



Elmbridge Borough Council

... bridging the communities ...

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New/Renewal Application for a Scrap Metal Site and/or Collectors Licence

Scrap Metal Dealers Act 2013

Before completing this form, please read the attached notes

Section 1. (for all applicants)

Please indicate the type of licence you are applying for (please tick):

A site licence A collector's licence

Are you applying as (please tick):

An individual A company A partnership

Please state 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

Renewal of an existing licence under the scrap Metal Dealers Act 2013

Description of Activities

Please describe in full the nature of the activity which you intend to carry on for which you consider a licence is required. For example, will your activity consist of collecting/processing solely scrap metal or will there be other waste etc. involved? If carrying on a business, what proportion of turnover (by %) do you envisage deriving from the sale of scrap metal? If your business will be mixed, what other activities are being carried on?

(Please include all relevant information. You should continue on separate sheet of paper if necessary)

Section 2. Permits, registrations and licences in force (for all applicants)

Please provide details of any relevant environmental permit, exemption or registration in relation to the applicant eg waste carrier, broker, dealer: You should continue on a separate sheet if necessary

Type: Identifying number: Date of issue:

Type: Identifying number: Date of issue:

Type: Identifying number: Date of issue:

Please provide details, including licence number, of any scrap metal licence issued to the applicant within the last 3 years (please use a continuation sheet if necessary):

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

N.B- A site licence authorises the licensee to carry on business at a site in the authority's area. You can apply as an individual, partnership or company to licence multiple sites using this form.

Details of prospective licence holder

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:

Address:

Town/City:

Postcode:

Email address:

Home address:

House name or number:

Address:

Town/City:

Postcode:

Email address:

Please use my home address for correspondence (Please ensure you provide us with a postal address)

Contact telephone numbers: Daytime: Evening: Mobile:	
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. [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: Address: Town/City: Postcode: Telephone number: Email address: Website address:	Name: ¹ House name or number: ² Address: Town/City: Postcode: Date of Birth: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ³
Site 2 Name or number: Address: Town/City: Postcode: Telephone number: Email address: Website address:	Name: House name or number: Address: Town/City: Postcode: Date of Birth: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>
If established after 1 November 1990, do you have relevant planning permission for the site/s? (please tick) Yes <input type="checkbox"/> No <input type="checkbox"/>	

¹ Please also state your maiden name or any other surnames you have previously been known by.

² Please provide the site manager's home address as this will facilitate conducting checks on whether they are a suitable person.

³ 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.

Individuals (Please complete this section if you are applying as an individual only)	
Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
Surname:	Forenames:
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 issued for the applicant by Disclosure Scotland ⁴ : Yes <input type="checkbox"/> No <input type="checkbox"/> If you do not provide a disclosure certificate 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)	
1.Full name: ⁵ Date of birth: Residential address: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁶	2.Full name: Date of birth: Residential address: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>

Companies (If you are applying as a company please provide the details set out below about the company)
Company name: Company registration number: Address of the registered office:

⁴ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.

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.

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:	Role:
Name:	Name:
Date of Birth:	Date of Birth:
House name or number:	House name or number: ⁸
Address:	Address:
Town/City:	Town/City:
Postcode:	Postcode:
Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁷	Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>

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:

1. Site address:

Postcode:

Please name the local authority which will or has licensed this site,:

2. Site address:

Postcode:

Please name the local authority which will or has licensed this site,:

Please continue on a separate sheet of paper if necessary.

Now go to **Section 5**

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.

Section 4. TO BE COMPLETED IF APPLYING FOR A COLLECTOR'S LICENCE ONLY**N.B- A collector's licence authorises the licensee to carry out business as a mobile collector in the authority's area only.****Details of prospective licence holder****Companies/Partnerships** (If you are applying as a company/partnership please provide the details set out below about the company/partnership)

Company name:

Trading name (if different):

Company registration number:

Individuals (If you are applying as an individual please provide the details set out below)

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:

House name or number:

Address:

Town/City:

Postcode:

Home address:

House name or number:

Address:

Town/City:

Postcode:

Email address:

 Please use my home address for correspondence (Please note that you must still provide us with a postal address)

Contact Telephone numbers:

Daytime:

Evening:

Mobile:

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

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

Section 7. Payment (For all applicants)

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

Cheque (please make payable to Elmbridge Borough Council)

I wish to pay by Debit/Credit Card (if you tick this box, we will call you for the payment, please provide the best telephone number to contact you on to do so)

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 Part 1 and Part 2).

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 (To be signed by all persons)

The information contained in this form is true and accurate to the best of my 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 Schedule 1 Para 5 of the Scrap Metal Dealers Act 2013, for which I/we may be prosecuted, and if convicted, fined.

