



High Peak Borough Council
working for our community



Scrap Metal Dealer Act 2013

Application for a Scrap Metal Licence



Introduction

The Scrap Metal Dealers Act 2013 replaces the previous registration system for scrap metal dealers created by the 1964 Scrap Metal Dealers Act. In its place it establishes a new licensing regime. This scheme will be run and administered by local authorities, and is based on the legislation for alcohol licences created in the 2003 Licensing Act. Every scrap metal dealer will be required to have a licence, and operating without one will be a criminal offence. Under the new legislation the definition of scrap metal dealers is extended so it now includes motor salvage operators, and the provisions in the Vehicles (Crime) Act 2001 under which they operate will end once the new Act comes into effect.

Whereas under the 1964 Act councils have to register anyone who notifies them that they are operating as a scrap metal dealer, councils will be able to refuse to grant a licence where the applicant is judged not to be a suitable person to operate as a scrap metal dealer. This ability to regulate who is, and who is not, a scrap metal dealer is designed to improve the operating standards of those dealers who do not operate in the same way as the majority of reputable dealers. The transition from the requirement on dealers to register to holding a licence provides an opportunity to ensure that those dealers who have been operating illegally are no longer able to do so.

Licences

In order for anyone to carry on business as a scrap metal dealer they have to have a licence. These licences will last for three years. Trading without a licence is a criminal offence.

If convicted of trading without a licence the offender can be fined. The fine will be at Level 5 on the standard scale. Amendments to the size of the fines that courts can impose in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 means that when the provisions come into force, a fine at that level will be unlimited.

There are two types of licence specified in the Act:

- **Site licence**

All the sites where a licensee carries on business as a scrap metal dealer have to be identified, and a site manager has to be named for each site. This licence allows the licensee to transport scrap metal to and from those sites from any local authority area.

- **Collector's licence**

This allows the licensee to operate as a collector in the area of the issuing local authority. It **does not** allow the collector to operate in any other local authority area, so a separate licence has to be obtained from each council the collector wishes to operate in. The licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.

It should be noted that a dealer can only hold one type of licence in any one local authority area. They have to decide whether they are going to have a site or a mobile licence in any one area. They cannot hold both a site and mobile collector's licence from the same council (s2(9)).

All scrap metal collectors and most scrap metal yards will need to [Register as a Waste Carrier](#) with the Environment Agency. Any premises used as a scrap metal yard are likely to need an [Environmental Permit](#) from the Environment Agency, or register for an exemption. Further information can be found on the Environment Agency website: <http://www.environment-agency.gov.uk/>

How to apply for a scrap metal licence

The Application form is found at the end of this document. The following guide is designed to help explain the information required to complete the form but if you need more help in completing the application then please call the call licensing team. They will be happy to help.

Section 1: 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: 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.environment-agency.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: Operators that want a Site Licence

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 including



their home address. These details are required by law or to facilitate checks on the applicant or 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 from Disclosure Scotland. You can apply for this certificate at <http://www.disclosurescotland.co.uk/apply/individuals/>

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 council's 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.

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: Operators that want Collectors 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 from Disclosure Scotland along with the application form. You can apply for this certificate at <http://www.disclosurescotland.co.uk/apply/individuals/>

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.

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. You will need to apply for a site licence to operate as a motor salvage operator.

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.

APPLICATION FOR A SCRAP METAL LICENCE

INSTRUCTIONS

Before completing his application form please read the guidance notes at the end of this form:

SECTION 1: (TO BE COMPLETED BY ALL APPLICANTS)

Q1.1: Please indicate the type of licence you are applying for (*please tick*):

A site licence A collector's licence

Q1.2: Are you applying as (*please tick*):

An individual A company A partnership

Please state your trading name:

Q1.3: Is this application for: (*please tick*):

Grant of a new licence or;

