 **The Scrap Metal Dealers Act 2013**

 **Application for a Scrap Metal Dealer Licence**

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| **SECTION 1. (for all applicants)** |
| **Details of 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: |
| Please also state your maiden name or any other surnames you have previously been known by: |
| Position/Role in the business:  |
| I attach a Basic Disclosure Certificate issued by <https://www.gov.uk/request-copy-criminal-record> [[1]](#footnote-1):Yes [ ]  No [ ]  If you do not provide a disclosure certificate your application may be delayed or rejected. |
| **SECTION 2. (for all applicants)** |
| Please indicate the type of licence you are applying for (please tick):A site licence [ ]  A collector’s licence[ ]  |
| Are you applying as (please tick):An individual [ ]  A company[ ]  A partnership[ ]  |
| Please state your trading name: |
| Is this application for a grant of a new licence or a renewal (please tick the relevant box):Grant of a new licence [ ]  Renewal of an existing licence [ ] If ‘renewal’ please provide your existing licence number: |

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| **SECTION 3. Permits, registrations and licences in force** |
| Please provide details of any relevant environmental permit, exemption or registration (such as a scrap metal dealer or a motor salvage operator) in relation to the applicant:Type:  Identifying number:  Date of issue: Type:  Identifying number:  Date of issue: Continue on a separate sheet if necessary |
| Please provide details, including licence number, of any other scrap metal licence issued by any authority to the applicant within the last 3 years (please use a continuation sheet if necessary): |
| Are you registered as a waste carrier? (please tick)Yes [ ]  No [ ] If ‘yes’ please provide your carrier’s registration number:  |
| **SECTION 4. TO BE COMPLETED IF APPLYING FOR A SITE LICENCE** **N.B- 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 of prospective licence holder** |
| As applicant: Yes[ ]  No [ ]  |
| If different:  |  |
| 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:  |
| I attach a Basic Disclosure Certificate issued by <https://www.gov.uk/request-copy-criminal-record>[[2]](#footnote-2):Yes [ ]  No [ ]  If you do not provide a disclosure certificate your application may be delayed or rejected. |

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| **Contact details** (we will use your business address to correspond with you unless you indicate we should use your home address) |
| Business Address: Head office name or house name or number:   First line of address:Town/City: Postcode: | Telephone numbers:Daytime:Evening:Mobile: |
| Home address:House name or number:   First line of address:Town/City: Postcode:[ ]  Please use my home address for correspondence | Email address (if you would prefer us to correspond with you by email):Please note that you must still provide us with a postal 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 1Name or number:  First line of address:Town/City: Postcode:Telephone number:Email address:Website address: | Name:[[3]](#footnote-3) First line of address[[4]](#footnote-4):Town/City: Postcode:Date of Birth:***Basic Disclosure* certificate attached:**   Yes [ ]  No [ ]   [[5]](#footnote-5) |
| Site 2Name or number:  First line of address:Town/City: Postcode:Telephone number:Email address:Website address: | Name: First line of address:Town/City: Postcode:Date of Birth:***Basic Disclosure* certificate attached:**   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:[[6]](#footnote-6)Date of birth:Residential address:***Basic Disclosure* certificate attached:**   Yes [ ]  No [ ]   [[7]](#footnote-7) | 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:  |

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| 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:House name or number:  First line of address:Town/City: Postcode:***Basic Disclosure* certificate attached:**   Yes [ ]  No [ ]   [[8]](#footnote-8) | Role: Name: Date of Birth:House name or number:[[9]](#footnote-9)  First line of address:Town/City: Postcode:***Basic Disclosure* certificate attached:**   Yes [ ]  No [ ]    |
| Please provide details of any site in the area of any other local authority at which the applicant carriers 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 [ ]  |

