



**APPLICATION FOR
SCRAP METAL DEALER'S LICENCE
(Site Licence/Collector's Licence)
GUIDANCE NOTES**

**LICENSING TEAM
REGULATORY SERVICES
TOWN HALL
MATLOCK
DERBYSHIRE
DE4 3NN**

Enquiries: (01629) 761313
Email: licensing@derbyshiredales.gov.uk

Help with completing your application for a Scrap Metal Dealer's Licence

If you require further assistance in completing the application then you can contact the Council's Licensing Team on 01629 761313.

Section 1 – For everyone

This section asks if you are applying for a Collector's Licence or a Site Licence. You may only apply for one type of licence in each Council area, but you can apply to run multiple sites. For instance, you could apply to run 3 sites in Council A's area but require only one Site Licence.

A **Site Licence** lets you buy and sell scrap metal from a fixed location within the Council's area.

A **Collector's Licence** allows you to travel within the Council's 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 – For everyone

In order to carry on your business you may need to hold other environmental permits or licences that we should know about. For instance, if you carry waste as part of your business it is a legal requirement to register as a waste carrier. This includes transporting waste while travelling from job to job, to a storage place for disposal later, or to a waste disposal company or waste site.

For more information on this, or to register call 03708 506506 or visit: www.environment-agency.gov.uk/wastecarriers

This section also asks for details of any other scrap metal licences you hold. Please make sure you include the licence number so that we can check this against the national register.

Section 3 – For Site 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. These details are required by law so that you can be contacted if there are any problems.

Criminal Records Check

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/> or Tel: 0870 6096006.

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. Based on the evidence you supply, the Council may still consider that you are a suitable person to hold a licence.

A Basic Disclosure Certificate is considered to be valid for a limited time only, but the same certificate 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 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. You will probably need a different site manager for each site on the licence.

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 the one which is dealing with your application.

If your site was established after 1990, then you are required to have planning permission. You will need to tell us if this is the case, and it will be checked with Derbyshire County Council's Planning Department.

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.

Criminal Records Check

You need to submit a Basic Disclosure Certificate from Disclosure Scotland with your application form. You can apply for this certificate at: <http://www.disclosurescotland.co.uk/apply/individuals/> or Tel: 0870 6096006.

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. Based on the evidence you supply, the Council may still consider that you are a suitable person to hold a licence.

A Basic Disclosure Certificate is considered to be valid for a limited time only, 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.

We also ask for details of the place where you will store any collected scrap metal before taking it to a licensed site to dispose of it.

Please note that you are not allowed to sell or buy metal at this storage site and doing so is an offence. This may be a licensed site that you operate in another Council's area.

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.

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 for a Scrap Metal Dealers' licence, whether you are applying for a Site Licence or collectors licence. 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. (01629 761313)

Relevant offences

These are detailed in The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Enforcement Action) Regulations 2013 which came into force on 1st October 2013. These can be found using the following link:

http://www.legislation.gov.uk/ukxi/2013/2258/pdfs/ukxi_20132258_en.pdf

Licensing Section, Derbyshire Dales District Council, Town Hall, Matlock, DE4 3NN
October 2013. (Revised August 2015).

