



Environmental Health  
 Blackdown House  
 Border Road  
 Heathpark Industrial Estate  
 Honiton  
 EX14 1EJ

## East Devon District Council

### Scrap Metal Dealers Act 2013

#### Application for a Scrap Metal Dealer's Licence (Site and Collector's Licences)

<b>Checklist – Part A</b>	
Please tick ✓ yes	
I have made or enclosed payment of the fee	<input type="checkbox"/>
I have enclosed a <u>location</u> plan for the premises (Site Licence only)	<input type="checkbox"/>
I have enclosed a <u>site</u> plan for the premises (Site Licence only)	<input type="checkbox"/>
I have included details of all vehicles to be used under the collector's licence to carry out the business as a mobile collector (a separate internal cab identification will be issued for each vehicle used). (Collector's Licence only)	<input type="checkbox"/>
<b>I understand that if I do not comply with the above requirements my application may be rejected</b>	<input type="checkbox"/>
Throughout this application form where you are asked to supply a disclosure certificate if you do not provide one issued for the named persons by Disclosure Scotland the application may be delayed or rejected. You should note that the certificate must have been issued no more than three months before the date of this application.	

--

**Please continue answers on a separate sheet of paper if necessary.**

## Application for a Scrap Metal Licence

<b>SECTION 1. (for all applicants)</b>			
Please indicate the type of licence you are applying for (please tick):			
A site licence <input type="checkbox"/>		A collector's licence <input type="checkbox"/>	
Are you applying as (please tick):			
An individual <input type="checkbox"/>		A company <input type="checkbox"/>	A partnership <input type="checkbox"/>
Please state your trading name:			
Is this application a renewal (please tick):			
Yes <input type="checkbox"/>		No <input type="checkbox"/>	
If 'yes' please provide your existing licence number:			
<b>SECTION 2. Permits, registrations and licences in force</b>			
Please provide below details of any relevant environmental permit, exemption or registration in relation to the applicant (Continue on a separate sheet if necessary):			
<b>Type</b>			
Identifying number		Date of issue:	
<b>Type</b>			
Identifying number		Date of issue:	
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 <input type="checkbox"/>		No <input type="checkbox"/>	
If 'yes' please provide your carrier's registration number:			

**SECTION 3. 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.**

**Note. Where the application is for one or more sites a location and site plan for each site must accompany the application**

**Details of person making the application**

Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
--	--

Surname:	
----------	--

Forenames:	
------------	--

Position/Role:	
----------------	--

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland:  
 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)

<b>Business Address</b>			

Post Town		Post Code	
-----------	--	-----------	--

**Telephone Numbers**

Daytime	
---------	--

Evening	
---------	--

Mobile	
--------	--

<b>Email Address</b>	
----------------------	--

<b>Home Address</b>			
Post Town		Post Code	
<b>Telephone Numbers</b>			
Daytime			
Evening			
Mobile			
<b>Email Address</b>			
<p><b>Site details.</b> 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]. <b>You are reminded that a location plan and a site plan for each site must accompany the application.</b></p>			
<b>Full address of each site you intend to carry out business as a scrap metal dealer and site manager(s) details (if different from the applicant):</b>			
<b><u>Site One</u></b>			
<b>Site name &amp; address</b>			
Map Reference for site			
Post Town		Post Code	
Telephone Number			
Email address			
Website address			

<b>Site manager(s) [Site One] details (if different from the applicant)</b>			
Site manager's details including address			
Surname:			
Forenames:			
Address:			
Post Town		Post Code	
Telephone Number			
Email address			
Date of birth			
<b>Basic Disclosure certificate attached</b>	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
If you do not provide a disclosure certificate issued for named persons by Disclosure Scotland issued no more than three months before the date of this application your application may be delayed or rejected.			
<b><u>Site Two</u></b>			
<b>Site name &amp; address</b>			
Map Reference for site			
Post Town		Post Code	
Telephone Number			
Email address			
Website address			

Site manager(s) details [Site Two] (if different from the applicant)			
Site manager's details including address			
Surname:			
Forenames:			
Address:			
Post Town		Post Code	
Telephone Number			
Email address			
Date of birth			
<b>Basic Disclosure certificate attached</b>		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you do not provide a disclosure certificate issued for named persons by Disclosure Scotland issued no more than three months before the date of this application your application may be delayed or rejected.			
<b>Partnerships</b> (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)			
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):		I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:	
Surname:			
Forenames:			
Position/Role:			
Basic Disclosure certificate attached Yes <input type="checkbox"/> No <input type="checkbox"/> If you do not provide a disclosure certificate your application may be delayed or rejected.			

Residential Address			
Post Town		Post Code	
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):		I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:	
Surname:			
Forenames:			
Position/Role:			
Basic Disclosure certificate attached Yes <input type="checkbox"/> No <input type="checkbox"/> If you do not provide a disclosure certificate your application may be delayed or rejected.			
Residential Address			
Post Town		Post Code	
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:			
Post Town		Post Code	



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.			
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):		I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:	
Surname:			
Forenames:			
Position/Role:			
Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> If you do not provide a disclosure certificate your application may be delayed or rejected.			
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):		I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:	
Surname:			
Forenames:			
Position/Role:			
Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> If you do not provide a disclosure certificate your application may be delayed or rejected.			
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:			
Post Town		Post Code	

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.

