

Are you registered as a waste carrier with the Environment Agency? (please tick)

Yes No

If 'yes', please provide your carrier's registration number:

Will you be using any vehicle(s) to transport or collect scrap metal?

Yes No

If "Yes" Please provide details of any vehicles you will be using to transport or collect scrap metal and details of the applicant's or any employees of the applicant who will be driving the listed vehicles (use a continuation sheet if necessary).

Vehicles

| Registration Number | Insurance Provider | Insurance Policy Number |
|---------------------|--------------------|-------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

Drivers

| Driver's Full Name | Driving Licence Number: |
|--------------------|-------------------------|
| | |
| | |
| | |
| | |
| | |

I have enclosed a Basic Disclosure Certificate issue by Disclosure Scotland and two photos (one certified) for each and all drivers authorised to transport or collect scrap metal in the course of the business subject to this application:

Please tick to confirm.

Right to work in the UK? (Non UK, EU, EEA and Swiss citizens only)

You do not need to complete this section if you are a British, EU, EEA or Swiss citizen. If you are not, we may require evidence of your right (or that of your employees) to work in the UK before we issue a licence, depending on your nationality.

Please provide a copy of any documentation (e.g. a permit, visa, residence document, official document from a UK government agency showing a national insurance number, or registration certificate, etc) that show your right, or that of your employees, to work in the UK.

I attach evidence of my right (or that of my employees) to work in the UK:

Please tick to confirm.

SECTION 3. APPLICANT DETAILS

Please complete subsection A (for sole licence applicants/holders), B (for partnerships) or C (for company licence applicants/holders). All applicants please complete subsection D.

A. SOLE LICENCE HOLDERS

If you are applying as an individual / sole trader; please provide the following details:

Title (please tick): Mr Mrs Miss Ms Other (please state):

Date of Birth:

Nationality:

Surname:

Forename/s:

Position/Role in the business:

Home address:

House name or number:

First line of address:

Town/City:

Postcode:

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.

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

Tick to confirm.

NB: If you do not provide a disclosure certificate, your application may be delayed or rejected.

Site licence only: If the applicant is to be the site manager, I attach two passport sized photographs (one endorsed):

Tick to confirm.

B. 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:

Full name:

Date of birth:

Date of birth:

Residential address:

Residential address:

I attach a Basic Disclosure Certificate issued for applicants by Disclosure Scotland:

Tick to confirm.

NB: If you do not provide a disclosure certificate, your application may be delayed or rejected.

If the applicants are to be the site managers, I attach two passport sized photographs (one endorsed) of each:

Tick to confirm.

C. 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:

House name or number:

First line of address:

Town/City:

Postcode:

Basic Disclosure certificate attached:

Tick to confirm.

Role:

Name:

Date of Birth:

House name or number:

First line of address:

Town/City:

Postcode:

Basic Disclosure certificate attached:

Tick to confirm.

D. CONTACT DETAILS / BUSINESS ADDRESS

Please provide the address you would like us to use to correspond with you. If you do not provide an address here, we will use the address provided in section A, B or C.

Correspondence Address:

Office name or house name or number:

First line of address:

Town/City:

Postcode:

Telephone numbers:

Daytime:

Evening:

Mobile:

Email:

SECTION 4 – SITE DETAILS

Please complete the sections relevant to you.

SITE DETAILS & SITE MANAGERS (SITE LICENCE HOLDERS ONLY)

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 Name or number: First line of address: Town/City: Postcode: Telephone number: Email address: Website address: | Name: House name or number: First line of address: Town/City: Postcode: Date of Birth: Basic Disclosure certificate attached: <input type="checkbox"/> Tick to confirm Two Passport photographs (one endorsed) attached: <input type="checkbox"/> Tick to confirm |
| Site 2 Name or number: First line of address: Town/City: Postcode: Telephone number: Email address: Website address: | Name: House name or number: First line of address: Town/City: Postcode: Date of Birth: Basic Disclosure certificate attached: <input type="checkbox"/> Tick to confirm Two Passport sized photographs (one endorsed) attached: <input type="checkbox"/> Tick to confirm |

OTHER SITE LOCATIONS (SITE LICENCE HOLDERS ONLY)

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

TEMPORARY STORAGE SITE (ALL APPLICANTS)

Are there any sites where scrap metal that has been purchased will be stored before further disposal?

House name or number:

First line of address:

Town/City:

Postcode:

Will not be stored

SECTION 5. MOTOR SALVAGE

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

SECTION 6. BANK ACCOUNTS THAT WILL BE USED FOR PAYMENTS TO SUPPLIERS

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.

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.

I understand that my application may be returned to me, unprocessed if I have omitted to supply any of the additional information/documentation specified within it or I have failed to pay the correct fee.

I understand that once my application is accepted for processing that the application fee is non-refundable.

