

Application for a Scrap Metal

Dealer's Licence



Winchester
City Council

Please note that in support of this application you and any Partners (if relevant), must provide copies of proof of identity and address i.e. passport, UK driving licence, utility bills etc.

I/We hereby apply for a Scrap Metal Dealer's Licence under the Scrap Metal Dealers' Act 2013 as follows.

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| 1. General information (all applicants must complete this section) | |
| | What type of licence are you 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 registered company <input type="checkbox"/> A partnership <input type="checkbox"/> Please state your trading name: Is this application for: (please tick): Grant of a new licence <input type="checkbox"/> or renewal <input type="checkbox"/> of an existing licence If a renewal, please provide your existing licence number: |
| 2. Application by an Individual (complete this section only if the application is by an individual) | |
| | 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): Surname: Forenames: Maiden name or any other surnames you have been known by: Date of birth: Home address: Postcode: Position/Role in the business: I attach a Basic Disclosure Certificate issued for the applicant: Yes <input type="checkbox"/> No <input type="checkbox"/> (please tick) If you do not provide a disclosure certificate your application may be delayed or rejected. |
| 3. Application by Partnership (complete this section only if the application is by a partnership) | |
| | You must supply information in respect of every 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 (please state): Surname: Forenames: Maiden name or any other surnames you have been known by: Date of birth: Home address: Postcode: I attach a Basic Disclosure Certificate issued for the applicant : Yes <input type="checkbox"/> No <input type="checkbox"/> (please tick) |
| | 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): Surname: Forenames: Maiden name or any other surnames you have been known by: Date of birth: Home address: Postcode: I attach a Basic Disclosure Certificate issued for the applicant : Yes <input type="checkbox"/> No <input type="checkbox"/> (please tick) |

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| 4. | Application by a Registered Company (complete this section only if the application is by a registered company) | |
| | Registered company name: Registration number: Address of the company's registered office: Postcode: | |
| | Please provide the following details for every director, shadow director and the company secretary – where necessary please use a continuation sheet. | |
| | Role: 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): Surname: Forenames: Maiden name or any other surnames you have been known by: Date of birth: Home address: Postcode: I attach a Basic Disclosure Certificate issued for the director : Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| | Role: 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): Surname: Forenames: Maiden name or any other surnames you have been known by: Date of birth: Home address: Postcode: I attach a Basic Disclosure Certificate issued for the director : Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 5. | Contact Details (all applicants must complete this section) | |
| | We will use your business address to correspond with you unless you indicate we should use your home address | |
| | Business Address: | Telephone numbers |
| | Postcode: | Daytime: Evening: Mobile: |
| | Home address: | Email address: |
| | Postcode: | Website address: |
| | Please use my home address for correspondence Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 6. | Current permits, registrations and licences (all applicants must complete this section) | |
| | Please provide details of any relevant environmental permit, exemption or registration with the Environment Agency or Natural Resources Wales in relation to the applicant: | |
| | Type: Ref. no.: Type: Ref. no.: Type: Ref. no.: Continue on a separate sheet if necessary | |
| | Please provide details of any site or collector's licence granted to the applicant by any other local authority: | |
| | Name of Local Authority registering/licensing: Type: Site <input type="checkbox"/> Collector <input type="checkbox"/> Ref. no.: Address of site: Postcode: | |
| | Name of Local Authority registering/licensing: Type: Site <input type="checkbox"/> Collector <input type="checkbox"/> Ref. no.: Address of site: Postcode: | |