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| **SECTION 5. TO BE COMPLETED IF APPLYING FOR A COLLECTOR’S LICENCE****N.B- A collector’s licence authorises the licensee to carry out business as a mobile collector in the authority’s area only.**  |
| **As applicant?** Yes[ ]  No [ ]  |
| **Details of prospective licence holder if different to 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: |
| Please also state your maiden name or any other surnames you have previously been known by: |
| I attach a Basic Disclosure Certificate issued by <https://www.gov.uk/request-copy-criminal-record>[[10]](#footnote-10):Yes [ ]  No [ ]  If you do not provide a disclosure certificate your application may be delayed or rejected. |
| **Contact details** (we will use your business address to correspond with you unless you indicate we should use your home address) |
| Business Address: House name or number:   First line of address:Town/City: Postcode: | Telephone numbers:Daytime:Evening:Mobile: |
| Home address:House name or number:   First line of address:Town/City: Postcode:[ ]  Please use my home address for correspondence | Email address (if you would prefer us to correspond with you by email):Please note that you must still provide us with a postal address |
| **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:Sort code:Account number: | Account name:Sort code:Account number: |
| **SECTION 7. PAYMENT (For all applicants)** |
| How do you wish to make payment for your scrap metal dealer’s licence? (please tick) Cheque (please make payable to Havant Borough Council) [ ] Cash [ ] Card [ ]  |

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| **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: |

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| **SECTION 9. DECLARATION (For all applicants)** |
| DECLARATION\* Failing to register a scrap metal business or to notify the Council of alterations in the appropriate particulars is liable on conviction to a fine not exceeding £1,000.\* Failing to notify the Council that a business has ceased is liable on conviction to a fine not exceeding £200. \* Failing to keep the proper prescribed records is liable on conviction to a fine not exceeding £1,000. Any person acquiring scrap metal from a person under the age of sixteen shall be liable on conviction to a fine not exceeding £200.\* Any person who obstructs the entry of an Environmental Health Officer or Police Constable, or who fails to produce to them any prescribed record shall be liable on conviction to a fine not exceeding £200.\* Any person who, on selling scrap metal to a dealer, gives the dealer a false name or false address shall be liable on conviction to a fine not exceeding £200.\* Where a person is convicted of failing to register or failing to keep prescribed records, the Court may make an Order imposing restrictions on the dealer for a period not exceeding two years.[ ]  Ticking this box indicates you have read and understood the above declarationThe 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: |

**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 for the applicants details

**Section 2 – For everyone**

This section asks you if you are applying for a site or a collector’s 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.

This section also asks you to indicate whether you are applying as an individual, a partnership or a company and whether the application is for a renewal of a licence.

A site licence allows you to 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.

An individual, partnership or company that operates primarily as a mobile collector may still need to be licensed as a site rather than a mobile collector if it has an office base or a yard for keeping scrap metal etc. Licensing authorities will have to make a decision based on the type of activity the collector undertakes.

**Section 3 – Other permits**

This section asks for details of other permits / exemptions that you may hold.

**Section 4 – For a site licence**

Fill out this section if you want a site licence.

If you are applying as a partnership, we will need to know the details of the second partner. If you are applying as a company, we will need to know the details of the company director(s), shadow director(s) and company secretary(s).

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 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. We also need to know the address of every site you carry on or intend to carry on business as a scrap metal dealer and the local authority area who will issue or has issued the licence.

A site manager is the person who will be in charge of the site on a daily basis.

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 with the Environment Agency call: 03708 506506 or visit:

[www.environment-agency.gov.uk/wastecarriers](http://www.environment-agency.gov.uk/wastecarriers)

If your site was 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.

This section also asks for details of any other scrap metal licences you have been issued in the last 3 years. Please make sure

you include the licence number so that we can check this against the national register.

**Section 5 – 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.

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 with the Environment Agency call: 03708 506506 or visit:

[www.environment-agency.gov.uk/wastecarriers](http://www.environment-agency.gov.uk/wastecarriers)

This section also asks for details of any other scrap metal licences you have been issued in the last 3 years. Please make sure you include the licence number so that we can check this against the national register.

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 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 whether you or any listed site manager, partner, company director, shadow director or company secretary has been convicted of a relevant offence or been the subject of any relevant enforcement action. The relevant offences and enforcement action can be found in The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013:

http://www.legislation.gov.uk/uksi/2013/2258/contents/made and are also listed at the end of this document.

