

## Application for a Scrap Metal Licence

Under The Scrap Metal Dealers Act 2013

### 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

In order to establish your identity, photographic evidence must be produced for each applicant. I am submitting the following document (please tick):

Passport  Driving Licence  Other (please specify)

Please state your trading name:

Is this application for a grant of a new licence, variation or a renewal (please tick the relevant box):

Grant of a new licence  Renewal of an existing licence  Variation of an existing licence

Please provide your existing licence number:

Please include your Tax conditionality check code (9 digits) **Failure to include this number will result in refusal of the application.** First-time applicants must confirm that they are aware of the guidance about their tax obligations by signing a declaration at the end of this application. See Section 1 of the attached guidance.

Check Code:

### 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:

Type: Identifying number: Date of issue:

Continue on a separate sheet if necessary

Do you currently hold, or have held in the last 3 years before this application, the same type of licence with one or more licensing authority, including this licensing body? 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:	Forenames:

Position/Role in the business:

I attach a Basic Check Certificate from Disclosure and Barring Service 1:  
Yes  No   
If you do not provide a basic check your application will 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: Head office name or house name or number: First line of address: Town/City: Postcode:	Telephone numbers: Daytime: Evening: Mobile:
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Home address:  House name or number:  First line of address:  Town/City:  Postcode:	Email address (if you would prefer us to correspond with you by email):          Please note that you must still provide us with a postal address
<b>Site details.</b> 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:  First line of address:  Town/City:  Postcode:  Telephone number:  Email address:  Website address:	Name:  House name or number:  First line of address:  Town/City:  Postcode:  Date of Birth:  <b>Basic Check DBS certificate attached:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>

<p>Site 2</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>Email address:</p> <p>Website address:</p>	<p>Name:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p><b>Basic Check DBS certificate attached:</b>  Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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**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>Date of birth:</p> <p>Residential address:</p> <p><b>Basic Check DBS certificate attached:</b>  Yes <input type="checkbox"/> No <input type="checkbox"/> 1</p>	<p>Full name:</p> <p>Date of birth:</p> <p>Residential address:</p> <p><b>Basic Check DBS certificate attached:</b>  Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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<sup>1</sup> If you do not provide a basic check certificate issued for named persons by Disclosure and Barring Service issued no more than one month before the date of this application your application may be delayed or rejected.

**Companies** (If you are applying as a company, please provide the details set out below about the company)

Company name:

Company Number:

Address of the registered office:

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:

Name:

Date of Birth:

House name or number:

First line of address:

Town/City:

Postcode:

**Basic Check DBS certificate attached:**

Yes  No  <sup>2</sup>

Role:

Name:

Date of Birth:

House name or number:

First line of address:

Town/City:

Postcode:

**Basic Check DBS certificate attached:**

Yes  No

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:

Address:

Postcode:

Please name the local authority which has licensed this site, or to whom applications have been made if before commencement of the Scrap Metal Dealers Act 2013:

<sup>2</sup> If you do not provide a basic check certificate issued for named persons by Disclosure and Barring Service issued no more than one month before the date of this application your application may be delayed or rejected.

**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**

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:

I attach a Basic Check Certificate issued for the applicant by Disclosure and Barring Service 3:  
 Yes  No   
 If you do not provide a basic check your application will 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: First line of address: Town/City: Postcode:	Telephone numbers: Daytime: Evening: Mobile:
Home address: House name or number: First line of address: Town/City: Postcode:	Email address:  Please note that you must still provide us with a postal address

<sup>3</sup> Further information about Basic Check Certificates and Disclosure and Barring Service are set out in the explanatory notes accompanying this form.

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

House name or number:

First line of address:

Town/City:

Postcode:

Will not be stored

Vehicle Registration(s):

**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. BANK ACCOUNTS THAT WILL BE USED FOR ALL PAYMENTS (For all applicants)**

Please provide details of the bank account(s) that will be used for all transactions, 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:

Sort code:

Account number:

Account name:

Sort code:

Account number:

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

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

- Credit Card (You will be contacted the Licensing Section for payment)
- Cheque (please make payable to Hull City Council)
- Cash (Payable at Customer Service Centres. Please add receipt number below)

**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).

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. Use additional paper, if necessary:

<b>Date of when offence was committed</b>	<b>Court/Police Station attended and date</b>	<b>Nature of Conviction and/or Caution</b>	<b>Fine /Sentence/ Penalty Imposed</b>



**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: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_\_\_

*Please continue where required.*

***Data Protection Act 1998. The Council is fully compliant with all aspects of the Data Protection Act 1998 and will not release any information to third parties unless required to do so by law. The information that you provide will be processed for the purpose of determining this application, and during the currency of any licence issued for the purpose of maintaining accurate records and to write to you regarding matters that are related to such a licence. The information provided may be shared with other Council data partners in accordance with the Act.***

**HMRC Tax Conditionality Changes from 4 April 2022**

The rules are changing for applications for:

- scrap metal site licences
- scrap metal collector licences

Licensing authorities must carry out extra checks if an individual, company or any type of partnership applies for a licence:

- to renew
- of the same type they have already held but which has not been valid for a year or more
- applying for the same type of licence you already hold with another licensing authority

First-time applicants must confirm that they are aware of the guidance about their tax obligations.

