

Application for a Scrap Metal Dealers Licence Scrap Metal Dealers Act 2013

SECTION 1. Basic details		
Please indicate the type of licence you are applying for:		
A site licence <input type="checkbox"/> A collector's licence <input type="checkbox"/>		
Are you applying as:		
An individual <input type="checkbox"/> A company <input type="checkbox"/> A partnership <input type="checkbox"/>		
Please state your trading name:		
Are you currently registered with a Council as a scrap metal dealer under the Scrap Metal Dealers Act 1964:		
Yes <input type="checkbox"/> No <input type="checkbox"/>		
If yes, which Council are you registered with:		
You must enclose a copy of your certificate of registration with this application form.		
SECTION 2. Permits, registrations and licences in force		
Please provide details of any relevant environmental permit, exemption or registration (other than as a scrap metal dealer) held by the applicant:		
Type:	Identifying number:	Date of issue:
Type:	Identifying number:	Date of issue:
Continue on a separate sheet if necessary.		
If you hold a scrap metal dealers licence granted by any other Council, or have or will be applying for such a licence from any other Council, please provide the details here:		
Council:	Granted <input type="checkbox"/> Applied <input type="checkbox"/> Applying <input type="checkbox"/>	
Council:	Granted <input type="checkbox"/> Applied <input type="checkbox"/> Applying <input type="checkbox"/>	
Council:	Granted <input type="checkbox"/> Applied <input type="checkbox"/> Applying <input type="checkbox"/>	
Council:	Granted <input type="checkbox"/> Applied <input type="checkbox"/> Applying <input type="checkbox"/>	
Continue on a separate sheet if necessary.		
Are you registered with the Environment Agency as a waste carrier:		
Yes <input type="checkbox"/> No <input type="checkbox"/>		
If yes, please provide your registration number:		
You must enclose a copy of your certificate of registration with this application form.		

SECTION 3. TO BE COMPLETED IF APPLYING FOR A SITE LICENCE

A site licence authorises the licensee to carry out business at a site in Solihull. You can apply to licence multiple sites using this form.

Details of prospective licence holder

Title: 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: Yes <input type="checkbox"/> No <input type="checkbox"/> 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:

Have you had a basic disclosure certificate issued by Disclosure Scotland:

Yes No

You must enclose a copy of your basic disclosure certificate with this application form.

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:
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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. <input type="checkbox"/> Please use my home address for correspondence
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Site details. Please list the details for each site where you propose to carry on business as a scrap metal dealer in Solihull. If you operate more than two sites in Solihull please provide details for each site on a continuation sheet. If you operate multiple sites within Solihull, 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) home details (if different from the applicant):
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<p>Site 1</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town:</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>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>
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<p>Site 2</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town:</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>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>
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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:</p> <p>Date of birth:</p> <p>Home address:</p> <p>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>	<p>Full name:</p> <p>Date of birth:</p> <p>Home address:</p> <p>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>
<p>Companies. If you are applying as a company please provide the details set out below about the company.</p>	
<p>Company name:</p> <p>Registration number:</p> <p>Address of the registered office:</p>	
<p>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>	
<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>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>	<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>Has this person had a basic disclosure certificate issued by Disclosure Scotland: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>You must enclose a copy with this application form.</p>

Do you have planning permission to operate the above sites as a scrap metal site or store (only applicable to sites established after 1 November 1990):

Yes No

SECTION 4. TO BE COMPLETED IF APPLYING FOR A COLLECTOR'S LICENCE
A collector's licence authorises the licensee to carry out business as a mobile collector in Solihull only.

Details of prospective licence holder

Title: 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: Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
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Surname:	Forenames:
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Please also state your maiden name or any other surnames you have previously been known by:

Have you had a basic disclosure certificate issued by Disclosure Scotland:
Yes No
You must enclose a copy of your basic disclosure certificate with this application form.

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:
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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. <input type="checkbox"/> Please use my home address for correspondence
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Employee details. Please continue on a separate sheet if necessary.

