

# Scrap Metal Application Form



Mi allwch ddarllen y ddogfen yma yn Gymraeg hefyd. Ewch nôl i'r dudalen we, a chliciwch ar y botwm iaith ar dop y dudalen.

## Scrap Metal Licence Application Checklist

Use the below table to make sure that you have everything that you require to successfully complete your new application or renewal. Further guidance for each section in the application form can be found on Page 10 onwards.

Completed Application Form	<input type="checkbox"/>
New DBS Check ( <i>From GOV.UK</i> )	<input type="checkbox"/>
Payment	<input type="checkbox"/>
HMRC Tax Check Code ( <i>Required from the 04/04/2022 onwards</i> )	<input type="checkbox"/>
Passport Photograph (x2)	<input type="checkbox"/>



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**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 license holder**

Title (please tick):

Mr  Mrs  Miss  Ms  Other 

(please state):

I am 18 years old or over (please tick):

Yes  No 

Date of Birth:

Surname:

Forenames:

Position/Role in the business:

I attach a Basic Disclosure Certificate issued for the applicant by GOV.UK<sup>1</sup>:Yes  No 

*If you do not provide a disclosure certificate your application may 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:

Day:

Evening:

Mobile:

**Home Address:**

House name or number:

Fist line of address:

Town/City:

Postcode:

Email address:

*Please note that you must still provide us with a postal address.*

<sup>1</sup> Further information about the Disclosure and Barring Service (DBS) check by GOV.UK are set out in the explanatory notes accompanying this form.



**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)

Full name:

Date of Birth:

Residential Address:

**Basic Disclosure certificate attached<sup>3</sup>:** Yes  No

Full name:

Date of Birth:

Residential Address:

**Basic Disclosure certificate attached:** Yes  No

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

Company name:

Registration number:

Address of 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 Disclosure certificate attached<sup>4</sup>:** Yes  No

Role:

Name:

Date of Birth:

House name or number:

First line of address:

Town/City:

Postcode:

**Basic Disclosure 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:

<sup>3</sup> Further information about the Disclosure and Barring Service (DBS) check by GOV.UK are set out in the explanatory notes accompanying this form.

<sup>4</sup> Further information about the Disclosure and Barring Service (DBS) check by GOV.UK are set out in the explanatory notes accompanying this form.

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\* (please tick):

*\*Only applicable to sites established after 1 November 1990*

Yes  No

#### 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 license holder

Title (please tick):

Mr  Mrs  Miss  Ms  Other

(please state):

I am 18 years old or over (please tick):

Yes  No

Date of Birth:

Surname:

Forenames:

I attach a Basic Disclosure Certificate issued for the applicant by GOV.UK<sup>5</sup>:

Yes  No

*If you do not provide a disclosure certificate your application may 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:

Day:

Evening:

Mobile:

<sup>5</sup> Further information about the Disclosure and Barring Service (DBS) check by GOV.UK are set out in the explanatory notes accompanying this form.

**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*

**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:

**SECTION 5. MOTOR SALVAGE (For all applicants)**

Will your business consist of acting as a motor salvage operator (please tick)? 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.

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 S.12 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)

Payment for your scrap metal dealer's licence should be made by cheque payable to "Gwynedd Council".

### SECTION 8. HMRC Tax Check (For applicants renewing a license)

From 4 April 2022, there will be a small addition to the licensing checks we already have in place. You'll need to complete a tax check with HM Revenue and Customs (HMRC) when you renew your licence to deal in scrap metal<sup>6</sup>. When you've completed the tax check, you'll get a code. You must give this code to licensing. We will not be able to proceed with your licence application or renewal until the tax check is completed and we have received the code.

HMRC Tax Check Code:

### SECTION 9. 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:

<sup>6</sup> Further information about the HMRC Tax Changes are set out in the explanatory notes accompanying this form.

## SECTION 10. 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:

## 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.

### 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: 0300 065 3000.
- Visit: <https://naturalresources.wales/permits-and-permissions/waste-permitting/register-as-a-waste-carrier-broker-or-dealer/?lang=en>

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 need to submit a Basic Disclosure Certificate from GOV.UK. You can apply for this certificate at <https://www.gov.uk/request-copy-criminal-record>

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 **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 GOV.UK along with the application form. You can apply for this certificate at <https://www.gov.uk/request-copy-criminal-record>

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.

Details about the Fees associated with Scrap Metal Licences can be found on the Council website located at:

<https://www.gwynedd.llyw.cymru/en/Businesses/Licences-and-permits/Business-and-street-trading-licences/Scrap-metal-dealer.aspx>

### **Section 8 – HMRC Tax Check**

From 4 April 2022, there will be a small addition to the licensing checks we already have in place. You'll need to complete a tax check with HM Revenue and Customs (HMRC) when you renew your licence to:

- drive taxis or private hire Vehicles
- operate private hire vehicle businesses
- deal in scrap metal

The changes will only apply in England and Wales. Please read the guidance which tells you what you need to do if you are a new applicant or if you are renewing your licence at: <https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022>.

If you are applying for a licence for the first time, you will not need to complete the tax check. However, we will ask you to read HMRC guidance on what you need to do to be properly registered for tax in the future and you'll need to confirm you have done this.

From 4 April 2022, if you renew or apply for a subsequent licence under a different licensing body, you'll have to do a tax check. You'll be able to do this online through a digital service.

You will be able to access the digital service to complete your tax check when it goes live from early March 2022. You should be registered to pay the appropriate tax/taxes on your licensed income and you will need to confirm that you are registered during the tax check. Please go to GOV.UK to check if you need to register as soon as possible.

- If you're an employee, find information on PAYE at:  
<https://www.gov.uk/income-tax/how-you-pay-income-tax>
- If you're self-employed, find information on registering for Self Assessment at:  
<https://www.gov.uk/register-for-self-assessment>
- If you operate through a company, find information on Corporation Tax at:  
<https://www.gov.uk/corporation-tax>
- You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Go to:  
<https://www.gov.uk/get-help-hmrc-extra-support>

You may also be able to complete the tax check by phone through HMRC's customer helpline at <https://www.gov.uk/government/organisations/hm-revenue-customs/contact/self-assessment>

The tax check should only take a few minutes to complete.

You will be able to complete this tax check on GOV.UK, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on:

<https://www.gov.uk/log-in-register-hmrc-online-services/register>

When you've completed the tax check, you'll get a code. You must give this code to licensing. We will not be able to proceed with your licence application or renewal until the tax check is completed and we have received the code. Licensing will only receive confirmation from HMRC that you've completed the tax check, we will not have access to information about your tax affairs.

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC is there to help.

## **Section 9 – 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 10 – 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

**These are to be confirmed in Home Office Regulations. The LGA anticipates, based on the explanatory notes to the Scrap metal Dealers Act 2013, that these will reflect other environmental permitting schemes and suggests the below as 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



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