



Licensing Team

[www.bristol.gov.uk/licences-permits/scrap-metal-dealer-licence](http://www.bristol.gov.uk/licences-permits/scrap-metal-dealer-licence)

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## **Scrap Metal Dealers Act 2003 Information for Applicants Grant and Renewal of Licences**

### **What is a scrap metal licence?**

A scrap metal licence is required in order to carry on business as a scrap metal dealer or motor salvage operator.

A person carries on business as a scrap metal dealer if their business consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought.

A person carries on business as a motor salvage operator if their business consists:

1. Wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale, and subsequently selling or otherwise disposing of the rest of the vehicle for scrap.
2. Wholly or mainly in buying written-off vehicles and subsequently repairing and reselling them.
3. Wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities in 1 and 2 above.
4. Wholly or mainly in activities falling within 2 and 3 above.

A licence can be obtained from the Local Authority where you are carrying on business.

### **What is considered scrap metal?**

Scrap metal covers a wide range of products and includes any old, waste or discarded metal or metallic material, and any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life.

But gold, silver and any alloy of which 2 per cent or more by weight is attributable to gold or silver are not considered scrap metal.

### **What type of licence do I need?**

There are two types of licence, a site licence and a collectors licence.

**Site Licence** - A site licence authorises the licence holder to carry on business at any site in the council's area which is identified in the licence. A site licence holder can transport scrap metal from third party businesses by arrangement from any other local council area providing it is in the course of the business from that site.

A site licence holder cannot regularly engage in collecting waste materials and old, broken, worn out or defaced articles by means of visits from door to door in the area they are licensed or elsewhere, as this would constitute carrying on a business as a mobile collector.

**Collectors Licence** - A collector's licence authorises the licensee to carry on business as a mobile collector in the licensing council's area only. A separate collector's licence is needed for each council area that a mobile collector collects scrap metal. A mobile collector can dispose or sell scrap metal in any local council area regardless of whether a collector's licence is held for that area.

A mobile collector will need a licence to buy or sell any scrap metal collected. Even if the material is provided free of charge, a licence is required in order to sell it on.

A mobile collector's licence will cover any employees working for that business. If they are not employed directly by that mobile collector's business and are self-employed, they will need their own collector's licence even if they are collecting metal from the same van as a person who has a mobile collector's licence.

### **Can I have a site licence and a collectors licence?**

No. It is not possible to hold both a mobile collector's licence and a site licence from the same council

### **How do I apply for a new licence or renewal of my existing licence?**

An application should be submitted to the Local Authority and accompanied by the fee and a basic disclosure for each person involved with the business. This would include the applicant and any person listed on the application form including the site manager (if applying for a site licence), each partner if a partnership, and, if a company, for the director(s), shadow director and company secretary.

A basic criminal records disclosure which should be no more than 6 months old at the time of submission to the authority is available from <https://www.gov.uk/government/organisations/disclosure-and-barring-service>. Please note this is for all applications and must be submitted with the application form.

Applications for renewal should be submitted at least one month prior to expiry.

## **Fees**

The current fees for scrap metal are as follows:

- Site Licence - £585
- Additional sites - £85
- Collectors Licence - £545
- Variation of Licence - £65
- Replacement or copy licence – £15

## **How long does a licence last?**

If granted a licence will last for three years, unless surrendered or revoked.

## **What happens after I have submitted my application?**

The licensing authority must not grant or renew a licence unless it is satisfied that the applicant is a suitable person to carry on a business as a scrap metal dealer. The local authority may take into account any information it deems relevant, including any relevant convictions, any enforcement action, any previous applications which have been refused, any previous licences which have been revoked, and whether the applicant has in place adequate procedures to comply with the Act.

In respect of applications in the name of a company the local authority will have regard to information in relation to the director(s), shadow director(s) and secretary of said company.

In order to assist in its determination the local authority may consult with other persons regarding the suitability of an applicant, including in particular—

- any other local authority;
- the Environment Agency;
- the Natural Resources Body for Wales;
- an officer of a police force.

If the authority is satisfied the applicant is a suitable person to hold a licence the application will be granted.

## **What happens if the local authority intends to refuse my application?**

If the authority is not satisfied the applicant is a suitable person to hold a licence the authority will give the applicant a notice setting out its intentions and reasons.

The applicant may, within 14 days of the notice, make representations or notify the authority that they intend to make representations. If the applicant notifies the authority that they intend to make representations they should then make these to the authority within a reasonable time. If the applicant makes representations within this time then the authority must consider them.

If the authority intends to refuse the application and representations are made the application will normally be placed before the Public Safety and Protection Committee for determination. Where representations are not made by the applicant the application may be determined by officers.

### **What happens at the hearing?**

Officers will present a report to the committee and the applicant will be invited to address the committee

After everyone has had the opportunity to speak the committee will then determine the application. They may be minded to;

- Grant the application
- Refuse the application

In the case of a refusal of an application for grant or renewal the authority will give the applicant a notice which details the outcome of the hearing reasons for the refusal.

### **Can I appeal against a decision made by the committee?**

On receipt of the notice of decision the applicant may appeal against the decision of the committee.

Appeals must be lodged with the Magistrates Court within 21 days of receipt of the notice. Please contact the Magistrates Court for details of how to lodge an appeal.

**The information in this guidance was accurate when produced, but you are always advised to seek your own legal advice should you have any queries and you should note that the Council cannot be liable in any way for the contents of this guidance.**