

GUIDANCE TO APPLY FOR NEW OR RENEWAL OF A SCRAP METAL DEALERS LICENCE

If a person carries on the business as a scrap metal dealer, you must obtain a licence from your local authority under the Scrap metal Dealers Act 2013.

What is a scrap metal dealer?

Section 21 'Carrying on business as a scrap metal dealer' and 'scrap metal'

(2) A person carries on business as a scrap metal dealer if the person—

- (a) carries on a business which consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought, or
- (b) carries on business as a motor salvage operator (so far as that does not fall within paragraph (a)).

What is a motor salvage operator?

(4) For the purposes of subsection (2)(b), a person carries on business as a motor salvage operator if the person carries on a business which consists —

- (a) wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale and subsequently selling or otherwise disposing of the rest of the vehicle for scrap,
- (b) wholly or mainly in buying written-off vehicles and subsequently repairing and reselling them,
- (c) wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b), or
- (d) wholly or mainly in activities falling within paragraphs (b) and (c).

The 2013 Act brings in two types of licences either a site licence or a collectors' licence. A person can only hold one of these licences in a Local Authority's area, but can hold a licence in more than one Local Authority.

Site Licence:

A site licence requires all of the sites at which the licensee carries on the business as a scrap metal dealer within the local authority area to be identified and a site manager to be named for each site. In doing so, they will be permitted to operate from those sites as a scrap metal dealer, including transporting scrap metal to and from those sites from any local authority area.

Collectors Licence:

A collector's licence authorises the licensee to operate as a mobile collector in the area of the issuing local authority, permitting them to collect any scrap metal as appropriate. This includes commercial as well as domestic scrap metal. The licence does not permit the collector to collect from any other local authority area. A separate licence should be obtained from each local authority from which the individual wishes to collect in. A collector's licence does not authorise the licensee to carry on a business at a site within any area. Should a collector wish to use a fixed site, they will need to obtain a site licence from the relevant local authority. A licence will be issued by the local authority in whose area a scrap metal site is situated, or (in respect of a mobile collector) in the area that the collector operates. It will be an offence to carry on a business as a scrap metal dealer in breach of the requirement to hold a licence. This offence is punishable on summary conviction with a fine not exceeding level 5 on the standard scale. Both types of licences expire after 3 years from the date of issue.

Transfer of a Licence

Scrap Metal Dealers licences are non-transferrable.

Variation of a Licence

Scrap Metal Dealers can apply to vary (change) certain details of their licence, under the Act the licence holder has a duty to make a variation on certain details that has changed as stipulated by the Act. Variations are permitted for the following activities:

- Vary a licence from a site licence to a collectors licence (or vice versa)
- Change of name of the licensee (not a transfer)
- Add or change sites on the licence within the authorities area
- Change of site manager Please see variation application and guidance to make these changes.

Eligibility Criteria Section 3 of the Act states that a Council must not issue a licence unless it is satisfied that the applicant is a suitable person to carry on a business as a scrap metal dealer.

A Local Authority, when determining suitability, can have regard to:

- Whether the applicant or any site manager has been convicted of any relevant offence
- Whether the applicant or any site manager has been the subject of any relevant enforcement action
- Any previous refusal for issue of or renewal of a scrap metal licence
- Any previous refusal for an environmental permit or registration
- Any previous revocation of a scrap metal licence
- Whether the applicant has demonstrated that there will be adequate procedures to comply with the act.
- All of the above will apply to any director, or any secretary of a company if the applicant is not an individual

Fee - Payable by debit/credit card or BACS

Site licence - new	£773.50
Site licence renewal	£756.50
Additional site licence	£498.50
Collector licence	£296.50
Collector licence renewal	£274.50
Scrap metal licence variation	£160.00
Change of licensed sites	£160.00
Change of licensee details	£15.00
Change of site manager	£15.00
Copy of licence	£10.50

Application

Applicants must submit the following documentation to the Local Authority:

- Completed and signed application form.
- The appropriate fee
- Basic Disclosure certificate (Criminal record check) dated within 1 month of application for the applicant(s) and site manager(s) as appropriate. Further information can be found at www.gov.uk/dbs
- Any further information requested on the application form.