**Do you have planning permission?** Only applicable to sites established after 1 November 1990

Please tick	Yes <input type="checkbox"/>	No <input type="checkbox"/>
-------------	------------------------------	-----------------------------

**SECTION 4. 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.**

**Details of person making the application**

Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
--	--

Surname:	
----------	--

Forenames:	
------------	--

Position/Role:	
----------------	--

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland:  
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)

<b>Business Address</b>			

Post Town		Post Code	
-----------	--	-----------	--

<b>Telephone Numbers</b>	
Daytime	
<b>Evening</b>	
Mobile	
<b>Email Address</b>	

Where will scrap metal that has been purchased be stored before further disposal?

<b>Site name &amp; address</b>	

Map Reference for site	
------------------------	--

Post Town		Post Code	
-----------	--	-----------	--

Please tick if scrap metal will not be stored	<input type="checkbox"/>
---	--------------------------

**Details of all vehicles to be used under the collector's licence to carry out the business as a mobile collector (a separate internal cab identification will be issued for each vehicle used).**

Please list the details for each vehicle to be used. If you operate more than two vehicles please provide details for each additional vehicle on a continuation sheet.

<b>Vehicle One</b>			
Registration Number		Colour	
Make		Model	
Body Style			

<b>Vehicle Two</b>			
--------------------	--	--	--

Registration Number		Colour	
Make		Model	
Body Style			
<b>SECTION 5. MOTOR SALVAGE (For all applicants)</b>			
<p>Will your business consist of acting as a motor salvage operator? This is defined as a business that:</p> <p><input type="checkbox"/> 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;</p> <p><input type="checkbox"/> wholly or mainly involves buying written-off vehicles and then repairing and selling them off; and,</p> <p><input type="checkbox"/> wholly or mainly buys or sells motor vehicles for the purpose of salvaging parts from them or repairing them and selling them off.</p>			
<b>Please tick</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

<b>SECTION 6. BANK ACCOUNTS THAT WILL BE USED FOR PAYMENTS TO SUPPLIERS (For all applicants)</b>	
<p>Please provide details of the bank account(s) that will be used to make payment to suppliers, in accordance with section 12 of the Scrap metal Dealers Act 2013. If more than two bank accounts will be used, please use a continuation sheet.</p>	
<b>Account Name:</b>	
Sort Code:	
Account Number:	
<b>Account Name:</b>	
Sort Code:	
Account Number:	
<b>SECTION 7. PAYMENT OF LICENCE FEES (For all applicants)</b>	
<p>Please make cheques payable to East Devon District Council. Should you wish to pay by debit card please phone 01395 517457 and speak to a member of the Environmental Health team.</p>	

**SECTION 8. CRIMINAL CONVICTIONS (For all applicants)**

Have you 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).

<b>Please tick</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--------------------	------------------------------	-----------------------------

If 'yes' please provide details:

**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:
- (a) 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.
  - (b) 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.
  - (c) the District Council are required under Section 6 of the Audit Commission Act 1998 to participate in the National Fraud initiative (NFI) data matching exercise. This means that any Scrap Metal Dealer licence data will be provided to the Audit Commission for NFI and will be used for cross-system and cross authority comparison purposes for the prevention and detection of fraud.

Applicant's signature

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 environmental health services 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.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 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**. 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 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 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**. 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.

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. Licences cannot be granted 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**

You, and the other people named on the form, need to sign the form for it to be accepted. This section also explains that the council has to share some of your details with the police, Environment Agency, or Natural Resources Wales when checking you are a suitable person to hold a licence. Some of your 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 environmental health services

## **Relevant offences**

### **As set down in the Scrap metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013**

#### **PART 1**

#### **Primary Legislation**

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(c)
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979(d), where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995(e)
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(f)
- (e) An offence under section 9 of the Food and Environment Protection Act 1985(g)
- (f) An offence under section 1 of the Fraud Act 2006(h), 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(i)
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(j)
- (i) Any offence under the Scrap Metal Dealers Act 1964(k)



- (a) 2007 c.27.
- (b) S.I. 2010/675. Environmental permits can be granted under regulation 13, and revoked under regulation 22.
- (c) 1989 c.14.
- (d) 1979 c.2. Section 170B was inserted by the Finance (No 2) Act 1992 (c.48), section 3, Schedule 2, paragraph 8.
- (e) 1995 c.25.
- (f) 1990 c.43. Section 34B was inserted, in relation to England and Wales, by the Clean Neighbourhood and Environment Act 2005(c.16), section 46.
- (g) 1985 c.48.
- (h) 2006 c.35.
- (i) 2012 c.10. Section 146 is to be repealed by section 19(1)(f) of the Scrap Metal Dealers Act 2013, which has not yet been commenced.
- (j) 2002 c.29.
- (k) 1964 c.69. This Act is to be repealed by section 19(1)(a) of the Scrap Metal Dealers Act 2013, which has not yet been commenced.
- (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(a), 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(b)
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991(c).

## PART 2

### Secondary Legislation

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