

APPENDIX H



**Northern Ireland
Assembly**

COMMITTEE FOR THE ENVIRONMENT

Please use this form to submit written submissions in relation to the Scrap Metal Dealers Bill.

Return to: committee.environment@niassembly.gov.uk

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Organisation: (if applicable) NILGA

Date: 29th December 2015

Introduction

NILGA, the Northern Ireland Local Government Association, is the representative body for district councils in Northern Ireland. NILGA represents and promotes the interests of the 11 Northern Ireland district councils, and is supported by all the main political parties. The Association welcomes the opportunity to comment on this Bill and we trust that the views outlined below will be taken into account when the Committee makes its report.

Comments

1. Timeframe

In responding to the invitation to submit views in respect of this Bill, NILGA would first like to make comment on the short timeframe associated with such.

The invitation appeared to be made public on the week commencing 23 November 2015 with a closing date of 11 December 2015. As a local government body with appropriate governing procedures this short duration and timeframe is not conducive to enable the democratic process to properly consider and respond.

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2. Content

NILGA supports the objectives etc relating to the introduction of such a Bill. However the Association is strongly of the view that council operations should be exempted from requiring a specific licence in respect of scrap metal dealing.

Clause 16 provides definitions for the purposes of the Act including the definitions for 'a scrap metal dealer', 'a mobile collector' and 'scrap metal'. Councils collect scrap metal from households and receive scrap metal at their Household Waste Recycling Centres from which commercial arrangements are entered into for the processing of the collected material. Accordingly, it could be interpreted from the provisions of Clause 16 that councils will be subject to the requirements of the Act including the necessity to hold a duly authorised scrap metal licence and the associated administrative obligations.

Taking into account the other checks and balances on council operations, NILGA would contend this would place unnecessary burdens on councils.

Consequently NILGA would ask the Committee and the NI Assembly to incorporate suitable provision in the legislation which makes it clear that the Act does not apply to Councils and their waste collection and management operations.

3. Enforcement

NILGA agrees that the Department of the Environment be made responsible for regulatory activities associated with ensuring compliance with the legislation. We welcome this in the proposed Bill as the Department are undoubtedly best placed to undertake this role. However, we must stress that it will be important to ensure that the Department is adequately resourced to ensure a robust monitoring and enforcement regime will be put in place. It is hoped that the forthcoming reorganisation of central government departments and agencies will not detrimentally impact on such.

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