The application form must provide details of any conviction of the applicant for a relevant offence. To verify the information provided, we would like you to submit a Basic Disclosure Certificate for yourself and any person listed on the application form including the site manager (if applying for a site licence), each partner if a partnership, and, if a company, for the director(s), company secretary and shadow director. The certificate will list unspent criminal convictions. If the Certificate is not submitted, this may delay the consideration of the application.

When assessing the applicant, the partnership or company's suitability to hold a scrap metal dealer's licence, we will check each Basic Disclosure certificate against the list of convictions for relevant offences. Having a conviction for a relevant offence may not automatically prevent you from having a licence.

You can apply for this certificate at by <https://www.gov.uk/request-copy-criminal-record>

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.

It is an offence under the Scrap Metal Dealers Act 2013 to make or recklessly make a false statement.

**Section 9 – Declaration**

The person who will hold the scrap metal dealer's licence needs to provide their name, your capacity (if you are the applicant or an agent) and the date. 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**

**PART 1 Primary Legislation**

(a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(1)

(b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979(2), where

 the specific offence concerned relates to scrap metal

(c) An offence under section 110 of the Environment Act 1995(3)

(d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(4)

(e) An offence under section 9 of the Food and Environment Protection Act 1985(5)

(f) An offence under section 1 of the Fraud Act 2006(6), 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(7)

(h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(8)

(i) Any offence under the Scrap Metal Dealers Act 1964(9)

(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(10), 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(11)

(m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991(12).

**PART 2 Secondary Legislation**

(a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations

 2007(13)

(b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations

 2010(14)

(c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005(15)

(d) Any offence under the Hazardous Waste (Wales) Regulations 2005(16)

(e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002(17)

(f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(18)

(g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(19)

(h) Any offence under the Transfrontier Shipment of Waste Regulations 1994(20)

(i) Any offence under the Transfrontier Shipment of Waste Regulations 2007(21)

(j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(22)

(k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(23).

Relevant offences also include:

· attempting or conspiring to commit any offence listed above;

· inciting or aiding, abetting, counselling or procuring the commission of any offence in listed above;

· an offence under Part 2 of the Serious Crime Act 2007(1) (encouraging or assisting crime) committed in

 relation to any offence listed above.

Relevant enforcement action

A person is the subject of “relevant enforcement action” if --

(a) the person has been charged with an offence listed above, and criminal proceedings in respect of that

 offence have not yet concluded; or

(b) an environmental permit granted in respect of the person under the Environmental Permitting

 (England and Wales) Regulations 2010 has been revoked in whole, or partially revoked, to the extent

 that the permit no longer authorises the recovery of metal.

1. Further information about Basic Disclosure Certificates are set out in the explanatory notes accompanying this form. [↑](#footnote-ref-1)
2. Further information about Basic Disclosure Certificates are set out in the explanatory notes accompanying this form. [↑](#footnote-ref-2)
3. Please also state your maiden name or any other surnames you have previously been known by. [↑](#footnote-ref-3)
4. Please provide the site manager’s home address as this will facilitate conducting checks on whether they are a suitable person. [↑](#footnote-ref-4)
5. If you do not provide a disclosure certificate issued for named persons by the Disclosure and Barring Service issued no more than three months before the date of this application your application may be delayed or rejected. [↑](#footnote-ref-5)
6. Please also state your maiden name or any other surnames you have previously been known by. [↑](#footnote-ref-6)
7. If you do not provide a disclosure certificate issued for named persons by the Disclosure and Barring Service issued no more than three months before the date of this application your application may be delayed or rejected. [↑](#footnote-ref-7)
8. If you do not provide a disclosure certificate issued for named persons by the Disclosure and Barring Service issued no more than three months before the date of this application your application may be delayed or rejected. [↑](#footnote-ref-8)
9. Please provide the director’s home address as this will facilitate conducting checks on whether they are a suitable person. [↑](#footnote-ref-9)
10. Further information about Basic Disclosure Certificates are set out in the explanatory notes accompanying this form. [↑](#footnote-ref-10)