



# North Herts Council

## Application to change a Scrap Metal Licence: Scrap Metal Dealers Act 2013

<b>SECTION 1:</b> <b>Please note guidance to answer each section is given at the end of this document.</b>	
Are you an agent acting on behalf of the applicant (please tick): Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>Agent Details (complete if you answered yes above):</b>	
Business Name:	
Head office name or house name or number:  First line of address:  Town/City:  Postcode:	<u>Telephone numbers:</u>  Daytime:  Evening:  Mobile:
<b>Applicant Details:</b>	
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): .....	
Surname:	Forenames:
Is the applicant: Applying as a business or organisation (including a sole trader) (please tick) <input type="checkbox"/> Applying as an individual (please tick) <input type="checkbox"/>	
If the applicant has applied as a business or organisation please give the applicant's position/role in the business:	
Applicant contact details (we will use your business email / address to correspond with you unless you indicate we should use your home address):	
<u>Business Address:</u> Head office name or house name or number:  First line of address:  Town/City:  Postcode:	<u>Telephone numbers:</u>  Daytime:  Evening:  Mobile:

<p><u>Home address:</u> House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p>	<p>Business Email address:</p> <p><i>Please note that if an email is provided it may be used for all future correspondence from the unit. Please provide an email address if you wish to receive a reminder from the unit when your licence is due to expire.</i></p> <p>Please note that you must still provide us with a postal address.</p>
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**SECTION 2:  
Details of the Licence, Permit or Registration**

Type of licence, permit or registration held (please tick):

Site Licence

Collectors Licence

**Licence, permit or registration number:**

**Name given on licence permit or registration:**

What do you want to do with the licence, permit or registration (please tick):

Surrender it  (Please complete section 2 a if you have ticked this box)

Report a change  (Please complete section 2 b if you have ticked this box)

**SECTION 2 a: Surrender a Licence**

Is the surrender with immediate effect (please tick):

Yes  No

Date of surrender           

dd    /    mm    /    yyyy

Please explain why the licence, permit or registration will be surrendered:

**SECTION 2 b: Change a Licence**

You wish to change details about the licence or permit. Please describe the change:

(You may attach documents and plans to this application to help explain your change.)

Have the changes you are reporting occurred already (please tick):

Yes  No

If the changes you want need our permission, do you want to implement them immediately after permission is granted?

Yes  No

Date for planned change

	/		/	
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dd / mm / yyyy

I attach a Basic Disclosure Certificate :

Yes  No

Applies to new directors or the site manager

If you do not provide a disclosure certificate issued for named persons and issued no more than three months before the date of this application your application may be delayed or rejected.

**SECTION 3.**  
**PAYMENT (For all applicants):**

The fee for your application is £40.00

**CRIMINAL CONVICTIONS (applicant):**

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 (please use a continuation sheet if necessary):

## **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 local authority to whom I make my application must, as per section 6 of the Scrap Metal Dealers Act 2013, supply any information related to a scrap metal licence to any other local authority in England and Wales, the Environment Agency, Natural Resources Wales, and the Police. Personal data will be exchanged only where necessary and appropriate to meet agreed objectives but will extend to sensitive personal data, such as data about any previous criminal offences.

I understand that the purpose of the sharing of data is to form a full assessment of my suitability to be licensed as a scrap metal dealer.

I also understand that some details held about me will be displayed on a national register, as required by the Scrap metal Dealers Act 2013.

By signing below I hereby expressly consent to the processing of my data in accordance with the above and to the display of relevant information on a public register.

**Signed:**

**Date:**

### **Help with completing your application to change a scrap metal dealer's licence**

If you need more guidance in completing the application then please contact the Central Licensing Administration Unit.

#### **Section 1 – For everyone**

If you are an agent please complete all parts of section 1. You are not an agent if you are applying on your own behalf or on behalf of a business you own or work for.

If you are the applicant please complete applicant details.

A sole trader is a business owned by one person without any special legal structure.

Applying as an individual means the applicant is applying so the applicant may be employed, or for some other personal reason, such as following a hobby.

## Section 2 – For everyone

This section asks for details of the scrap metal licences you hold. Please make sure you include the licence number so that we can check this against our records.

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.

Please make sure that you check the box that indicates the change you wish to make.

**Complete section 2 a** only if you wish to surrender the licence.

**Complete section 2 b** if you wish to make changes to the licence. Please give full details of any change required.

### **For a site licence:**

As well as details about you and your business, we need details of any change to directors or partners involved in the business including their home address. We also need to know the address of the site or sites affected by the change and 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.

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.

You need to submit a Basic Disclosure Certificate along with the application form. You should apply for this certificate from the [Disclosure and Barring Service - GOV.UK](https://www.gov.uk/government/organisations/disclosure-and-barring-service)

The Home Office requires that you and any person listed on the application must 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 the council considers 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 council's as you want within that time. Typically, three months is the longest that you can expect your check to be considered valid.

### **Section 3 – Payment**

There is a fee to apply for a change to a licence.

Applications cannot be accepted unless the correct fee has been paid.

### **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 that you are required to submit with the application, along with information retained by the police and the Environment Agency or Natural Resources Wales.

### **Declaration**

The applicant needs to sign and date the declaration.

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 the Central Licensing Administration Unit.

### **Relevant offences**

**The following is only an *indicative* list:**

- Control of Pollution (Amendment) Act 1989: Sections 1, 5 or 7(3)
- Customs and Excise Management Act 1979: Section 170 (for environmental/metal theft related offences only)
- Environment Act 1995: Section 110(2)
- Environmental Permitting Regulations 2007: Regulation 38
- Environmental Permitting Regulations 2010: Regulation 38
- Environmental Protection Act 1990: Sections 33 and 34
- Food and Environment Protection Act 1985: Section 9(1)
- Fraud Act 2006: Section 1 (for environmental/metal theft related offences only)
- Hazardous Waste (England and Wales) Regulations 2005
- Hazardous Waste (Wales) Regulations 2005

- Landfill (England and Wales) Regulations 2002
- Legal Aid, Sentencing and Punishment of Offenders Act 2012: Section 146
- Pollution Prevention and Control (England and Wales) Regulations 2000
- Proceeds of Crime Act 2002: Sections 327, 328, 330, 331 & 332 (for environmental/metal theft related offences only)
- Producer Responsibility Obligations (Packaging Waste) Regulations 2007
- Scrap Metal Dealers Act 1964 (for environmental/metal theft related offences only)
- Scrap Metal Dealers Act 2013
- Theft Act 1968: Sections 1, 8, 9, 10, 11, 17, 18, 22 & 25 (for environmental/metal theft related offences only)
- Transfrontier Shipment of Waste Regulations 1994
- Transfrontier Shipment of Waste Regulations 2007
- Vehicles (Crime) Act 2001: Part 1
- Waste Electrical and Electronic Equipment Regulations 2006
- Waste (England and Wales) Regulations 2011: Regulation 42
- Water Resources Act 1991: Section 85, 202 or 206