I/we understand that the local authority to whom I/we 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/we 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/we 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/we hereby expressly consent to this processing of my data and display of relevant information on the public register.

Print Name: _____ Position/Role: _____

Signed: _____ Date: _____

Print Name: _____ Position/Role: _____

Signed: _____ Date: _____

Print Name: _____ Position/Role: _____

Signed: _____ Date: _____

Checklist

I/we have signed the form	<input type="checkbox"/>
I/we have enclosed all relevant disclosures as required	<input type="checkbox"/>
I have enclosed a copy of a bank statement evidencing bank account(s) details provided at Section 6	<input type="checkbox"/>
I have enclosed 2 x Passport style photographs for each collector (Collectors Licence Only)	<input type="checkbox"/>
I have enclosed a cheque for the payment of the relevant fee or;	<input type="checkbox"/>
I wish to pay for my application by debit/credit card	<input type="checkbox"/>

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

If you need more help in completing the application then please contact the licensing team on 01372 474748.

Guidance notes for applicants

Section 1

This section asks if you are applying for a collector's licence or a site licence. You may only apply for one type of licence in each council area, but you can apply to run multiple sites. For instance, you could apply to run 3 sites in council A's area, and also apply to be a collector in council B's area.

A company, partnership or person that operates primarily as a mobile collector may still need to be licensed as a site rather than a mobile collector if it has an office base, or a yard for storing vehicles etc. Licensing authorities will have to make a determination based on the type of activity, which could include administering staff and complying with health and safety or employment law.

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

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 licences only

Fill out this section if you want a **site licence**. It should be filled out in the name of the company, partnership or person who will hold the scrap metal dealer's licence. As well as details about the 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/>

This is because the Home Office has decided that you and any person listed on the application need to tell the council if you have been convicted of certain crimes. Possessing a conviction may not automatically prevent you from having a licence if the offence was unrelated to being a scrap metal dealer or a long time ago, and you can convince the council that you are a suitable person.

A Basic Disclosure Certificate is valid for a period of 3 months.

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

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

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

We also want to know if you operate or propose to operate a site in another local authority area, along with details of this site, the council which has licensed it or to whom you have applied for a licence.

If your site(s) were established after 1990, then you are required to have planning permission from the council. You will need to tell us if this is the case, and it will be checked with the council planning department.

Section 4 – For a collector’s licence only

Fill out this section if you want a **collector’s licence**. It should be filled out in the name of the company, partnership, or 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 <http://www.disclosurescotland.co.uk/apply/individuals/>

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

A Basic Disclosure Certificate is valid for a period of 3 months.

You will need to ensure that all your vehicles are roadworthy and are properly taxed, insured and otherwise meet the legal requirements to be on the road.

Section 5 – Motor salvage operator

This section asks if you will be salvaging motor vehicles as part of your work. The Scrap Metal Dealers Act 2013 brings together the Scrap Metal Dealers Act 1964 together with Part 1 of the Vehicles (Crime) Act 2001, which means you now only need a scrap metal dealer’s licence. 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. You cannot ‘pay’ for goods in kind (with goods or services).

Section 7 – Payment

Cheques should be made payable to Elmbridge Borough Council and enclosed with all applications. Alternatively, if you wish to pay by debit or credit card, please tick the relevant box of the enclosed application form and a member of staff will contact you shortly after your application is received to organise this. Please note that credit card payments incur a charge. Applications where the fee is not received will not be processed. Please see separate fee and charges sheet.

Section 8 – Criminal convictions

This section asks you or any named person to set out any relevant convictions or enforcement activity that has been undertaken against you (see relevant offences overleaf). 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 or other enforcing agencies.

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

PART 1 Primary Legislation

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(1)
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979(2), where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995(3)
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(4)
- (e) An offence under section 9 of the Food and Environment Protection Act 1985(5)
- (f) An offence under section 1 of the Fraud Act 2006(6), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g) An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(7)
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(8)
- (i) Any offence under the Scrap Metal Dealers Act 1964(9)
- (j) Any offence under the Scrap Metal Dealers Act 2013
- (k) An offence under sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968(10), where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l) Any offence under Part 1 of the Vehicles (Crime) Act 2001(11)
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991(12).

PART 2 Secondary Legislation

- (a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(13)
- (b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(14)
- (c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005(15)
- (d) Any offence under the Hazardous Waste (Wales) Regulations 2005(16)
- (e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002(17)
- (f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(18)
- (g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(19)
- (h) Any offence under the Transfrontier Shipment of Waste Regulations 1994(20)
- (i) Any offence under the Transfrontier Shipment of Waste Regulations 2007(21)
- (j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(22)
- (k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(23).

Source: <http://www.legislation.gov.uk/ukxi/2013/2258/schedule/made>