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| | Please list separately any scrap metal dealer or motor salvage registrations held by the applicant before 1 st October 2013. | |
| | Please continue on a separate sheet if necessary. | |
| 7. | Motor Salvage Operator (all applicants must complete this section) | |
| | <p>Will your business be that of a motor salvage operator? This is defined as a business which consists:</p> <p>(a) <i>wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale and subsequently selling or otherwise disposing of the rest of the vehicle for scrap,</i></p> <p>(b) <i>wholly or mainly in buying written-off vehicles and subsequently repairing and reselling them,</i></p> <p>(c) <i>wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b), or</i></p> <p>(d) <i>wholly or mainly in activities falling within paragraphs (b) and (c).</i></p> <p>(please tick) Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>To act as a motor salvage operator you will need to apply for a site licence.</p> | |
| 8. | Site Licence (complete this section only if you are applying for a site licence) | |
| | <p>A site licence authorises the licensee to carry on business at a site or sites in the authority's area. You can apply to licence multiple sites using this form. You cannot hold both a site licence and a collector's licence in the same local authority area.</p> <p>Site details. Please list the details for each site where you propose to carry on business as a scrap metal dealer in this local authority area. If you operate more than two sites in the area please provide details for each site on a continuation sheet. Please note that if the applicant operates multiple sites within a licensing authority area, provision should be made for more than one site manager.</p> <p>Details of each site where you intend to carry out business as a scrap metal dealer:</p> | |
| | Site 1 | Site manager's details |
| | Trading name: Address: Postcode: Phone number: Email address: Website address: Has planning permission been obtained for the use of the site? Yes <input type="checkbox"/> No <input type="checkbox"/> | 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): Surname: Forenames: Home address: Postcode: Date of birth: |
| | A Basic Disclosure Certificate for the site manager is enclosed: Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| | Site 2 | |
| | Trading name: Address: Postcode: Phone number: Email address: Website address: Has planning permission been obtained for the use of the site? Yes <input type="checkbox"/> No <input type="checkbox"/> | 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): Surname: Forenames: Home address: Postcode: Date of birth: |
| | A Basic Disclosure Certificate for the site manager is enclosed: Yes <input type="checkbox"/> No <input type="checkbox"/> | |

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| 9. | Collector's Licence (complete this section only if you are applying for a collector's licence) | |
| | A collector's licence authorises the licensee to carry out business as a mobile collector in the authority's area only. You cannot hold both a collector's licence and a site licence in the same local authority area. | |
| | Details of vehicles used to collect scrap metal: | |
| | Registration number: Model: Where is the vehicle stored when not in use (give full address)? | Make: Colour: |
| | Registration number: Model: Where is the vehicle stored when not in use (give full address)? | Make: Colour: |
| | Please continue on a separate sheet if necessary. | |
| 10. | Bank Account Details (all applicants must complete this section) | |
| | Please provide details of the bank accounts 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 continue on a separate sheet. | |
| | Account name: Sort code: - - Account number: | Account name: Sort code: Account number: |
| 11. | Criminal Convictions (all applicants must complete this section) | |
| | <p>Have you, any partners in the business, any directors of the company, or any site manager mentioned 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).</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> (please tick)</p> <p>If "yes" you must provide details for each conviction/enforcement action, the date of the conviction/enforcement action, the name and location of the convicting court, offence of which you were convicted/the nature of the enforcement action and the sentence/penalty imposed:</p> | |
| 12. | Payment (all applicants must complete this section) | |
| | I will pay the application fee for a scrap metal dealer's licence by: Debit or credit card <input type="checkbox"/> Cheque <input type="checkbox"/> Cash <input type="checkbox"/> (please tick) | |
| 13. | Checklist (all applicants must complete this section) | |
| | The form is fully completed, signed and dated by each individual, partner or the company secretary | <input type="checkbox"/> |
| | The original basic disclosure certificates are enclosed for: individual applicant / all partners / all company directors / all site managers | <input type="checkbox"/> |
| | The fee is enclosed | <input type="checkbox"/> |