<p>Employee 1</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/></p> <p>Other <input type="checkbox"/> (please state):</p>	<p>18 years old or over:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Date of Birth:</p>
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Surname:	Forenames:
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Home address:

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

<p>Employee 2</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/></p> <p>Other <input type="checkbox"/> (please state):</p>	<p>18 years old or over:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Date of Birth:</p>
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Surname:	Forenames:
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Home address:

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

Vehicle details. Please list the details of any vehicle you intend to collect scrap metal in

<u>Registration Number</u>	<u>Make</u>	<u>Model</u>	<u>Colour</u>
1			
2			

Do you own this vehicle? Yes No

Are you the registered keeper of the vehicle? Yes No

Is the vehicle insured for business use? Yes No

Is the vehicle insured specifically for the collection for scrap metal? Yes No

Are there any other persons named on this policy to drive the vehicle? Yes No

If yes, please provide full details:

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Record keeping: Please detail here how you intend to comply with the record keeping requirements of the Act. How will you record and describe the scrap metal you buy/sell? How will you securely keep a copy of documents used to verify a person(s) identity?

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.....

Please use a continuation sheet if required.

SECTION 5. MOTOR SALVAGE. This part is for all applicants.

Will your business involve 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.

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. This part is for all applicants.

Please provide details of the bank account(s) that will be used to make payment to suppliers, in accordance with S.12 of the Scrap metal Dealers Act 2013. If more than two bank accounts will be used, please use a continuation sheet.

Account name:	Account name:
Sort code:	Sort code:
Account number:	Account number:
Bank:	Bank:

SECTION 7. PAYMENT. This part is for all applicants.

How do you wish to make payment for your scrap metal dealer's licence?

Credit/Debit Card Cheque Postal Order

Cheques and postal orders must be made payable to Solihull MBC.

SECTION 8. CRIMINAL CONVICTIONS. This part is for all applicants.

Have you, or any of your partners, directors, site manager(s) disclosed 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 they were convicted and the sentence imposed. Please continue on a separate sheet if necessary.

Have you, or any of your partners, directors, site manager(s) disclosed in this application, received any Motoring Convictions, including Fixed Penalty Notices within the last 5 years or had your vehicle seized?

Yes No

If yes please provide details below, Please continue on a separate sheet if necessary.

Have you, or any of your partners, directors, site manager(s) disclosed in this application, been the subject of any investigation or enquiry by any other body e.g. Police, Housing, Benefits, UK Border Agency etc or by any other Authority?

Yes No

If yes please provide details below, Please continue on a separate sheet if necessary.

SECTION 9. DECLARATION. This part is 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 the Scrap Metal Dealers Act 2013, for which I may be prosecuted, and if convicted, fined up to £1,000.

I understand that Solihull Council may consult other agencies about my suitability to be licensed as a scrap metal dealer, in accordance with S.3(7) of the Scrap Metal Dealers Act 2013, and that those other agencies may include other Council's, the Environment Agency, Natural Resources 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 convictions. Some details will also be displayed on a national register managed by the Environment Agency, 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: Name: Date:

Signed: Name: Date:

Signed: Name: Date:

Signed: Name: Date:

Signed: Name: Date:

Signed: Name: Date:

Continuation Sheet 1

Section	

Continuation Sheet 2

Section	

Guidance

If you need more help in completing the application then telephone the Council's Licensing Team on 0121 704 6830 or email licensing@solihull.gov.uk.

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 Solihull, but you can apply to run multiple sites. For instance, you could apply to run 3 sites in Solihull, and also apply to be a collector in another Council's area.

A **site licence** allows you buy and sell scrap metal from a fixed location within Solihull.

A **collector's licence** allows you to collect scrap metal from addresses in Solihull. You may not take this metal back to a site that you run within Solihull in order to sell it.

Section 2 – For everyone

In order to carry out your business you may need to hold other environmental permits or licences that we should know about. For instance, if you carry waste (which includes scrap metal) 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 506 506 or visit www.environment-agency.gov.uk

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**. 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 www.disclosurescotland.co.uk. 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 relevant offences. Possessing a conviction may not automatically prevent you from having a licence if the offence was unrelated to being a scrap metal dealer or it was a long time ago, and you can convince the Council that you are a suitable person.