Your application will be consulted with the Environment Agency, Hertfordshire Constabulary and any other relevant Authority to determine suitability. The consultation period will be 28 days. If there are any objections, you will be notified in writing and invited to a Licensing Committee who will determine your application. If there are no objections and you are suitable to carry on the business as a scrap metal dealer, the licence will be issued to you as soon as reasonably practicable after the 28 day consultation period.

Applications can be submitted to the Local Authority at the following address:

Three Rivers District Council, Three Rivers House, Northway, Rickmansworth Hertfordshire WD3 1RL

SECTION 3. TO BE COMPLETED IF APPLYING FOR A SITE LICENCE

A site licence authorises the licensee to carry on business at a site in the authority's area. You can apply to licence multiple sites using this form.

Details Applicant

Title (please tick):

Mr Mrs Miss Ms Other

(please state):

I am 18 years old or over. Please tick:

Yes No

Date of Birth:

Surname:

Forenames:

Position/Role in the business:

I attach a Basic Disclosure Certificate

Yes No **Contact details**

(we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address:

Home address:

Postcode:

Postcode:

Telephone No. (Daytime) :

Telephone No. (Evening):

Mobile:

Email address:

Site details

Please list the details for each site where you propose to carry on business as a scrap metal dealer in this local authority area. If you operate more than two sites in the area please provide details for each site on a continuation sheet. [N.B. If the applicant operates multiple sites within a licensing authority area, provision should be made for more than one site manager]

Full address of each site you intend to carry out business as a scrap metal dealer:**Site manager(s) details** (if different from the applicant)

Site 1 Address:

Name:

Address:

Postcode:

Postcode:

Telephone number:

Date of Birth:

Email address:

Basic Disclosure certificate attached:

Website address:

Yes No

Site 2 Address:

Name:

Address:

Postcode:

Postcode:

Telephone number:

Date of Birth:

Email address:

Basic Disclosure certificate attached:

Website address:

Yes No

Partnerships

(If you are applying as a partnership, please provide the following details in respect of each partner – where there are more than two partners then please use a continuation sheet)

Full name:

Date of birth:

Residential address:

Basic Disclosure certificate attached:Yes No

Full name:

Date of birth:

Residential address:

Basic Disclosure certificate attached:Yes No **Companies**

(If you are applying as a company please provide the details set out below about the company)

Company name:

Registration number:

Address of the registered office:

Please provide the following details for each director(s), shadow director(s) and company secretary where these are different from the applicant and site manager(s) – where necessary please use a continuation sheet.

Role:

Name:

Date of Birth:

Address:

Postcode:

Role:

Name:

Date of Birth:

Address:

Postcode:

Basic Disclosure certificate attached:Yes No **Basic Disclosure certificate attached:**Yes No

Please provide details of any site in the area of any other local authority at which the applicant carries on business as a scrap metal dealer or proposes to do so:

Address:

Postcode:

Please name the local authority which has licensed this site, or to whom applications have been made if before commencement of the Scrap Metal Dealers Act 2013:

Please continue on a separate sheet of paper if necessary.

Only applicable to sites established after 1 November 1990

Do you have planning permission (please tick)

Yes No

SECTION 4. TO BE COMPLETED IF APPLYING FOR A COLLECTOR'S LICENCE

A collector's licence authorises the licensee to carry out business as a mobile collector in the authority's area only.

Details of prospective licence holder

Title (please tick):

Mr Mrs Miss Ms Other

(please state):

Surname:

I am 18 years old or over. Please tick:

Yes No

Date of Birth:

Forenames:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure and Barring Service:

Yes No

Contact details

(we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address:

Telephone No. (Daytime) :

Telephone No. (Evening):

Mobile:

Postcode:

Home address:	Email address :
Postcode:	
Where will scrap metal that has been purchased be stored before further disposal?	
Will not be stored <input type="checkbox"/>	

SECTION 5. MOTOR SALVAGE (For all applicants)
Will your business consist of acting as a motor salvage operator? This is defined as a business that:
<ul style="list-style-type: none"> • wholly or in part recovers salvageable parts from motor vehicles for re-use or re-sale, and then sells the rest of the vehicle for scrap; • wholly or mainly involves buying written-off vehicles and then repairing and selling them off; and, • wholly or mainly buys or sells motor vehicles for the purpose of salvaging parts from them or repairing them and selling them off.
(please tick)
Yes <input type="checkbox"/> No <input type="checkbox"/>

