

# Report

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Report to:	<b>Licensing Committee</b>
Date of Meeting:	<b>25 May 2011</b>
Report by:	<b>Executive Director (Corporate Resources)</b>

Subject:	<b>Civic Government (Scotland) Act 1982 Licensing of Second-Hand Dealers</b>
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- finalise an amendment to the existing Resolution for the licensing of Second-Hand Dealers

## 2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that the Final Resolution for the licensing of Second-Hand Dealers, as detailed in Appendix 1, be approved
- (2) that authorisation be given to intimate the Final Resolution in appropriate newspapers for the Licensing of Second-Hand Dealers.

## 3. Background

3.1 In terms of the relevant legislation an advert, containing a Draft Resolution to amend the terms for which a Second-Hand Dealing Licence is required, was placed in newspapers circulating the area for the statutory period of 28 days. No adverse objections or representations have been received.

## 4. Final Resolution

4.1 To allow the list of activities to be amended, the next stage is for the Council to make a Final Resolution for Second-Hand Dealers.

4.2 A further advertisement will be required intimating that the Final Resolution has been made.

## 5. Employee Implications

5.1 None.

## 6. Financial Implications

6.1 None.

## 7. Other Implications

7.1 There could be a risk of an aggrieved party arguing that Council has failed to fulfil its duty to protect the public by adding these items to the list.

7.2 There are no implications in terms of sustainable development.

## **8. Equality Impact Assessment and Consultation Arrangements**

- 8.1 There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.
- 8.2 Consumer and Trading Standards, Strathclyde Police and Strathclyde Fire and Rescue were all consulted on the content of the Resolution and their comments have been taken on board when reviewing the Resolution.

**Robert McIlwain**  
**Executive Director (Corporate Resources)**

18 April 2011

### **Link(s) to Council Objectives/Improvement Themes/Values**

- ◆ Improve Community Safety

### **Previous References**

- ◆ Licensing Committee, 8 September 2010

### **List of Background Papers**

- ◆ None

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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Civic Government (Scotland) Act 1982  
Licensing of Second-Hand Dealers

Final Resolution

South Lanarkshire Council, in terms of Section 9 of the Civic Government (Scotland) Act 1982, resolves that as from a date not less than 9 months from the date of the making of this Resolution, the following categories of Second-Hand Dealing within South Lanarkshire shall require to be licensed and regulated in accordance with the provisions of Section 24 to 27 (inclusive) of the said Act:-

- 1 Motor vehicles, motor vehicle spares and parts **including tyres**
- 2 Motor cycles and parts thereof **including tyres**
- 3 Caravans, motor homes and parts thereof
- 4 Bicycles
- 5 Domestic appliances
- 6 Furniture **including mattresses, headboards, pillows and cushions**
- 7 Jewellery, antiques, clocks, watches, gold, silver, medals, coins
- 8 Musical instruments
- 9 General household effects
- 10 Televisions and radios
- 11 **Audio/video players and recorders**
- 12 Toys
- 13 Trade person's tools and equipment
- 14 Photographic and cinematic equipment
- 15 Telephonic instruments including mobile phones, fax machines and associated equipment
- 16 **Computer hardware, games hardware and related software**
- 17 **DVDs, CDs and other audio/video playback or recording mediums**
- 18 **Clothing**

For the purposes of clarification, all previous Second-Hand Dealers resolutions will be revoked from the date this Resolution is passed.

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