If the applicant is a partner in a partnership, they can give confirmation on behalf of all the other partners.

**This confirmation must be included with your application form.**

I ..... Full Name in CAPITALS

Of .....

.....

.....

.....

confirm that I am aware of the guidance about my tax obligations which can be found at

<https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022>

.....Signature

..... Date

For office use.

## **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.

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.

**HMRC Tax Conditionality** you'll need to complete a tax check if you're:

- renewing a licence
- applying for the same type of licence you previously held, that ceased being valid less than a year ago
- applying for the same type of licence you already hold with another licensing authority

HMRC advise you must carry out the tax check yourself. You cannot ask a tax agent or adviser to do this on your behalf. The tax check will ask questions about how you pay any tax that may be due on income you earn from a licensed trade.

After you have completed the tax check you will be given a 9-character tax check code. You will need to give the code on your application to us, so we can confirm you have carried out a tax check.

You will need a Government Gateway user ID and password to complete a tax check, so you should make sure you have one before you need to make your licence application. You can create one by registering for HMRC online services:

[www.gov.uk/log-in-register-hmrc-online-services/register](https://www.gov.uk/log-in-register-hmrc-online-services/register)

Guidance for changes re scrap metal on GOV.UK:

[www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022](https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022)

You will not be granted a licence if you do not give a tax check code to your licensing authority.

First-time applicants must sign a declaration to confirm they are aware of the guidance about their tax obligations.

### **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](http://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 Check Certificate from Disclosure and Barring Service. You can apply for this certificate at <http://www.gov.uk/dbs> or telephone 03000 200 190. A basic check will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act 1974.

Disclosure and Barring Service provides this service if you're living or working in England and Wales. If you live in Scotland, you can request a basic disclosure from Disclosure Scotland. 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 Check 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. Hull City Council will not accept disclosures older than one month.

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 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.

You will need to submit a Basic Check Certificate from Disclosure and Barring Service. You can apply for this certificate at <http://www.gov.uk/dbs> or telephone 03000 200 190. A basic check will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act 1974.

Disclosure and Barring Service provides this service if you’re living or working in England and Wales. If you live in Scotland, you can request a basic disclosure from Disclosure Scotland. 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 Check 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. Hull City Council will not accept disclosures older than one month.

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.

We shall require the vehicle registration details and be notified when there is any change. 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 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 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 Check Certificate from Disclosure and Barring Service 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.

### **Licence Fees**

- Available on Hull City Council Licensing Fees web page.

### **Relevant Offences**

As detailed in The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013

#### **Primary Legislation**

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990
- (e) An offence under section 9 of the Food and Environment Protection Act 1985
- (f) An offence under section 1 of the Fraud Act 2006, 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
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002
- (i) Any offence under the Scrap Metal Dealers Act 1964
- (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, 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
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991

### **Secondary Legislation**

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

**In addition** the applicant will also have been convicted of a relevant offence where they have been convicted of:

Attempting or conspiring to commit any of the offences listed above;

Inciting or aiding, abetting, counselling or procuring the commission of any offence listed above; and

Committing an offence under Part 2 of the Serious Crime Act 2007(a) (encouraging or assisting crime) in relation to any of the offences listed above.

A person will be considered to have been subject of “relevant enforcement action” if:  
 The person has been charged with an offence specified in the list of offences, and criminal proceedings in respect of that offence have not yet concluded; or  
 An environment permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 has been revoked in whole or partially revoked to the extent that the permit no longer authorises the recovery of metal.

An environment related offence will mean an offence which relates to the transportation, shipment or transfer of waste; or the prevention, minimisation of control of pollution of the air, water or land which may give rise to any harm. In this context the expression “harm” means:

Harm to the health of human beings or other living organisms;

Harm to the quality of the environment;

Offence to the senses of human beings;  
Damage to property; or  
Impairment of, or interference with, amenities or other legitimate uses of the environment.

**Please note that in the case of an applicant having a conviction for offences which are not prescribed as “relevant offences for the purposes of the Act, the Council may still require further information from the applicant to assist in determining their suitability. The Council may not treat any such offence or enforcement action as a “relevant offence” or “relevant enforcement action” for the purposes of the Act but may nevertheless consider such an offence as a significant offence in relation to the suitability of the applicant to hold a licence.**

### Checklist

<b>Photographic Evidence</b>	
<b>Basic Check Certificate</b>	
<b>Environment Permit</b>	
<b>Bank Details</b>	
<b>Payment</b>	