SECTION 6. BANK ACCOUNTS THAT WILL BE USED FOR PAYMENTS TO SUPPLIERS (For all applicants)	
Please provide details of the bank account(s) that will be used to make payment to suppliers, in accordance with s12 of the Scrap Metal Dealers Act 2013. If more than two bank accounts will be used, please use a continuation sheet.	
Account name:	Account name:
Sort code:	Sort code:
Account number:	Account number:

SECTION 7. PAYMENT (For all applicants)
How do you wish to make payment for your scrap metal dealer's licence? (please tick)
Credit / Debit card <input type="checkbox"/> (please call 01923 776611)
BACS <input type="checkbox"/>
Account name: Three Rivers District Council Sort code 30-97-07 Account 00912478.

SECTION 8. CRIMINAL CONVICTIONS (For all applicants)

Have you, any listed partners, any listed directors, or any listed site manager(s) in this application ever been convicted of a relevant offence or been the subject of any relevant enforcement action? (Please see below for a list of relevant offences).

Yes No

If 'yes' you must provide details for each conviction, the date of the conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:

SECTION 9. DECLARATION (For all applicants)

The information contained in this form is true and accurate to the best of my knowledge and belief. I understand that if I make a material statement knowing it to be false, or if I recklessly make a material statement which is false, I will be committing an offence under Schedule 1 Para 5 of the Scrap Metal Dealers Act 2013, for which I may be prosecuted, and if convicted, fined.

I understand that the local authority to whom I make my application may consult other agencies about my suitability to be licensed as a scrap metal dealer, as per section 3(7) of the Scrap Metal Dealers Act 2013, and that those other agencies may include other local authorities, the Environment Agency, the Natural Resources Body for Wales, and the police.

I understand that the purpose of the sharing of this data is to form a full assessment of my suitability to be licensed as a scrap metal dealer. I also understand that the sharing of information about me may extend to sensitive personal data, such as data about any previous criminal offences. Some details will also be displayed on a national register, as required by the Scrap Metal Dealers Act 2013. I hereby expressly consent to this processing of my data and display of relevant information on the public register.

Signed:

Date:

Help with completing your application for a scrap metal dealer's licence

If you need more help in completing the application then call your local council licensing team. They will be happy to help.

Section 1 – For everyone

This section asks if you are applying for a collector's licence or a site licence. You may only apply for one type of licence in each council area, but you can apply to run multiple sites. For instance, you could apply to run 3 sites in council A's area, and also apply to be a collector in council B's area.

A **site licence** lets you buy and sell scrap metal from a fixed location within the council area.

A **collector's licence** allows you to travel within the council area to collect scrap metal. You may not take this metal back to a site that you run within the council area in order to sell it.

Section 2 – For everyone

In order to carry on your business you may need to hold other environmental permits or licences that we should know about. For instance, if you carry waste as part of your business it is a legal requirement to register as a waste carrier. This includes transporting waste while travelling from job to job, to a storage place for disposal later, or to a waste disposal company or waste site. For more information on this, or to register call: 03708 506506 or visit: www.environmentagency.gov.uk/wastecarriers

This section also asks for details of any other scrap metal licences you hold. Please make sure you include the licence number so that we can check this against the national register.

Section 3 – For site licences

Fill out this section if you want a **site licence**. It should be filled out in the name of the person who will hold the scrap metal dealer's licence. As well as details about you and your business, we will also need details of any directors or partners involved in the business including their home address. We also need to know the address of the site or sites you want the licence for, as well as the details of each site manager responsible for that site. These details are required by law and also so that you can be contacted if there are any problems.

You and every person listed on the application form needs to submit a Basic Disclosure Certificate. You can apply for this certificate at <https://www.gov.uk/dbs>

This is because the Home Office has decided that you and any person listed on the application need to tell the council if you have been convicted of certain crimes. Possessing a conviction may not automatically prevent you from having a licence if the offence was unrelated to being a scrap metal dealer or a long time ago, and you can convince the council that you are a suitable person.

A Basic Disclosure Certificate is considered to be only valid for a limited time, but can be used to apply to as many councils as you want within that time. Typically, three months is the longest that you can expect your check to be considered valid.

There is not much space on the form, so if you need to list more than one site manager, director, or partner, then please continue on a separate piece of paper setting out the details in the same way as the form.