Renewal of an existing licence *

**please provide your existing licence number: _____*

SECTION 2: PERMITS, REGISTRATIONS AND LICENCES ALREADY IN FORCE

Q2.1 Please provide details of any relevant environmental permits, exemptions or registration (such as a scrap metal dealer or a motor salvage operator) in relation to the applicant (*continue on another sheet if necessary*):

Type:	Identifying number:	Date of issue:



Q2.2 Please provide details, including licence number, of any other scrap metal licence issued by any other local authority to the applicant within the last 3 years (*continue on another sheet if necessary*)

Local Authority	Identifying number:	Date of issue:

Q2.3 Are you registered as a waste carrier? (*please tick*) Yes * No

* If 'yes' please provide your carrier's registration number: _____

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 High Peak Area. You can apply to licence multiple sites using this form.

If you are applying for a mobile licence please proceed to **Section 4**

Q3.1 Details of prospective licence holder

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:

Please also state your maiden name or any other surnames you have previously been known by:

Position/Role in the business:

Basic Disclosure Certificate issued for the applicant by Disclosure Scotland¹:

Yes No

Please note if you do not provide a disclosure certificate your application may be delayed or rejected.

¹ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.



Q3:1 Contact details of prospective licence holder (<i>we will use your business address to correspond with you unless you indicate we should use your home address</i>)	
Business Address:	1 st line: 2 nd line: Town: County: Postcode:
Telephone Number:	Landline: Mobile:
Email:	
Home Address:	1 st line: 2 nd line: Town: County: Postcode:
Telephone Number:	Landline: Mobile:
Email:	
<input type="checkbox"/> Please use my home address for correspondence	

SECTION 4: TO BE COMPLETED IF APPLYING FOR A MOBILE LICENCE

Please note: a collector's licence authorises the licensee to carry out business as a mobile collector in the High Peak Borough Council area **only**. If you wish to collect in other local authority areas you must obtain a collectors licence from that authority.

Q4.1 Details of prospective licence holder	
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (<i>please state</i>) _____	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth: <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Surname:	Forenames:
Please also state your maiden name or any other surnames you have previously been known by:	



Position/Role in the business:

Basic Disclosure Certificate issued for the applicant by Disclosure Scotland²:

Yes No

Please note if you do not provide a disclosure certificate your application may be delayed or rejected.

Q4:2 Contact details of prospective licence holder (*we will use your business address to correspond with you unless you indicate we should use your home address*)

Business Address:

1st line:

2nd line:

Town:

County:

Postcode:

Telephone Number:

Landline:

Mobile:

Email:

Home Address:

1st line:

2nd line:

Town:

County:

Postcode:

Telephone Number:

Landline:

Mobile:

Email:

Please use my home address for correspondence

² Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.



SECTION 5: MOTOR SALVAGE

Q5.1 Will your business consist of acting as a motor salvage operator? Yes No

A Motor Salvage Operator is defined as a business that: 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 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.

To operate as a motor salvage operator you will need to apply for a site licence.

SECTION 6: BANK ACCOUNTS THAT WILL BE USED FOR PAYMENTS TO SUPPLIERS (ALL APPLICANTS)

In accordance with s12 of the Scrap metal Dealers Act 2013, please provide details of the bank account(s) that will be used to make payment to suppliers.

If more than two bank accounts will be used, please use a continuation sheet.

Account Holders Name :	Sort Code:	Account Number

SECTION 7: PAYMENT (ALL APPLICANTS)

How do you wish to make payment for your scrap metal dealer's licence? (*please tick*)

- Direct Debit (please complete separate direct debit form) -
- Cheque (please make payable to 'High Peak Borough Council')



SECTION 8: CRIMINAL CONVICTIONS (ALL APPLICANTS)

Q8.1 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 (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: _____

Signed: _____ Date: _____

Signed: _____ Date: _____

Signed: _____ Date: _____

Once complete please return this form to:

The Licensing Officer
Licensing Department
High Peak Borough Council
P O Box 136
Buxton
Derbyshire
SK17 1AQ

Email: la2003@highpeak.gov.uk

Tel: 0345 129 7777

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.