

## **HOUSING, NEIGHBOURHOODS AND REGULATION**

A record of decisions made by the Executive Member with responsibility for Housing, Neighbourhoods and Regeneration on:-

**MONDAY 25<sup>TH</sup> OCTOBER, 2010**

following consideration of the matters detailed below in the presence of:-

Councillor Peel	Executive Member for Housing, Neighbourhoods and Regulation
Councillor Woodward	Major Opposition Spokesperson
Councillor D. Wilkinson	Minor Opposition Spokesperson
Mr. J. Smethurst	Chief Housing Officer
Ms. M. Stoney	Assistant Director Legal Services
Ms. P. Clyne	Principal Officer, Licensing
Mr. E. Mellor	Financial Services Manager, Bolton at Home
Mrs. M. Horrocks	Housing Quality Assurance Manager
Ms. T. Cunliffe	Head of Development and Business Intelligence
Mrs. V. Ridge	Principal Democratic Services Officer

### **26. MONITORING OF EXECUTIVE MEMBER DECISIONS**

The Director of Chief Executive's Department submitted a report which contained monitoring information related to decisions taken at the Executive Member's previous meetings.

**The Executive Member NOTED the progress on decisions previously taken, as detailed in the Appendix to these minutes.**

### **27. MOTOR SALVAGE OPERATOR REGULATIONS 2002**

The Director of Chief Executive's Department submitted a report which sought the Executive Member's views on proposals for the implementation of the Motor Salvage Operator Regulations 2002.

By way of background, the Executive Member was advised that the Vehicle (Crimes) Act 2001 and the Motor Salvage Operators Regulations 2002 provided the framework for the registration of motor salvage operators. Section 1 of the Act placed a requirement on all persons carrying on a business as a motor salvage operator, to register with the Local Authority (LA) in whose area their registered place of business was located.

The report provided a definition of who needed to register and the Act required every LA to establish and maintain a register for their area, of persons carrying on a business as a motor salvage operator in that the area and details of what the register should consist of were outlined in the report. Each registration was valid for three years.

In terms of registration, it was explained that the LA should work on the basis that an applicant should be registered unless the prescribed application form was incomplete, the appropriate fee had not been paid or they were not satisfied that the applicant was a 'fit and proper' person to carry on the business of a motor salvage operator. The report detailed the information which should be taken into account when considering whether an applicant was a 'fit and proper' person and if this was determined to be the case the LA could cancel the registration. However, before refusing or cancelling a registration the applicant must be given the opportunity to make representations. In these circumstances the representations and the subsequent decision to grant; refuse; renew or to cancel a registration would be referred to members of the Licensing and Environmental Regulation Committee for consideration.

With regard to the charging of fees, it was stated that the LA was permitted to levy a reasonable fee (cost recovery only) for

the operation of the scheme to be collected from those seeking registration. Consequently, taking into account the few occasions where a registration might need to be refused or cancelled and with minimal enforcement initiatives, it was proposed to introduce a fee of £100 for a three year registration to cover the cost of providing this function. Initial enquiries had identified fifteen motor salvage operators within the Bolton area, however, this figure might increase with the detection of smaller operators and garages.

In terms of the involvement of the Greater Manchester Police, the Executive Member was informed that in order to enable the LA to determine if an applicant was a fit and proper person a completed application form would be submitted to the local police for comment. The police would provide any 'disclosable' intelligence prior to the registration process being completed. It was explained that to facilitate the process, the Director of Chief Executive's Department was required to approve an information sharing agreement with the Greater Manchester Police which had now been prepared and was ready to be signed.

The report also provided details in relation to the powers which the Police had under the Act and also the level of detail which needed to be recorded and retained.

The Executive Member was advised that, as the regulations had been in place for some time, a number of local authorities had already implemented them and details of this were appended to the report.

The Executive Member was also informed that the Housing, Neighbourhoods and Regulation Policy Development Group at its meeting on 7<sup>th</sup> October, 2010 considered the report and some concern was expressed in relation to the proposed level of fee to be charged. It was queried whether the fee of £100 reflected all the costs involved and it was suggested that officers revisit this and take into account the fees imposed by other Greater Manchester Authorities, in particular, Wigan which currently charged £112. Consequently, it was now proposed that the level of fee to be charged be set at £120.

**The Executive Member APPROVED –**

- (i) The implementation of the Motor Salvage Operator Regulation 2002 and that all motor salvage operators within the Bolton area be invited to become registered under the Regulations from January, 2011; and AGREED -**
- (ii) That a fee of £120 be levied for a three year registration and that certified copies of registrations will cost £10 and 50p per page for non certified copies.**

**28. ANNUAL REPORT TO TENANTS**

The Chief Executive Bolton at Home submitted a report which presented the final version of the Annual Report to Tenants.

The Executive Member was advised that from April, 2010 the Tenant Services Authority (TSA) regulatory framework applied to all providers of social housing, including Bolton. The framework required providers to work with their customers to assess themselves against the national standards framework and to publish the results in an Annual Report to Tenants by no later than 1<sup>st</sup> October, 2010. However, due to the tenant's ballot in Bolton the TSA has approved an extension to this deadline and, therefore, the report needed to be issued to customers by 1<sup>st</sup> December, 2010.

The report stated that in order to develop the assessment and annual report, Bolton at Home had built on work and feedback collected through the national and local conversations and the tenant's panel. Also between May to September, 2010 a number of events had been held to examine the standards in detail, review evidence available and agree the position on each standard and any gaps.

The Executive Member was advised that from the events held Bolton at Home had produced documents that recorded the evidence of how Bolton at Home complied with each standard, key issues and actions and further customer suggestions.

From these summaries the key points had been extracted for the annual report.

A copy of the Annual Report for Tenants for 2009/2010 was appended to the report.

**The Executive Member APPROVED the Annual Report to Tenants for 2009/2010.**