

IMPORTANT INFORMATION BELOW
PLEASE READ CAREFULLY

Data Protection Act 1998 – Fair Obtaining Notice

I understand that all information provided to North East Derbyshire District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it is given and may be shared with other council departments or third party organisations. The information provided may be held electronically and/or in paper form and will be kept secure at all times.

The Council is required by legislation to keep public registers. This means that information provided will be made available to the public.

This authority is under a duty to protect the public funds it administers, and to this end may use information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

For further information see <http://www.ne-derbyshire.gov.uk/nfi>

Equality Policy Statement

North East Derbyshire District Council are committed to equalities as an employer and in all the services provided to all sections of the community. The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with its Equality Policy. The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

If you need help in understanding any of our documents or require a larger print, audio tape copy or translator to help you, we can arrange this for you. Please contact us on the telephone numbers at the bottom of this page.

For further information contact John Chambers on 01246 217216 or alternatively via e-mail at John.Chambers@ne-derbyshire.gov.uk

I hereby certify that I have read, understand, and agree to my information being used in accordance with the Fair Obtaining Notice and Equality Statement above.

Signature: _____

Date: _____

Print Name: _____

If applying for a collectors licence please indicate in which area you wish to collect:

Bolsover
 North East Derbyshire
 Both

SCRAP METAL DEALERS ACT 2013

Application for a Scrap Metal Licence

Completing this form	If you need help
<p>Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.</p>	<p>Contact the Licensing Section at North East Derbyshire District Council, Council House, Saltergate, Chesterfield, S40 1LF or tel:</p> <p style="text-align: center;">01246 217228/217216/217548</p> <p>or via email at Licensing@ne-derbyshire.gov.uk</p>

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

If 'yes' please provide your existing licence number:

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:		Type:	
Date of Issue:		Date of Issue:	
Identifying Number:		Identifying Number:	

Continue on a separate sheet if necessary

Please provide details, including licence number, of any other scrap metal licence issued 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:	
Forename(s):	
Position/Role in the business:	

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland¹:

Yes No

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

¹ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.

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

Business Address (including head office name or house name or number):

Home Address (including house name or number):

Postal Town:

Post Code:

Postal Town:

Post Code:

Telephone numbers:

Daytime:

Evening:

Mobile:

Fax:

E-mail address (if you would prefer us to correspond with you by e-mail):

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 1

Address (including house name or number):

Postal Town:

Post Code:

Telephone number:

E-mail address:

Website address:

Site manager(s) details (if different from the applicant)	
Name:	
Address (including house name or number):	
Postal Town:	Post Code:
Date of Birth:	
Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ²	
Site 2	
Address (including house name or number):	
Postal Town:	Post Code:
Telephone number:	
E-mail address:	
Website address:	
Site manager(s) details (if different from the applicant)	
Name:	
Address (including house name or number):	
Postal Town:	Post Code:
Date of Birth:	
Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ³	

² 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.

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.

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)

Name:		Name:	
Date of Birth:		Date of Birth:	
Business Address (including head office name or house name or number):		Home Address (including house name or number):	
Postal Town:	Post Code:	Postal Town:	Post Code:
Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁴		Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁵	

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

Company name:	
Registration number:	
Address of the registered office:	
Postal Town:	Post Code:

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:	

⁴ 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.

⁵ 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.

Address (including house name or number):		Address (including house name or number):	
Postal Town:	Post Code:	Postal Town:	Post Code:
Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁶		Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> ⁷	
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 of site:			
Postal Town:		Post Code:	
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:			
Please continue on a separate sheet of paper if necessary.			
Do you have planning permission (<i>Only applicable to sites established after 1 November 1990</i>) (please tick) Yes <input type="checkbox"/> No <input type="checkbox"/>			

SECTION 4. (To be completed if applying for a Collectors 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:	

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.

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.

Forename(s):			
<p>I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland⁸: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If you do not provide a disclosure certificate your application may be delayed or rejected.</p>			
<p>Contact details (we will use your business address to correspond with you unless you indicate we should use your home address)</p>			
Business Address (including head office name or house name or number):		Home Address (including house name or number):	
Postal Town:	Post Code:	Postal Town:	Post Code:
Telephone numbers:			
Daytime:			
Evening:			
Mobile:			
Fax:			
E-mail address (if you would prefer us to correspond with you by e-mail):			
<p>When scrap metal has been purchased, will it be stored before further disposal? Yes <input type="checkbox"/> No <input type="checkbox"/></p>			
<p>If the scrap metal is to be stored, please provide details of the address where it is to be stored below.</p>			
Address where scrap metal is to be stored:			
Postal Town:		Post Code:	

⁸ 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

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)

Direct Debit (please complete separate direct debit form)

Cheque (please make payable to North East Derbyshire District Council)

SECTION 8. CRIMINAL CONVICTIONS (For all applicants)

Have you 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:

Have 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). (SITE APPLICATIONS ONLY)

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:

Have you ever been convicted of any other offence or been the subject of any other enforcement action?

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:

Have any listed partners, any listed directors, or any listed site manager(s) in this application ever been convicted of any other offence or been the subject of any other enforcement action? (SITE APPLICATIONS ONLY)

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 (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: _____

GUIDANCE NOTES

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.

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's considered to be only valid for a limited time, 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.

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 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 – 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 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.

RELEVANT OFFENCES

For the purposes of section 3(3)(b) of the Scrap Metal Dealers Act 2013, “relevant offence” means any offence specified in the Schedule to the Regulations, and includes an offence of:

- (a) attempting or conspiring to commit any offence falling within the Schedule;
- (b) inciting or aiding, abetting, counselling or procuring the commission of any offence falling within the Schedule, and
- (c) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) committed in relation to any offence falling within the Schedule.

The offences listed in the Schedule of the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 are as follows:

Part 1 - Primary Legislation

- An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989
- An offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal
- An offence under section 110 of the Environment Act 1995
- An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990
- An offence under section 9 of the Food and Environment Protection Act 1985
- 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
- An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
- An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002
- Any offence under the Scrap Metal Dealers Act 1964
- 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, 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
- An offence under sections 85, 202, or 206 of the Water Resources Act 1991.

Part 2 - Secondary Legislation

- An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007
- An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010

- Any offence under the Hazardous Waste (England and Wales) Regulations 2005
- Any offence under the Hazardous Waste (Wales) Regulations 2005
- An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002
- Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000
- Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007
- Any offence under the Transfrontier Shipment of Waste Regulations 1994
- Any offence under the Transfrontier Shipment of Waste Regulations 2007
- Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006
- An offence under regulation 42 of the Waste (England and Wales) Regulations 2011