Signed:

Date:

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

Section 1 – Type of Application

This section asks if you are applying for a collector's licence or a site licence and for details about the nature of your business. This is so we can be sure that you are applying for the right kind of licence as you are only able to apply for one type of licence in each council area, though 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. You can apply as an individual, a partnership, or as a company. The licence holder will be permitted to operate as a scrap metal dealer from that site. This includes transporting scrap metal to and from the site, within any local authority's area. A copy of the site licence must be displayed both at the site and in any vehicle conducting scrap metal dealer activities outside of the site.

A **collector's licence** allows you to operate as a mobile collector of scrap metal within the area of the local authority to which you apply. You can apply to more than one local authority. You may not take this metal back to a site that you run within the council area in order to sell or process it (this requires a site licence). Please note that a collector's licence will only authorise *you* to operate as a scrap metal collector and cannot be used or transferred to any other person. Any person transporting or dealing in scrap metal without the licence holder present may be guilty of an offence under the Scrap Metal Dealers Act 2013.

Section 2 – Existing Permits, Registrations and Licences.

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.

We, or the Police, may also run checks that vehicles used as part of the scrap metal business; so 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. We also ask for the name and driving licence number for yourself and any employees who may engage in scrap metal transport or collecting duties under your licence.

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 holding 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/they 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.

Where you are asked to provide a “certified” photo in this and other sections, of the applicant or a driver/site manager (etc), the certifier should write the following on the back of one photo: “I certify that this is a true likeness of [title and full name]”. They must add their signature and the date below this statement.

The certifier must:

- have known the person applying for at least 2 years;
- be able to identify the person applying, e.g. they’re a friend, neighbour or colleague (not just someone who knows them professionally);
- They can’t be closely related or involved with the person applying, e.g.: related by birth or marriage; or be in a relationship or live at the same address as the person applying.

Section 3 – Applicant Details.

This section should be filled out in the name of the person(s) or company 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(es).

As with the previous section, 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 holding 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 director or partner, then please continue on a separate piece of paper setting out the details in the same way as the form.

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

Section 4 – Site Details.

We also need to know the address of the site or sites you want the licence for (where applicable), 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 will need to a Basic Disclosure Certificate from Disclosure Scotland for your site managers too. You can apply for this certificate at: <http://www.disclosurescotland.co.uk/apply/individuals/>

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. You may have more than one site manager (e.g. a deputy manager).

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

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.

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. This may be a licensed site that you operate in another council area. Note that you are not allowed to sell or buy metal at this storage site and doing so is an offence. Nor should you store or process any scrap metal on a public footpath, or at a residential address.

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 incurred in 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

These offences are correct at time of publication. Laws can and do change. Please see Schedule 1 of the The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 for the most up to date list.

PART 1 - Primary Legislation

- An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(4)
- 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
- An offence under section 110 of the Environment Act 1995(6)
- An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(7)
- An offence under section 9 of the Food and Environment Protection Act 1985(8)
- 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
- An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(10)
- An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(11)
- Any offence under the Scrap Metal Dealers Act 1964(12)
- Any offence under the Scrap Metal Dealers Act 2013
- 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
- Any offence under Part 1 of the Vehicles (Crime) Act 2001(14)
- An offence under sections 85, 202, or 206 of the Water Resources Act 1991(15).

PART 2 - Secondary Legislation

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

Data Protection Statement

Personal Information

The information which you supply to us will be used to allow us to process and assess your application in accordance with our statutory duties under The Scrap Metal Dealers Act 2013 ("The Act"); and should your application be successful, to issue you with an appropriate Scrap Metal Dealer Licence for which we will keep a record.

The categories of the information that we collect, process, hold and share include:

- personal information (such as name, address and nationality)

The Licensing Department will contact relevant organisations/third parties for information, to be used in assessing your application, and particularly in relation to assessing your suitability to hold a Scrap Metal Dealers Licence. Your application, including your personal data may be shared with:

- Environmental Health, Trading Standards, Planning and other departments and directorates within this Council and other Local Authorities as appropriate;
- The Environment Agency (who maintain a national public register), Metropolitan Police, London Fire Brigade, and other third party agencies and organisations as appropriate;
- Members of the General Public who can view your application, as part of the Inspection and consultation process, or wish to view records in relation to an active Scrap Metal Dealers Licence.

The lawful basis on which we use this information

The Licensing Department will collect and use this information in compliance with their Legal and Statutory duties. under legal obligation and public task. The General Data Protection Regulations (GDPR) permit processing of such personal data under Article 6(1)(c) where it is necessary for compliance with a legal obligation to which the controller is subject; and Article 6(1)(e) where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. For example, it is our legal obligation to process all relevant applications that we receive and it is in the public interest that we investigate complaints alleging breaches or offences committed under the regulations, or misuse of a Scrap Metal Dealers Licence.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and claim compensation for damages caused by a breach of the Data Protection regulations.

If you have any concerns about the way we collect or use your personal data, we request that you raise your concern with us in writing, in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Access and Storage

Your personal information will be held by the Licensing Department so long as you hold an active Scrap Metal Licence, or for a period of no greater than 6 years from the date of your last active Licence.