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| 14. | Declaration (all applicants must complete this section) |
| | <p>The information contained in this form is true and accurate to the best of my/our knowledge and belief. I/we understand that if I/we make a material statement knowing it to be false, or if I/we recklessly make a material statement which is false, I/we will be committing an offence under paragraph 5 of Schedule 1 to the Scrap Metal Dealers Act 2013, for which I/we may be prosecuted, and liable, on summary conviction, to fine not exceeding level 3 on the standard scale (currently £1000).</p> <p>I/we understand that Winchester City Council may consult other agencies about my/our 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.</p> <p>I/we understand that the purpose of the sharing of this data is to form a full assessment of my/our suitability to be licensed as a scrap metal dealer. I/we also understand that the sharing of information about me/us 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.</p> <p>Please note that the licensing authority may be required by law to disclose, from time to time, further information relating to applications and licences to the appropriate authorities for the purposes of law enforcement and the prevention of fraud.</p> <p>I/we hereby expressly consent to this processing of my/our data and display of relevant information on the public register.</p> |
| | An individual applicant (section 2) or all partners (section 3) or the company secretary (section 4) must complete this section |
| | <div> <div>Signed: _____ Dated _____</div> <div>Name _____</div> <div>(please print) _____</div> <div>Capacity of _____</div> <div>signatory: _____</div> </div> |
| | <div> <div>Signed: _____ Dated _____</div> <div>Name _____</div> <div>(please print) _____</div> <div>Capacity of _____</div> <div>signatory: _____</div> </div> |
| | <div> <div>Signed: _____ Dated _____</div> <div>Name _____</div> <div>(please print) _____</div> <div>Capacity of _____</div> <div>signatory: _____</div> </div> |
| | <div> <div>Signed: _____ Dated _____</div> <div>Name _____</div> <div>(please print) _____</div> <div>Capacity of _____</div> <div>signatory: _____</div> </div> |

Notes for Guidance – Scrap Metal Dealer’s Application

Please read these notes in full before completing the form.

For every individual named in the application (individual applicants, partner, company director or site manager), a Basic Disclosure Certificate must be obtained from Disclosure Scotland. You can apply for this certificate at www.disclosurescotland.co.uk/apply/individuals/. The original certificates must accompany the completed application and must be no more than three months old when the application is received. These certificates will be returned to you.

This is because the Home Office has decided that any person listed on the application must tell the council if they have been convicted of certain crimes. A conviction may not automatically prevent a licence from being granted if the offence was unrelated to business as a scrap metal dealer or a long time ago, and the council is satisfied that you are a suitable person to hold a licence.

A Basic Disclosure Certificate is considered to be only valid for a limited period, but can be used to accompany as many applications as you wish within that time. Typically, three months is the longest period that a disclosure certificate can be considered valid.

Section 1 – general information – all applicants

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 several 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 – application by an individual

If you wish to apply for a licence in your sole name complete this section (and enclose a Basic Disclosure Certificate for the individual).

Section 3 – application by a partnership

If you carry on business as a partnership, complete this section (and enclose a Basic Disclosure Certificate for each partner).

Section 4 – application by a company

If the applicant is a legally established company, complete this section (and enclose a Basic Disclosure Certificate for each director and the company secretary).

Section 5 – contact details – all applicants

Indicate in this section how and where we should communicate with to you.

Section 6 – current permits, registrations and licences – all applicants

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 with the Environment Agency 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 visit: www.environment-agency.gov.uk/wastecarriers or call: 03708 506 506.

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

Section 7 – motor salvage operator – all applicants

Complete this to indicate whether your business will be that of a motor salvage operator.

This section asks if you will be salvaging motor vehicles as part of your business. The Scrap Metal Dealers Act 2013 replaces both the Scrap Metal Dealers Act 1964 and 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 8 – site licences

Fill out this section if you want to apply for a **site licence**. Give details of the sites in Winchester City Council's area, where you carry on or propose to carry on business as a scrap metal dealer and the details of the manager who is responsible for each site, including their home address. These details are required by law, to facilitate checks on the applicant and so that contact can be made if there are any problems. Enclose a Basic Disclosure Certificate for each site manager.

