
- i) Dealers will display prominent signage at their premises stating that "We report suspected metal thieves to the Police".
- j) In order to comply with the Act's requirements concerning record keeping and identification no metals shall be received without at a minimum taking and retaining a digital photograph(s) of the scrap metal load as presented, cross-referenced with the appropriate waste transfer note.
- k) Dealers shall have available and actively use UV torches for detecting forensically marked metals.
- l) Suspicious persons will be reported to the local police force for the area concerned.
- m) Suspicious transactions will be reported to the local police force for the area concerned.
- n) Dealers will work towards adopting into an electronic 'alert' notification scheme for early notification of stolen metals.
- o) All scrap metal dealers agree to work towards installing police approved CCTV systems upon commencement of trading and automatic number plate recognition cameras within 12 months from the commencement of trading at site entrances and/or weighbridges. (Where such systems have been installed posters advertising the fact will clearly be displayed on the premises).
- p) Scrap metal collectors will not cause nuisance or unreasonable disturbance to

residents in the locality.

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# Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Scrap Metal Dealers Policy	
Date Conducted	8/6/23	
Name of Lead Officer and Service Area	Sarah Gear Environmental Health	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Anna Miller Environmental Health	
Who are the main stakeholders	Staffordshire Police	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Consultation will be with existing licence holders, Staffordshire Police, Community Safety officers, residents, businesses, Members, and Community Boards.	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/> x
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input checked="" type="checkbox"/> x
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>

	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>
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## Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

The Council could choose not to have a policy on scrap metal dealers however to do so would be contrary to best practice and may lead to a lack of clarity on the application of the legislation.

Who will be affected and how?

Scrap Metal Dealers – formalises what we already do but ensures expectations on licence holder and theirs of the authority are aligned.

Are there any other functions, policies or services linked to this impact assessment?

Yes  No

If you answered 'Yes', please indicate what they are?

## Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation )
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage & Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those having an offending past	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Legislation dictates offences that must be considered before granting a licence</b>
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with Drug or Alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with Mental Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other (Please Detail)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

N/A This policy applies to all applying for a scrap metal dealers licence and has no bearing on any impact areas other than offending past.

#### **Part 4 – Risk Assessment**

**From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications**

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which may lead to a reduced standard of living &amp; subsequent health issues</i>	<i>Signposting to other services. Look to external funding opportunities.</i>
Those having an offending past	If a relevant offence is held they will not be granted a licence	Advice provided as to when they would be able to apply for a licence.

## Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
	<b>Outcomes and Actions entered onto Covalent</b>			

Date of Review (If applicable) .....