

## RECOMMENDATIONS FROM CABINET ADVISORY COMMITTEES

- b) New Scrap Metal Dealers Act 2013 (*Minute 15, Housing & Community Safety Advisory Committee – 15 October 2013*)

Members considered a report which advised that the new Scrap Metal Dealers Act 2013 repealed the 1964 Act (and related legislation) and Part 1 of the Vehicles (Crime) Act 2001, creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries. The Act maintained local authorities as the principal regulator, but gave the power to better regulate these industries by allowing the ability to refuse to grant a licence to 'unsuitable' applicants and a power to revoke licences if the dealer became 'unsuitable'.

It had been expected that the Home Office would make regulations about the new Scrap Metal Dealer Act which would allow the Council to manage the licensing process in the same way it managed its other licensing functions, namely to delegate them to the Licensing Committee, however these regulations had not been made. This was therefore an executive function and the responsibility of Cabinet rather than Council and the Licensing Committee. Delegations from the Leader to the relevant Officers would be made separately.

The Act provided that an application for a licence must be accompanied by a fee set locally on a cost recovery basis. The fee would provide the funding needed to administer the legislation and ensure compliance. The proposed fees had been calculated using the Scrap Metal Dealer Act 2013: Guidance on Licence Fee Charges.

Resolved: That it be recommended to Cabinet to approve the appropriate fee levels as set out below:

Site Licence – Grant (3 years)	£415.00
Site Licence - Renewal (3 years)	£355.00
Collectors Licence – Grant/renewal (3 years)	£260.00
Minor administrative change to licence -	£30.00
Variation - change of site manager -	£160.00
Variation from collector to site licence -	£210.00
Variation from site to collector licence -	£120.00

- c) The Annual Review of Parking Charges for 2014/15 and Christmas Parking 2013  
(*Economic and Community Development Advisory Committee – Minute 13, 24 October 2013*)

The Chief Officer, Environmental & Operational Services presented the annual review of parking charges which proposed options for increases in respect to car park and on-street parking charges to meet the income budget targets for 2014/15 and included consideration of free Christmas parking.

The Chairman invited Cllr. Maskell to address the Committee on behalf of Westerham Town Partnership (WTP). He reported that the WTP had identified parking charges were not taking into account the development of the town, so they were proposing charges to support the development of town and business. They had identified that charges could be used to draw people to certain areas for long term and that parking charges should not be looked at from a purely revenue point of view but as a support tool for the development of the town.

The Chief Officer, Environmental & Operational Services advised that the report and recommendations of the Advisory Committee would be considered by Cabinet on 7 November 2013 and the Cabinet agreed proposals would go out to a three week consultation period which was when the public could submit comments which would then be reported back to Cabinet on 6 February 2013. He would ensure that Westerham Town Partnership were consulted and welcomed their input. However their information had still yet to be shared with Officers .

In response Cllr Maskell commented that in relation to the process where officers had used data and information from the last three years this was a traditional approach, but things had moved on and the focus of the Council had changed and therefore there needed to be new processes for pre-empting and looking at opportunities.

Members generally felt that the information presented by Cllr Maskell had been received too late and at this point would be more suitably considered as part of the consultation process. In response to questions, Cllr. Maskell advised that he had only been given sight of part of the WTP proposals within the last day. He had been told that known parking patterns had been taken into account and that they disputed the Council's figures and that there were fundamental issues that needed to be taken into account. It was suggested that out of town parking fees be reduced to encourage movement from the town centre but that it agreed with rises in central parts. The consultation procedure and system needed to be looked at, and the proposal put forward from WTP needed to be looked at seriously.

A Member suggested that the situation may have highlighted a need to look into procedures and consultations prior to the report stage. The Vice Chairman sympathised with the situation, he had seen the WTP proposals and whilst there were some slight differences there was nothing immediately controversial, this Committee was not making the final decision, Cabinet had yet to consider the report and then there would be the consultation process.

The Chairman stated that input was welcomed from all informed sources and lessons had been learned. With regards to the schedule of charges laid out by the WTP there was a proposal for a free period of time, was there any barrier to this proposal. The Parking

Manager responded that there was no barrier to free charging periods, but ultimately it was a case of achieving income targets. The Chief Officer, Environmental & Operational Services added that once the WTP had shared their findings with Officers they could look at the implications of their proposals and these could be considered by Cabinet on 7 November 2013.

Members agreed that it was not possible to make a decision on information only circulated to Members, and that any information received should be put to Cabinet to consider.

With regards to the recommendations before the Committee, Members were generally against Sunday parking charges, and in favour of continuing free Saturday parking at the Council Offices. It was felt that evening charge should possibly be reviewed to benefit restaurant goers.

A Member commented that car parking charges had been a recent news item and that government was not liking the way some Councils were charging for inappropriate purposes to balance the books. He stated that the Committee needed to be sure the fees set were not in confrontation with central government over this issue, and that the law of diminishing returns needed to be looked at. With regards to the evening charge it would be interesting to correlate it to the social cost of night time entertainment. He suggested that local comparators needed to be looked at such as Dartford Town Centre. Another Member also raised the issue of diminishing returns.

The Chief Officer, Environmental & Operational Services confirmed that the central government issue was in relation to on-street parking. He added that the income needed to be found to meet the 3.5% assumption, costs were going up as was inflation which was running at 3.2%. In response to the issue of potential diminishing returns he added that it was a valid point but that ticket sales were up 5% on last year and that there could be other factors to consider such as not enough car parking spaces and inability to meet demand.

The Chairman of the Scrutiny Committee Members In Depth Working Group on Car Parking addressed the Committee, and stated that with regards to the procedures and the issue around information being fed into the process he was happy to take this away and look at it as part of the current review.

The Portfolio Holder for Finance and Resources addressed the Committee and pointed out the Marks and Spencers would not be significantly investing in Sevenoaks if it were not viable and would be providing interactive signage. Studies were being engaged to look into extending long stay car parks. The shortfall that needed to be made up in business rates did not help the situation. Once the interactive data was compiled and a cost effective analysis carried out it may be that a pay on exit system could be a solution. But it all needed to be carefully looked at. Hopefully a report would be put to this Committee next financial year.

A preference for Option 2 was expressed.

In respect to the free Christmas parking, the Parking Manager advised that the Westerham Town Council preferred dates were 7 and 14 December 2013 and that the

Sevenoaks Town Council preferred the 14 and 21 December 2013. Different dates for each area could be accommodated.

Resolved: That the following proposals be submitted to Cabinet for consideration along with this Committee's views in relation to:

- (a) the proposed increases to car park charges for 2014/15, as long as within the 3.5% 10 year budget strategy assumption;
- (b) the proposed increases to on-street parking charges for 2014/15, as long as within the 3.5% 10 year budget strategy assumption;
- (c) the preferences for Westerham (7 and 14 December 2013) and Sevenoaks (14 and 21 December 2013) were agreed for free Christmas parking to be provided in all car parks and on-street parking areas for two Saturdays before Christmas 2013; and that the cost in terms of lost income be funded from Supplementary Estimates;
- (d) that there should be no amendment to the car park evening charge in Sevenoaks town centre, but options for next year be investigated;
- (e) that no parking charges be introduced into the Council office car park on Saturdays;
- (f) that Sunday charges should not be considered;
- (g) that the on-street tariffs at Knockholt Station be aligned with the tariff structure for Swanley; and
- (h) that a decision on the standardisation of the on-street tariffs for Westerham town with others in the district be deferred pending consideration of information to be submitted by Westerham Town Partnership.