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

If any of your sites were established after 1990, 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's planning department.

Section 9 – collector's licences

Fill out this section if you want to apply for a **collector's licence**. You are asked to provide details of every vehicle used to collect scrap metal, together with details of the place where the vehicle is stored when not in use.

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 10 – bank account details

This section asks you for the bank account 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 11 – 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 12 – payment

There is a fee to apply for a licence which reflects the council's costs of processing applications, issuing licences and ensuring that licence holders comply with the legislation. Applications cannot be accepted unless the correct fee has been paid.

Section 13 - checklist

If you fail to complete the form and include all the documents required, your application may be rejected.

Section 14 – declaration

The declaration must be signed and dated by each individual or each partner or the secretary of the company applying for a licence. This section also explains that the council is required to share some of the information contained in the form with the police, the Environment Agency, or Natural Resources Wales when checking whether the applicant is a suitable person to hold a licence. Some of the information will also be displayed on a public register held by the Environment Agency.

If you do not agree to this use of your information then you should **not** sign the form and you will not be able to apply for a licence. If you are in any doubt about what this section means then speak to the licensing team.

Relevant offences and Enforcement Action

These “relevant offences” and enforcement action are prescribed by the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013. Any of the offences or the enforcement actions listed here must be declared in connection with an application and may affect the suitability of the applicant to hold a licence.

Relevant offences

- (a) section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(1)
- (b) section 170 or 170B of the Customs and Excise Management Act 1979(2), where the specific offence concerned relates to scrap metal
- (c) section 110 of the Environment Act 1995(3)
- (d) sections 33, 34 or 34B of the Environmental Protection Act 1990(4)
- (e) section 9 of the Food and Environment Protection Act 1985(5)
- (f) section 1 of the Fraud Act 2006(6), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g) section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(7)
- (h) sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(8)
- (i) the Scrap Metal Dealers Act 1964(9)
- (j) the Scrap Metal Dealers Act 2013
- (k) sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968(10), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l) Part 1 of the Vehicles (Crime) Act 2001(11)
- (m) sections 85, 202, or 206 of the Water Resources Act 1991(12).
- (n) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(1)
- (o) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(2)
- (p) the Hazardous Waste (England and Wales) Regulations 2005(3)
- (q) the Hazardous Waste (Wales) Regulations 2005(4)
- (r) regulation 17(1) of the Landfill (England and Wales) Regulations 2002(5)
- (s) the Pollution Prevention and Control (England and Wales) Regulations 2000(6)
- (t) the Producer Responsibility (Packaging Waste) Regulations 2007(7)
- (u) the Transfrontier Shipment of Waste Regulations 1994(8)
- (v) the Transfrontier Shipment of Waste Regulations 2007(9)
- (w) the Waste (Electrical and Electronic Equipment) Regulations 2006(10)
- (x) regulation 42 of the Waste (England and Wales) Regulations 2011(11).

Relevant Enforcement Action

- (i.) the person has been charged with an offence specified in the Schedule to the Regulations [*set out as (a) to (x) above*], and criminal proceedings in respect of that offence have not yet concluded; or
- (ii.) an environmental permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 (1) has been revoked in whole, or partially revoked, to the extent that the permit no longer authorises the recovery of metal

Contacting the Environmental Health Service:

If you require further information, you may contact the Licensing Team as follows:

Email: eh@winchester.gov.uk

Post: Environmental Health Service, Winchester City Council, City Offices, Colebrook Street, Winchester SO23 9LJ

Phone: 01962 840222 Ext 2172

In person: Environmental Health Service, City Offices, Colebrook Street, Winchester SO23 9LJ (By appointment only)

Payments

You must pay for your licence application before it can be accepted. We can accept payment by debit or credit card, by cheque or in cash. Please note that a subsequent failure of a cheque to clear will invalidate your application and may give rise to a criminal offence.