

# **Scrap Metal Dealers Act 2013**

## **Notes for Scrap Metal Sites**

**You will need to comply with relevant environmental legislation and regulation when carrying out your business as a scrap metal site. For any guidance on this please feel free to contact us on [EH.Admin@West-Norfolk.gov.uk](mailto:EH.Admin@West-Norfolk.gov.uk) or call 01553 616200.**

### **What is the definition of a scrap metal dealer?**

No one can carry out the business of dealing in scrap metal unless they have a licence. A person carries on business as a scrap metal dealer if the person:

- (a) carries on a business which 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, or
- (b) carries on business as a motor salvage operator.

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

A scrap metal site licence allows the holder to carry on a scrap business at the site identified in the licence

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

3 years

### **Can I apply for a site and collector's licence in the same councils area?**

No, a dealer can only have a site licence **OR** a collector's licence in a local authority area, not both.

### **Do I need a permit to operate a site?**

Yes, you will need either an environment agency permit or an exemption to operate a site. More information can be found from [Register or renew as a waste carrier, broker or dealer - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### **Do I need planning permission?**

Yes. You can find out more at [www.norfolk.gov.uk](http://www.norfolk.gov.uk)

### **How do I apply for a site licence?**

You will need to complete:

- scrap metal site application form
- a basic disclosure from the [GOV.UK website](http://www.gov.uk) (when received, send in the basic disclosure to us). We will need a basic disclosure from all people mentioned in the application form i.e owner, site manager and any partners
- Licence fee (If paying by cheque please make this payable to BCKLWN)

### **Does a scrap metal dealer have to notify the council if they close down or details change?**

Yes, if you close your business, change the trading name or change your name or address. You must notify us within 28 days with any of these changes.

### **I already have a licence and need to change the business name or other details what do I do?**

This will be a minor variation, which costs £40. You will need to notify us in writing by email or letter of the changes that are being made. If you are moving the business to a new address you will need to submit a new application.

### **Do licences have to be displayed?**

You must display a copy of the licence in a prominent place on your site that is accessible to the public.

### **Can I pay cash for scrap metal?**

No. It is an offence to buy scrap metal for cash. Only payment by a non-transferable cheque or an electronic transfer of funds is acceptable.

### **What records do I have to keep?**

If a scrap metal dealer receives any scrap metal they must record:

- The description of the metal, including its type, form, condition, weight, marks identifying previous owners or other distinguishing features
- Date and time of the receipt
- Vehicle registration mark
- Name and address of the supplier
- Name of the person paying the supplier for the metal
- Copy of any document used to verify the name and address
- Copy of the cheque, if the supplier is paid by cheque
- Receipt identifying the electronic transfer if payment was by that method or, in the absence of a receipt, identifying particulars.

You will also need to record where you sell or dispose of the metal. We have blank record sheets that can be used for your record keeping. Please speak to us for more information on how to keep records.

### **How do I verify the name and address of the person I collect from?**

You must see one of the following:

- A photocard driving licence
- A passport or immigration document showing the full name, photo and address
- A passport or immigration document showing the full name and photo. Plus a bank statement, card statement, council tax bill or utility bill showing the address.

### **How long do I need to keep the records?**

- You must keep the records for 3 years. Failure to keep records may result in being fined.

### **What if I am refused a scrap metal licence?**

If we refuse your application we will give you notice of the proposed decision. You then have 14 days to make representations. When we have made a final decision we will provide a notice of the decision and the reasons for this. You will then have 21 days to appeal this decision.

### **Can my licence be revoked?**

Yes. If we are no longer satisfied that you are a suitable person to carry out a business as a scrap dealer.

### **Can I pay cash to buy a car?**

This is not straightforward and depends on the individual case. If a certificate of destruction is issued, the car is considered to be scrap and a buyer must not pay cash for it.

If a certificate of destruction is not issued, then it will depend on a number of other factors. For example a car with a valid MOT certificate and that is driveable without repair is not scrap (therefore, a buyer may pay cash for it). There needs to be a genuine potential for repair and re-sale in order for cash to be used. We would expect someone buying a car for cash to have a history of repairing & selling vehicles. Similar issues may arise for the purchase of other items and appliances.

These guidance notes are provided to you as information only. It is not the Borough Council's role to provide you with legal advice, and it is our strong recommendation that you seek your own independent legal advice in relation to the content of these guidance notes, your application for a licence and in relation to the continuing legal obligations upon you if issued with a licence. Please be on notice that if you do not comply with the continuing legal obligations on you if issued with a licence, then the licence may be revoked.

If you would like any more information on scrap metal collectors then please contact us [EH.Admin@West-Norfolk.gov.uk](mailto:EH.Admin@West-Norfolk.gov.uk) or call 01553 616200.