



## **SCRAP METAL DEALERS ACT 2013 GUIDANCE FOR APPLICANTS**

### **INTRODUCTION**

The Scrap Metal Dealers Act 2013 came into force on the 1<sup>st</sup> October 2013 and replaced the previous registration system for scrap metal dealers. Under the new legislation the definition of scrap metal dealers also includes motor salvage operators.

Any person who carries on a business of buying or selling scrap metal or carries on business as a motor salvage operator will be required to apply for a licence under the new Act.

### **LICENCES**

#### **Site Licence**

A site licence authorises the licensee to carry on business at any specified site in the authority's area and allows the transportation of scrap metal to and from any of the sites specified on the licence from any local authority area.

Upon application, all the sites where a licensee carries on business must be identified, and a site manager has to be named for each site.

A "Site manager" means the individual who exercises day-to-day control and management of activities at the site.

#### **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.

A Collector's Licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.

*Note: A dealer can only hold one type of licence in any one local authority area. They have to decide whether they are going to have a site or a mobile collector's licence in any one area. They cannot hold both a site and collector's licence from the same council.*

## APPLICATION PROCESS

An application form for a 'Site Licence' **or** 'Collector Licence' should be completed and signed. The application may be typed or written legibly in block capitals in black ink, ensuring all answers are inside the boxes.

Applications should be submitted to the council (see page 5 for details) and must be accompanied by the relevant fee (see the attached schedule of fees).

Please be advised that fees for collector licences cannot be refunded. However, if a site licence is not granted a part of the fee will be refunded on written request.

A Basic Disclosure certificate should also be included for;

- a) the applicant(s) or, in the case of a company, any director, secretary, partner or shadow secretary of that company; and
- b) all Site Managers (Site Licences only).

Such certificates shall be issued no earlier than one calendar month prior to submitting an application.

*\*For more information or to apply for a Basic Disclosure, visit the Disclosure Scotland website at [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk).*

Upon receipt of an application the Council may consult with the following bodies:

- Cleveland Police
- Other licensing authorities
- Redcar & Cleveland BC Environmental Protection
- Redcar & Cleveland BC Trading Standards
- The Environment Agency

This consultation period will normally continue for a period of 28 days.

If the council proposes to refuse the application, a notice will be given to the applicant which sets out the reason for the proposal. The applicant will then have a period of 21 days in which to make representations about the proposal, or inform the council of his or her intention to make representations.

In the event the applicant does not make representations about the proposal, the application will be refused.

In the event the applicant makes representations about the proposal, the matter will be referred to a licensing sub-committee for determination.

Should the council refuse an application, the applicant may appeal to a magistrates' court within 21 days beginning on the day the council gives the applicant notice of its decision.

## DISPLAY OF LICENCES

A copy of a site licence must be displayed at each site identified in the licence. The licence must be displayed in a prominent place in an area accessible to the public.

A scrap metal dealer who holds a collector's licence must display a copy of the licence on any vehicle that is being used in the course of the dealer's business. The licence must be displayed in a position which enables it to be easily read from outside the vehicle.

## VERIFICATION OF A SUPPLIER'S IDENTITY

A scrap metal dealer must not receive any scrap metal from a person without first verifying that person's name. Verification must be by reference to documents, data or other information as follows;

To verify a person's name and address, a dealer should refer to;

- a) any document listed in Group A below which bears the person's full name, photograph and residential address; or
- b) a document listed in Group A which bears the full name, photograph and date of birth, **and** a supporting document listed in Group B which bears the person's full name and residential address.

The dealer must keep a copy of any such documentation that has been used to verify a supplier's identity.

### Group A

- a valid United Kingdom passport, within the meaning of section 33(1) of the Immigration Act 1971(1)
- a valid passport issued by an EEA state
- a valid Great Britain or Northern Ireland photo-card driving licence
- a valid UK biometric immigration document, issued in accordance with regulations made under section 5 of the UK Borders Act 2007(2)

### Group B\*

- a bank or building society statement
- a credit or debit card statement
- a council tax demand letter or statement
- a utility bill (but not a mobile telephone bill)

*\*Group B documents must have been issued no earlier than 3 months prior to the receipt of the scrap metal*

## **PAYING FOR SCRAP METAL**

A scrap metal dealer must not pay for scrap metal except by a cheque which is not transferable, or by an electronic transfer of funds (authorised by a debit or credit card).

If the payment is made by cheque, the dealer must keep a copy of this cheque.

If the payment is made by an electronic transfer, the dealer must keep a copy of the receipt or, if there was no receipt, the dealer must record the particulars of the transfer.

## **RECORDS**

The dealer must keep the following records for a period of 3 years beginning from either the date of the receipt of the metal or (as the case may be) the date the metal was disposed of:

When receiving scrap metal a dealer must record the following information;

- a) the description of the metal, including its type, form, condition, weight and any marks identifying previous owners or other distinguishing features;
- b) the date and time of receipt;
- c) if the metal is delivered on a vehicle, the registration number of the vehicle;
- d) if the metal is received from a person, the full name and address of the person;
- e) if the dealer pays for the metal, the full name and address of the person who makes the payment acting for the dealer.

When disposing of any scrap metal, the dealer must record the following information;

- a) the description of the metal, including its type, form, condition and weight;
- b) the date and time of its disposal;
- c) if the disposal is to another person, the full name and address of that person;
- d) if the dealer receives payment for the metal (whether by sale or exchange), the price or other consideration received

When the disposal is in the course of business under a collector's licence, the dealer must record the following information;

- a) the date and time of its disposal;
- b) if the disposal is to another person, the full name and address of that person.

## **NOTIFICATION OF CHANGES**

A licensee who is not carrying on business as a scrap metal dealer must inform the issuing authority within 28 days of that fact.

A licensee must inform the issuing authority within 28 days of any changes to a trading name.

## **CONTACT DETAILS**

Redcar & Cleveland Borough Council  
Licensing & Parking  
Redcar & Cleveland House  
Kirkleatham Street  
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