

## OFFICER DECISION RECORD (ODR1)

This form records an officer decision and is published in accordance with the Openness of Local Government Bodies Regulations 2014

<b>Date of Decision</b>	8 <sup>th</sup> March 2023		
<b>Decision Taker (including Job Title)</b>	Sarah Allwood Senior Enforcement Officer		
<b>Specific Delegation</b>	Cheshire East Council Constitution Chapter 2 Part 5 December 2022 Environmental Protection Team – Local Scheme of Delegation (officer and Legislation Delegation) 10.10.2022		
<b>Type of Decision to be taken (tick as appropriate)</b>	Granting a permission or licence	<input checked="" type="checkbox"/>	
	Affecting the rights of an individual	<input type="checkbox"/>	
	Awarding a contract or incurring expenditure which, materially affects the Council's financial position	<input type="checkbox"/>	
<b>Brief Description of Decision</b>	To approve the renewal of the Scrap Metal Dealers Collectors Licence, CEBC/SMD/115/2023, for the statutory period of 3 years		
<b>Reasons for the Decision and alternatives considered</b>	In considering this Scrap Metal Dealers renewal application, as per the procedure, checks were undertaken to ensure the application form was complete and the applicant had provided a valid tax check code, as now legally required. Consultation with the Environment Agency, to ensure the relevant waste licence is in place, and Cheshire Police, to check for any relevant criminal convictions, have been completed. The tax check code has also been validated with HMRC. Consequently, there are no reasons why this licence renewal cannot be granted and as such, no alternative decisions are being considered		
<b>Member consultation and interests declared</b>	No consultation has taken place, as it is not required by the legislation		
<b>Significant Decision</b>	NO		
<b>Legal Implications</b>	Providing all the information on which the Licence is being granted is correct, and on the basis that no other information has been		

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	<p>provided to cast doubt on the suitability of the individual to hold a licence, there are no legal implications for the Council in granting this licence. S.3 of the Scrap Metal Dealers Act 2013 imposes a mandatory duty on the Council to renew a licence where it is satisfied the person is suitable to carry on a scrap metal business.</p> <p>Phil Jennings – Principal Lawyer – 07.03.2023</p>
<b>Financial Implications</b>	<p>I am satisfied that the decision is supportable. The income from the licence renewal forms part of the service budget.</p> <p>Wendy Broadhurst, Lead Finance Partner 06/03/23</p>
<b>Confidential/Exempt Information</b>	<p>The report is not confidential however the application form is confidential, as it contains the applicant's personal and financial information</p>
<b>Background Papers</b>	<p><a href="#">The Scrap Metal Dealers Act 2013</a>  <a href="#">The Home Office Scrap metal Dealers Act 2013</a>  <a href="#">Supplementary Guidance January 2023</a></p>



Signed .....

Dated .....8<sup>th</sup> March 2023.....

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