A basic disclosure certificate is considered to be only valid for a limited time, but can be used to apply to as many Council's as you want within that time. Typically, three months is the longest that you can expect your check to be considered valid.

If you need to list more than one site manager, director, or partner, then please continue on a separate piece of paper setting out the details in the same way as the form.

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

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

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 planning team.

Section 4 – 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.

You need to submit a basic disclosure certificate from Disclosure Scotland along with the application form. You can apply for this certificate at www.disclosurescotland.co.uk. This is because the Home Office has decided that you need to tell the council if you have been convicted of certain offences. Possessing a conviction may not automatically prevent you from having a licence if the offence was unrelated to being a scrap metal dealer or it was a long time ago, and you can convince the council that you are a suitable person.

A basic disclosure certificate is considered to be only valid for a limited time, but can be used to apply to as many Council’s as you want within that time. Typically, three months is the longest that you can expect your check to be considered valid.

You will need to ensure that all your vehicles are roadworthy and legal. You need to have business insurance that allows you to stop and work on the public highway when collecting scrap metal. You must notify your insurer that you use the vehicle to collect scrap metal. Even if your vehicle has insurance, if it does not have this level of cover and you undertake this work you may invalidate your policy and could be liable to action from the Police such as seizure of the vehicle or prosecution. The vehicle must also be taxed and have an MOT.

You must not use a loudspeaker in the street to advertise your trade. This includes any loudspeaker fitted to the outside or inside of the vehicle if it can be heard in the street. It is an offence under the Control of Pollution Act 1974 to do this, and the maximum penalty is £5,000. In addition, if you create other noise using voice or musical instruments, you may be liable to action under laws relating to nuisance or the construction and use of vehicles.

Section 5 – Motor salvage operator

This section asks if you will be salvaging motor vehicles as part of your work. The Scrap Metal Dealers Act 2013 brings together the Scrap Metal Dealers Act 1964 together with Part 1 of the Vehicles (Crime) Act 2001, which means you now only need a scrap metal dealer’s licence. You will need to apply for a site licence to operate as a motor salvage operator.

Section 6 – Bank accounts that will be used for payments to suppliers

This section asks you for the bank details which you will use to pay people for the scrap metal you receive or sell. This is to check that you are not selling the metal for cash, which is illegal. These details will be kept securely by the Council.

Section 7 – Payment

There is a fee to apply for a licence. The fee reflects the cost of processing the application and checking that people are doing what the licence requires. Applications cannot be processed unless the correct fee has been paid, either by credit/debit card, cheque or postal order made payable to Solihull MBC.

Section 8 – Criminal convictions

This section asks you to set out any relevant convictions or enforcement activity that has been undertaken against you by a Council, the Environment Agency, Natural Resources Wales or any other relevant authority. It is an offence under the Scrap Metal Dealers Act 2013 to 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 Council, the Police, the Environment Agency and Natural Resources Wales. See below for a list of relevant offences.

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, the Environment Agency, and 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 can be found in the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013. The relevant offences are listed below. A conviction for one of these offences, or for offences of attempting or conspiring to commit any of these offences or inciting or aiding, abetting, counselling or procuring the commission of any of these offences or encouraging or assisting one of these offences (as contained in the Serious Crime Act 2007) must be declared.

Being charged or summonsed for any of these offences must also be declared.

If 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 must also be declared.

Primary Legislation

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

An offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal

An offence under section 110 of the Environment Act 1995

An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990

An offence under section 9 of the Food and Environment Protection Act 1985

An offence under section 1 of the Fraud Act 2006, 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

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

Any offence under the Scrap Metal Dealers Act 1964

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, 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

An offence under sections 85, 202, or 206 of the Water Resources Act 1991

Secondary Legislation

An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007

An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010

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

Any offence under the Hazardous Waste (Wales) Regulations 2005

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

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

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

Any offence under the Transfrontier Shipment of Waste Regulations 1994

Any offence under the Transfrontier Shipment of Waste Regulations 2007

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

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