

# **Important Information**

## **Right to a Licence Check – From 1<sup>st</sup> January 2021**

**If you are an EU, EEA or Swiss citizen who previously used your passport to demonstrate your right to live and/or your right to work in the UK, the following information is important to you should you wish to apply for Taxi / Private Hire Drivers Licence, a Scrap Metal Dealers Licence or a Personal Licence after 1<sup>st</sup> January 2021.**

### **What has change?**

Due to the UK leaving the EU customs union and single market on 31<sup>st</sup> December 2020, all citizens who hold a Swiss passport, or one of an European Union (EU), European Economic Area (EEA) member state can no longer use this passport to demonstrate their right to work and/or live in the UK.

### **What do I need to do?**

If you are a Swiss, EU and/or EEA citizen, you can apply to the EU Settlement Scheme to continue living in the UK after 30<sup>th</sup> June 2021. Information about the EU Settlement Scheme is available at the website below:

<https://www.gov.uk/settled-status-eu-citizens-families>

The deadline to make an application is 30<sup>th</sup> June 2021.

### **How does this affect my licence application / declaration?**

As your passport (Swiss, EU and/or EEA member state) is no longer acceptable as part of your application to satisfy the right to a licence check, you are required to provide confirmation from the UK government of your right to live / right to work in the UK, by using the prescribed website below.

<https://www.gov.uk/view-prove-immigration-status>

You are required to provide a screen-print of the webpage confirming your status for your licence application to be considered complete.

**APPLICATION FOR SCRAP METAL DEALERS LICENCE**

<b>All information required must be supplied with application form – part applications are not accepted.</b>	<b>Checklist</b>
A completed application form	
A basic Disclosure Certificate(s) - See Sections 3 & 4 of guidance notes	
Fee – for current fees please see the Fees and Charges page on the Council’s website at: <a href="http://www.gedling.gov.uk">www.gedling.gov.uk</a>	
Two recent passport photographs	

## Application for a Scrap Metal Licence

<b>SECTION 1. (for all applicants)</b>
Please indicate the type of licence you are applying for (please tick):
A site licence <input type="checkbox"/> A collector's licence <input type="checkbox"/>
Are you applying as (please tick):
An individual <input type="checkbox"/> A company <input type="checkbox"/> A partnership <input type="checkbox"/>
Please state your trading name:
Is this application for a grant of a new licence, a renewal or a variation of an existing licence: (please tick the relevant box)
Grant of a new licence <input type="checkbox"/> Renewal of an existing licence <input type="checkbox"/>
Variation of existing licence (see explanatory notes, page 11) <input type="checkbox"/>
If renewal or variation please provide your existing licence number:
<b>SECTION 2. Permits, registrations and licences in force</b>
Please provide details of any relevant environmental permit, exemption or registration (such as a scrap metal dealer or a motor salvage operator) in relation to the applicant:
Type:                                      Identifying number:                                      Date of issue:
Type:                                      Identifying number:                                      Date of issue:
Continue on a separate sheet if necessary
Please provide details, including licence number, of any other scrap metal licence issued by any authority to the applicant within the last 3 years (please use a continuation sheet if necessary):
Are you registered as a waste carrier? (please tick)
Yes <input type="checkbox"/> No <input type="checkbox"/>
If 'yes' please provide your carrier's registration number:

**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 licence holder**

Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
Surname:	Forenames:

Position/Role in business:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland:  
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 & Number: First Line of Address: Town/City: Postcode:	Telephone Numbers: Daytime: Evening: Mobile:
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Home Address: House Name or Number: First Line of Address: Town/City: Postcode:	E-mail address (if you would prefer us to correspond with you by e-mail):  Please note that you must still provide us with a postal address
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**Site details.** Please list the details for each site where you propose to carry on business as a scrap metal dealer in this local authority area. If you operate more than two sites in the area please provide details for each site on a continuation sheet. [N.B. If the applicant operates multiple sites within a licensing authority area, provision should be made for more than one site manager]

Full address of each site you intend to carry out business as a scrap metal dealer:	Site manager(s) details (if different from applicant)
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<p>Site 1</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>E-mail address:</p> <p>Website address:</p>	<p>Name:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p>Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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<p>Site 2</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>E-mail address:</p> <p>Website address:</p>	<p>Name:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p>Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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**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)

<p>Full Name:</p> <p>Date of Birth:</p> <p>Residential Address:</p> <p>Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Full Name:</p> <p>Date of Birth:</p> <p>Residential Address:</p> <p>Basic Disclosure Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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**Companies** (If you are applying as a company please provide the details set out below about the company)

Company name:

Registration number:

Address of the 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:

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:

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.