A **site manager** is the person who will be in charge of the site on a daily basis. You will probably need a different site manager for each site on the licence.

A **director** or **partner** is someone who has or shares legal responsibility for the operation of the company, including filing returns at Companies House.

We also want to know if you operate or propose to operate a site in another local authority area, along with details of this site, the council which has licensed it or to whom you have applied for a licence.

If your site(s) were established after 1990, then you are required to have planning permission from the council. You will need to tell us if this is the case, and it will be checked with the council planning department.

Section 4 – For a collector’s licence

Fill out this section if you want a **collector’s licence**. It should be filled out in the name of the person who will hold the scrap metal dealer’s licence. You are asked to provide contact details, including the place where you live, so that the council can get in touch with you if necessary.

You need to submit a Basic Disclosure Certificate along with the application form. You can apply for this certificate at <https://www.gov.uk/dbs>

This is because the Home Office has decided that you need to tell the council if you have been convicted of certain crimes. Possessing a conviction may not automatically prevent you from having a licence if the offence was unrelated to being a scrap metal dealer or a long time ago, and you can convince the council that you are a suitable person.

A Basic Disclosure Certificate is considered to be only valid for a limited time, but can be used to apply to as many councils as you want within that time. Typically, three months is the longest that you can expect your check to be considered valid.

We also ask for the place where you will store any collected scrap metal before taking it to a licensed site to dispose of it. Note that you are not allowed to sell or buy metal at this storage site and doing so is an offence. This may be a licensed site that you operate in another council area.

You will need to ensure that all your vehicles are roadworthy and are properly taxed, insured and otherwise meet the legal requirements to be on the road.

Section 5 – Motor salvage operator

This section asks if you will be salvaging motor vehicles as part of your work. The Scrap Metal Dealers Act 2013 brings together the Scrap Metal Dealers Act 1964 together with Part 1 of the Vehicles (Crime) Act 2001, which means you now only need a scrap metal dealer’s licence.

Section 6 – Bank accounts that will be used for payments to suppliers

This section asks you for the bank details which you will use to pay people for the scrap metal you receive or sell. This is to check that you are not selling the metal for cash, which is illegal. These details will be kept securely by the council.

Section 7 – Payment

There is a fee to apply for a licence and your council will tell you how you can pay. The fee varies from council to council as it reflects their costs of processing the form and checking that people are doing what the licence requires. Applications cannot be accepted unless the correct fee has been paid.

Section 8 – Criminal convictions

This section asks you to set out any relevant convictions or enforcement activity that has been undertaken against you by the Environment Agency or Natural Resources Wales. It is an offence under the Scrap Metal Dealers Act 2013 to make or recklessly make a false statement. The information listed here will be checked against the Basic Disclosure Certificate from Disclosure Scotland that you are required to submit with the application, along with information retained by the police and the Environment Agency or Natural Resources Wales.

Section 9 – Declaration

The person who will hold the scrap metal dealer's licence needs to sign and date the declaration, as do the other people named on the form. This section also explains that the council has to share some of these details with the police, Environment Agency, or Natural Resources Wales when checking whether the applicant(s) is a suitable person to hold a licence. Some of the information will also be displayed on a public register.

If you do not agree to this use of your information then you should **not** sign the form. If you are in any doubt about what this section means then speak to your council's licensing team.

Relevant offences / Relevant enforcement action

PART 1 Primary Legislation

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(4)
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979(5), where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995(6)
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(7)
- (e) An offence under section 9 of the Food and Environment Protection Act 1985(8)
- (f) An offence under section 1 of the Fraud Act 2006(9), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g) An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(10)
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(11)
- (i) Any offence under the Scrap Metal Dealers Act 1964(12)
- (j) Any offence under the Scrap Metal Dealers Act 2013
- (k) An offence under sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968(13), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l) Any offence under Part 1 of the Vehicles (Crime) Act 2001(14)
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991(15).

PART 2 Secondary Legislation

- (a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(16)
- (b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(17)
- (c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005(18)
- (d) Any offence under the Hazardous Waste (Wales) Regulations 2005(19)
- (e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002(20)
- (f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(21)
- (g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(22)
- (h) Any offence under the Transfrontier Shipment of Waste Regulations 1994(23)
- (i) Any offence under the Transfrontier Shipment of Waste Regulations 2007(24)
- (j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(25)
- (k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(26).