

Re: SCRAP METAL DEALERS ACT 2013 & THE LEGAL AID, SENTENCING & PUNISHMENT OF OFFENDERS ACT 2012

This is being circulated to companies and individuals dealing with scrap metal.

Under existing legislation, scrap metal dealers were required to register with local authorities in accordance with the provisions of the Scrap Metal Dealer's Act 1964. The law is however being changed and all scrap metal dealers and motor salvage operators will soon need to be licensed under the new provisions. It is possible that other concerns may also need to be considered if they should be licensed, depending on specific circumstances. Our view is that any company that makes any payment for scrap metal during the course of their business should be licensed. Scrap metal dealers must keep detailed records of transactions involving collection and transfer of scrap metal. If no payment is made for scrap metal during the course of your business, and the handling of any scrap metal is incidental to other main activities, you may not need to apply for a licence.

In order for anyone to carry on business as a scrap metal dealer they have to have a licence. These licences will last for three years. Trading without a licence is a criminal offence.

There are two types of licence specified in the Act:

- **Site licence**

All the sites where a licensee carries on business as a scrap metal dealer have to be identified, and a site manager has to be named for each site. This licence allows the licensee to transport scrap metal to and from those sites from any local authority area.

**DIRECTORATE OF PLACE
CYFARWYDDIAETH LLEOEDD**

Civic Centre, Oystermouth Road, Swansea, SA1 3SN
Canolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN

☎ (01792) 635600 ☎ (01792) 635676

✉ evh@swansea.gov.uk ✉ evh@abertawe.gov.uk

🌐 www.swansea.gov.uk 🌐 www.abertawe.gov.uk

**To receive this information in alternative format, please contact the above.
I dderbyn yr wybodaeth hon mewn fformat arall, cysylltwch â'r person uchod.**

- **Collector's licence**

This allows the licensee to operate as a collector in the area of the issuing local authority. It does not allow the collector to operate in any other local authority area, so a separate licence has to be obtained from each council the collector wishes to operate in. The licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.

It should be noted that a dealer can only hold one type of licence in any one local authority area. They have to decide whether they are going to have a site or a mobile licence in any one area. They cannot hold both a site and mobile collector's licence from the same council (Section 2(9)).

The principle changes/requirements are as follows:

- All scrap metal dealers can apply for a scrap metal dealers licence from **1 October**.
- A scrap metal dealer who is currently registered under the Scrap Metal Dealers Act 1964 or Vehicles (Crime) Act 2001 needs to submit an application on or by **15 October** and will be deemed to have a temporary licence which is valid until a licence decision is issued. The LGA recommends that a formal licence decision is issued by local authorities by **1 December**.
- Local authorities will complete checks to assess applicants' suitability to hold a licence between 15 October and **1 December** (the recommended date when a formal licence decision should be issued by).
- If a registered scrap metal dealer does not submit an application on or by 15 October their deemed licence will lapse on 16 October. A deemed temporary licence which has lapsed does not give rise to a right to appeal. The dealer must submit an application and wait for a licence to be issued before they can trade legally.
- A local authority can impose conditions on a deemed temporary licence pending an appeal for the refusal of a licence.
- Scrap metal dealers who are not registered under the Scrap Metal Dealers Act 1964 or the Vehicles (Crime) Act 2001 can apply for a scrap metal dealers licence from 1 October but must wait for a licence to be issued before they can trade legally.
- The offence of buying scrap metal for cash will come into force on **1 October**.
- Local authority officers and police officers will have the right to enter and inspect from **1 October**.
- The majority of the other enforcement provisions within the Act will come into force on **1 December**.

If you are applying for a Scrap Metal Dealer's Licence, you are advised that you will need to apply for a Basic disclosure certificate from Disclosure Scotland
PO Box 250
Glasgow, G51 1YU

Phone: 0870 609 6006

Fax: 0870 609 6996

E-mail: info@disclosurescotland.co.uk

Web-site: <http://www.disclosurescotland.co.uk/>

[A disclosure is a document containing impartial and confidential criminal history information held by the police and government departments which can be used by agencies to assess your suitability to hold a licence. The Basic Disclosure certificate contains details only of any unspent convictions as of the date the certificate is issued. It can be applied for on-line or by completing a form, and paying a fee of £25. Disclosure Scotland will usually be able to provide a certificate with the results of the disclosure application within 14 days]

As this process can take up to 14 days you are advised to obtain disclosure certificates as soon as can be arranged in order to be in a position to apply for the relevant Scrap Metal Dealer's Licence.

Fees to be charged by the City & County of Swansea are shown in the table below.

	New	Renewal	Variation
Site Licence	£410	£410	£25
Collectors Licence	£260	£260	£25

The application should be completed in full and returned to the **Reception, Civic Centre, Oystermouth Road, Swansea SA1 3SN**. Please note that any forms not completed in full may be rejected and the process delayed. Two **passport sized photos** should also be included with the application and these should be signed and dated on the back. Passport photos may be purchased from the Contact Centre for £3.00.

If you have any further questions please contact the Council's Trading Standards Department on the number at the start of this letter.