

SCRAP METAL DEALERS ACT 2013



APPLICATION FOR A SCRAP METAL DEALERS LICENCE

SECTION 1. APPLICATION TYPE (to be completed by all applicants)		
Please indicate the type of licence you are applying for (please tick):		
A site licence <input type="checkbox"/> <i>Complete all sections except section 4</i>	A collector's licence <input type="checkbox"/> <i>Complete all sections except section 3</i>	
Are you applying as (please tick):		
An individual <input type="checkbox"/>	A company <input type="checkbox"/>	A partnership <input type="checkbox"/>
Please provide 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 <input type="checkbox"/>		
Renewal of an existing licence <input type="checkbox"/>		
If for 'renewal' please provide your existing licence number:		

SECTION 2. EXISTING PERMITS, REGISTRATIONS AND LICENCES IN FORCE		
Please provide details of any relevant environmental permit, exemption or registration (such as a scrap metal dealers licence, or a motor salvage operator licence) in relation to the applicant:		
Type:	Identifying number & Authority:	Date of issue:
Type:	Identifying number & Authority:	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 <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

Note: A site licence authorises the licence holder to carry on business at a site located within the Borough. You can apply to licence more than one sites in the Borough using this form.

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:

I attach a Basic Disclosure Certificate for the applicant by Disclosure Scotland **issued within the last month**¹:

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:

Head office name or house name or number:

Postcode:

Telephone numbers:

Daytime:

Evening:

Mobile:

Home address:

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 business and home address.

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

Site details. Please list the details for each site where you propose to carry on business as a scrap metal dealer the Kingston Council area. If you operate more than two sites in the area please provide details for each site on a continuation sheet.

[Note: 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)
<p>Site 1</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>Email address:</p> <p>Website address:</p>	<p>Name:²</p> <p>House name or number:³</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁴</p>
<p>Site 2</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>Email address:</p> <p>Website address:</p>	<p>Name:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>

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² Please also state your maiden name or any other surnames you have previously been known by.

³ Please provide the site manager's home address as this will facilitate conducting checks on whether they are a suitable person.

⁴ 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.

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)

<p>Full name:⁵</p> <p>Date of birth:</p> <p>Home address:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁶</p>	<p>Full name:</p> <p>Date of birth:</p> <p>Home address:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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Company (If you are applying as a company please provide the details set out below)

Company name:

Company 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.

<p>Role:</p> <p>Name:</p> <p>Date of Birth:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁷</p>	<p>Role:</p> <p>Name:</p> <p>Date of Birth:</p> <p>House name or number:⁸</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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⁵ Please also state your maiden name or any other surnames you have previously been known by.

⁶ 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.

⁷ 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.

⁸ Please provide the director's home address as this will facilitate conducting checks on whether they are a suitable person.

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 provide details of the local authority that has licensed this site, including the licence number(s) (or to whom applications have been made):

Please continue on a separate sheet of paper if necessary.

Only applicable to sites established after 1 November 1990

Does the site have planning permission to operate (please tick)

Yes No

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

Note: A collector's licence authorises the holder to carry out business as a mobile collector within the Royal Borough of Kingston upon Thames area ONLY.

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:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland⁹:

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:

Telephone numbers:

Daytime:

Evening:

Mobile:

Postcode:

⁹ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.

Home address: House name or number: First line of address: Town/City: Postcode: <input type="checkbox"/> 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
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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:

- 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 No

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 (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:
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SECTION 7. PAYMENT (For all applicants)

You must enclose the appropriate fee for your application (cheques payable to KINGSTON COUNCIL):

SITE LICENCE	£486 (new) £405 (renewal)	COLLECTORS LICENCE:	£314 (new) £265 (renewal)
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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:

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:

Signed:

Date:

Signed:

Date:

Signed:

Date:

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

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 Kingston Councils area.

A **site licence** lets you buy and sell scrap metal from a fixed location within the council area, and to collect metal from anywhere in the UK.

A **collector's licence** allows you to travel within the council area to collect scrap metal however it does not permit you to take the metal back to a site that you run within the same Council area.

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

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 LICENCE applicants

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/>

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, for example, if the offence was unrelated to being a scrap metal dealer or was committed a long time ago, and you can convince the council that you are a suitable person to hold a licence.

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. Kingston Council expects your certificate to have been published within one month of the date of your application.

There is only limited space on the form for you to record information. If you need to list more than one site manager, director, or partner etc., please continue on a separate piece of paper setting out the details in the same way as the form and staple the extra sheets to your application.

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 you have planning permission, and we will consult the planning department to ensure that the site can be used for a Scrap Metal Dealers business.

Section 4 – For a COLLECTORS licence

Fill out this section if you want a **COLLECTORS 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 contact you if necessary.

You must also 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/>

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

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. Kingston Council expects your certificate to have been published within one month of the date of your application.

You will need to ensure that any vehicles used in connection with your COLLECTORS licence are roadworthy, 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.

If you are operating as a motor salvage operator, you must apply for a site 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

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 a member of the Licensing Team.

Relevant offences

These are to be confirmed in Home Office Regulations. The LGA anticipates, based on the explanatory notes to the Scrap metal Dealers Act 2013, that these will reflect other environmental permitting schemes and suggests the below as an *indicative* list:

- Control of Pollution (Amendment) Act 1989: Sections 1, 5 or 7(3)
- Customs and Excise Management Act 1979: Section 170 (for environmental/metal theft related offences only)
- Environment Act 1995: Section 110(2)
- Environmental Permitting Regulations 2007: Regulation 38
- Environmental Permitting Regulations 2010: Regulation 38
- Environmental Protection Act 1990: Sections 33 and 34
- Food and Environment Protection Act 1985: Section 9(1)
- Fraud Act 2006: Section 1 (for environmental/metal theft related offences only)
- Hazardous Waste (England and Wales) Regulations 2005
- Hazardous Waste (Wales) Regulations 2005
- Landfill (England and Wales) Regulations 2002
- Legal Aid, Sentencing and Punishment of Offenders Act 2012: Section 146
- Pollution Prevention and Control (England and Wales) Regulations 2000
- Proceeds of Crime Act 2002: Sections 327, 328, 330, 331 & 332 (for environmental/metal theft related offences only)
- Producer Responsibility Obligations (Packaging Waste) Regulations 2007
- Scrap Metal Dealers Act 1964 (for environmental/metal theft related offences only)
- Scrap Metal Dealers Act 2013
- Theft Act 1968: Sections 1, 8, 9, 10, 11, 17, 18, 22 & 25 (for environmental/metal theft related offences only)
- Transfrontier Shipment of Waste Regulations 1994
- Transfrontier Shipment of Waste Regulations 2007
- Vehicles (Crime) Act 2001: Part 1
- Waste Electrical and Electronic Equipment Regulations 2006
- Waste (England and Wales) Regulations 2011: Regulation 42
- Water Resources Act 1991: Section 85, 202 or 206