*Only applicable to sites established after 1 November 1990*

Do you have planning permission (please tick)

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 licence holder**

Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
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Surname:	Forenames:
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Position/Role in business:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland:  
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 & Number: First Line of Address: Town/City: Postcode:	Telephone Numbers: Daytime: Evening: Mobile:
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Home Address: House Name or Number: First Line of Address: Town/City: Postcode:	E-mail address (if you would prefer us to correspond with you by e-mail):  Please note that you must still provide us with a postal address
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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? 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.

(please tick) 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 s12 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)**

Fee - Payment can be made by cash, cheque or debit card (cheques payable to Gedling Borough Council). For a list of current fees please see the Fees and Charges page on the Council's website at: [www.gedling.gov.uk](http://www.gedling.gov.uk)

**SECTION 8. 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 page 12 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 further sheets if required):

### **SECTION 9. 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 please contact Customer Services by telephoning 0115 9013971 or by visiting our offices. 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 the holder to buy, sell or store scrap metal from a fixed location within the council area.

A **collector's licence** allows the holder 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: 03708 506506 or visit: [www.environmentagency.gov.uk/wastecarriers](http://www.environmentagency.gov.uk/wastecarriers)

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 needs to submit a Basic Disclosure Certificate from Disclosure Scotland. You can apply for this certificate at <https://www.gov.uk/government/news/new-dbs-basic-check-service-goes-live>

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 Disclosure Scotland along with the application form. You can apply for this certificate at <https://www.gov.uk/government/news/new-dbs-basic-check-service-goes-live>

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**

The applicable fees for the licences (to last for three years) can be found on the Fees and Charges page on the Council's website at: [www.gedling.gov.uk](http://www.gedling.gov.uk)

## **Section 8 – 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. A copy of the Statement of Policy for the Consideration of Applications can be downloaded from the Council's website at [www.gedling.gov.uk](http://www.gedling.gov.uk). A list of relevant offences is provided at the end of these Guidance Notes.

## **Section 9 – 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 the Licensing team.

## **Photographs**

We require you to submit two recent passport photographs to accompany your application.

## **Variation of an Existing Licence**

If there is a change to the details of your current licence you will need to resubmit the application form with the new details and pay the appropriate fee which can be found on the Fees and Charges page on the Council's website: [www.gedling.gov.uk](http://www.gedling.gov.uk)

Please note that where a new individual(s) is named (for example, a new Site Manager) a Criminal Records Disclosure will be required, as detailed above.

## List of Relevant offences

- Control of Pollution (Amendment) Act 1989: Sections 1, 5 or 7
- Customs and Excise Management Act 1979: Section 170 or 170B (for metal theft related offences only)
- Environment Act 1995: Section 110
- Environmental Permitting Regulations 2007: Regulation 38
- Environmental Permitting Regulations 2010: Regulation 38
- Environmental Protection Act 1990: Sections 33, 34 and 34B
- Food and Environment Protection Act 1985: Section 9
- 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: Regulation 17(1)
- 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
- Producer Responsibility Obligations (Packaging Waste) Regulations 2007
- Scrap Metal Dealers Act 1964
- 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

## Privacy information

We will use the information provided by you to process your application for licence. The basis under which the Council uses personal data for this purpose is that it is necessary for the compliance with a legal obligation to which the Council is subject to. You need to provide this information if you wish to enter into a contract with the Council to purchase a licence.

The Data Controller is Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU. You can contact the data protection officer at the above address or by email at [dataprotectionofficer@gedling.gov.uk](mailto:dataprotectionofficer@gedling.gov.uk)

The information provided by you may also be used for the purpose of any other function carried out by the Council. Information about these functions and further information including how long we retain your data, who we share with and your rights can be found at [www.gedling.gov.uk/Licensing-privacy](http://www.gedling.gov.uk/Licensing-privacy)