

Application for a Scrap Metal Licence

All applicants are advised to read the accompanying notes before completing this application form.

Applicants must make an appointment with the Licensing Section to check this form and to have criminal disclosure form reviewed and copied. Appointments are only available on Tuesdays and Thursdays between 10:00 and 12:00 and 14:00 and 16:00. Telephone 01636 655894/655236.

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:

SECTION 2. Permits, registrations and licences in force

Please provide details of any relevant environmental permit, exemption or registration (such as a scrap metal dealer or a motor salvage operator) in relation to the applicant:

Type	Identifying Number	Date of issue

Please provide details, including licence number, of any other scrap metal licence issued under the Scrap Metal Dealer Act 2013 by any authority to the applicant within the last 3 years (please use a continuation sheet if necessary):

Are you registered as a waste carrier? (please tick)

Yes No

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

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 to licence multiple sites using this form.

Details of prospective licence holder

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 or family name Any previous surname or family name	Forename or personal name Any previous forename of personal name.
---	--

Position/Role in the business:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland
Yes No
If you do not provide a disclosure certificate your application may be delayed or rejected.

This box for office use only

D/N Dated Name Clear (Y/N)

ID seen (Y/N) Details

Contact details (we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address:

Home Address

Contact Telephone numbers:

Email address

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) * 2 Photos required please see checklist

Site 1 – Full postal Address

Name:

Address:

:

Telephone number:

Date of Birth:

Email address:

Basic Disclosure certificate attached:

Website address:

Yes No

This box for office use only

D/N

Dated

Name

Clear (Y/N)

ID seen (Y/N)

Details

<p>Site 2 – Full postal address</p> <p>Telephone number:</p> <p>Email address:</p> <p>Website address:</p>	<p>Name:</p> <p>Address</p> <p>Date of Birth:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
---	---

This box for office use only			
D/N	Dated	Name	Clear (Y/N)
ID seen (Y/N)	Details		

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>Residential address:</p> <p>Date of birth:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Full name:</p> <p>Residential address:</p> <p>Date of birth:</p> <p>Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
---	---

This box for office use only			
D/N	Dated	Name	Clear (Y/N)
ID seen (Y/N)	Details		
This box for office use only			
D/N	Dated	Name	Clear (Y/N)
ID seen (Y/N)	Details		
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:			
Trading Name:			
Address:			

SECTION 4. TO BE COMPLETED IF APPLYING FOR A COLLECTOR'S LICENCE	
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	
* 2 Photos required please see checklist	
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 or family name	Forename or personal name
Any previous surname or family name	Any previous forename of personal name.

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

Yes No

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

This box for office use only

D/N	Dated	Name	Clear (Y/N)
-----	-------	------	-------------

ID Seen (Y/N)	Details
---------------	---------

Contact details (we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address:

Home address:

Telephone numbers:

Email address

Will scrap metal that has been purchased be stored before further disposal?

Will be stored

Will not be stored

If it is to be stored please give the full postal address

Address:

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

SECTION 6. 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).

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:

Date of conviction	Offence	Type and name of court	Sentence or Order of the Court

Are you currently under investigation for any criminal offence Yes/No

If yes please give details:

**SECTION 7. 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 8. PAYMENT (For all applicants)

This application is only valid if accompanied by the correct fee for the licence to which the application relates.

The fees for 2018/19 are:

Site Licence £375

Collectors Licence £150

Cheques should be made payable to Newark and Sherwood District Council. Other methods of payment are available.

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.

Signed:

Date:

Application checklist

- Have you paid the relevant fee online?
<https://www.civicaepay.co.uk/NewarkEstore/estore/default/Catalog/Index?newSearch=False>
Receipt number..... Date paid.....
- Have you signed the declaration?
- Have you enclosed two passport photographs?
- Have you identified all relevant partners/directors?
- Have you enclosed a Basic Disclosure Certificate for all the relevant parties?
- Have you declared relevant convictions?
- Have you made an appointment to see the Licensing Officer? (tel :01636 655894)
- Please bring with you a form of photographic identification (e.g. passport, photo driving licence)
- Please bring records of your transactions from the previous 12 months. (i.e. scrap bought, sold or collected). This only applies if you wish to renew your licence
- Applicants must demonstrate entitlement to work in the UK**

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

If you need more help in completing the application then call your local council licensing team. They will be happy to help.

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, and also apply to be a collector in council B's area.

Site licence

All the sites where a licensee carries on business as a scrap metal dealer have to be identified, and a site manager has to be named for each site. This licence allows the licensee to transport scrap metal to and from those sites from any local authority area.

Collector's licence

This allows the licensee to operate as a collector in the area of the issuing local authority. It does not allow the collector to operate in any other local authority area, so a separate licence has to be obtained from each council the collector wishes to operate in. The licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.

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 and also 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 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 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 photographic licence will be issued to the site manager therefore two passport type photographs are required with this application.

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

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. . A photographic licence will be issued to the collector, therefore two passport type photographs are required with this application.

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 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.

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. 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 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– 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 7 – 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 8 – 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 of 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 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

The below list has been confirmed in Home Office Regulations as relevant offences:

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

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

An offence under section 110 of the Environment Act 1995(3)

An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990(4)

An offence under section 9 of the Food and Environment Protection Act 1985(5)

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

An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(7)

An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(8)

Any offence under the Scrap Metal Dealers Act 1964(9)

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(10), 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(11)

An offence under sections 85, 202, or 206 of the Water Resources Act 1991(12).

An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(13)

An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(14)

Any offence under the Hazardous Waste (England and Wales) Regulations 2005(15)

Any offence under the Hazardous Waste (Wales) Regulations 2005(16)

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

Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(18)

Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(19)

Any offence under the Transfrontier Shipment of Waste Regulations 1994(20)

Any offence under the Transfrontier Shipment of Waste Regulations 2007(21)

Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(22)

An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(23).

General Data Protection Regulation (GDPR) 2016 Privacy Notice

The personal information you provide will only be used by Newark and Sherwood District Council, the Data Controller, in accordance with General Data Protection Regulation 2016 to:

process your application

or

undertake a statutory function

The basis for processing this information is to enable the council to undertake a public task or to provide the service that you are requesting.

Your personal information will be shared with statutory bodies in connection with the above purpose. Some of your personal information will be included in a public register in accordance with our statutory responsibility. Such public information may also be disclosed if requested under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004

Your personal data will be kept in accordance with the Council's retention policy and schedule. Details of which can be found on in the council's asset register on our website:

<http://www.newark-sherwooddc.gov.uk/yourcouncil/makingarequestforinformation/re-useofpublicsectorinformationregulations/>

In accordance with GDPR you have a right to:

have a copy of the personal information that we hold about you. Details of how to obtain this are <http://www.newark-sherwooddc.gov.uk/dataprotection/>

Complain to the Information Commissioner if you feel that your information is not being handled appropriately <https://ico.org.uk/>

You may also have a right

- to prevent automated processing and profiling
- to erasure (also known as the right to be forgotten)
- to stop processing
- to data portability

For further details about how your information may be used or about your rights under this legislation and any subsequent data protection legislation, please contact the Council's Information Governance Officer on 01636 655216 or via email on freedom@nsdc.info