**Application for Variation of a Scrap Metal Dealer’s Licence**



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| **I/We hereby apply to vary a Scrap Metal Dealer’s Licence under the Scrap Metal Dealers’ Act 2013 as follows:** |
|  | [**General information**](#S1notes)(all applicants must complete this section) |
|  | What type of licence are you applying to vary?A site licence [ ]  A collector’s licence [ ]  |
|  | Are you applying as: (please tick):An individual [ ]  A registered company [ ]  A partnership [ ]  |
|  | Please state your trading name:      |
|  | Please provide your existing licence number:       |
|  | [**Application by an Individual**](#S2notes)(complete this section **only** if the application is by an individual) |
|  | Title (please tick): Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):       |
|  | Surname:      | Forenames:      |
|  | Maiden name or any other surnames you have been known by:      |
|  | Date of birth:       |
|  | Home address:      Postcode:       |
|  | Position/Role in the business:       |
|  | [**Application by Partnership**](#S3notes)(complete this section **only** if the application is by a partnership) |
|  | You must supply information in respect of every partner – where there are more than two partners then please use a continuation sheet |
|  | Title (please tick):Mr [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other (please state):       |
|  | Surname:      | Forenames:      |
|  | Maiden name or any other surnames you have been known by:      |
|  | Date of birth:       |
|  | Home address:      Postcode:       |
|  | Title (please tick):Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):       |
|  | Surname:       | Forenames:       |
|  | Maiden name or any other surnames you have been known by:       |
|  | Date of birth:       |
|  | Home address:      Postcode:       |
|  | [**Application by a Registered Company**](#S4notes)(complete this section **only** if the application is by a registered company) |
|  | Registered company name:       |
|  | Registration number:       |
|  | Address of the company’s registered office:       |
|  | Postcode:       |
|  | Please provide the following details for every director, shadow director and the company secretary – where necessary please use a continuation sheet. |
|  | Role:       |
|  | Title (please tick):Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):       |
|  | Surname:       | Forenames:       |
|  | Maiden name or any other surnames you have been known by:      |
|  | Date of birth:       |
|  | Home address:      Postcode:       |
|  | Role:       |
|  | Title (please tick):Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):       |
|  | Surname:       | Forenames:       |
|  | Maiden name or any other surnames you have been known by: |
|  | Date of birth:       |
|  | Home address:      Postcode:       |
|  | [**Contact Details**](#S5notes)(all applicants must complete this section) |
|  | We will use your business address to correspond with you unless you indicate we should use your home address |
|  | Business Address:     Postcode:       | Telephone numbersDaytime:      Evening:      Mobile:       |
|  | Home address:     Postcode:       | Email address:      Website address:       |
|  | Please use my home address for correspondence Yes [ ]  No [ ]   |
|  | [**Current licence from Eastleigh Borough Council and Variation Details**](#S6notes)(all applicants must complete this section) |
|  | I/we currently hold a licence for a Site [ ]  Collector [ ]  |
|  | I/We hereby apply to change the licence **to** a Site licence [ ]  or a Collector’s licence[ ] **Please note that you cannot hold both a site licence and a collector’s licence in the same local authority area.** |
|  | [**Variation to a Site Licence**](#S7notes)Please complete this section ONLY if you are applying to change to a site licence |
|  | **If you wish to change to a site licence,** 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. Please note that if the applicant operates multiple sites within a licensing authority area, provision should be made for more than one site manager. |
|  | **Site 1** | **Site manager’s details** |
|  | Trading name:      Address:      Postcode:      Phone number:      Email address:      Website address:      Has planning permission been obtained for the use of the site? Yes [ ]  No [ ]  | Title (please tick):Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):      Surname:      Forenames:      Home address:      Postcode:      Date of birth:       |
|  | A Basic Disclosure Certificate for the site manager is enclosed: Yes [ ]  No [ ]  |
|  | **Site 2** | **Site manager’s details** |
|  | Trading name:      Address:      Postcode:      Phone number:      Email address:      Website address:      Has planning permission been obtained for the use of the site? Yes [ ]  No [ ]  | Title (please tick):Mr. [ ]  Mrs. [ ]  Miss [ ]  Ms. [ ]  Other [ ]  (please state):      Surname:      Forenames:      Home address:      Postcode:      Date of birth:       |
|  | A Basic Disclosure Certificate for the site manager is enclosed: Yes [ ]  No [ ]  |
|  | [**Variation to a Collector’s Licence**](#S8notes)Please complete this section **ONLY** if you are applying to change to a collector’s licence |
|  | A **collector’s licence** authorises the licensee to carry out business as a mobile collector in the authority’s area only. **You cannot hold both a collector’s licence and a site licence in the same local authority area.** |
|  | Details of vehicles used to collect scrap metal:  |
|  | Registration number:       | Make:       |
|  | Model:       | Colour:       |
|  | Where is the vehicle stored when not in use (give full address)?      |
|  | Registration number:       | Make:       |
|  | Model:       | Colour:       |
|  | Where is the vehicle stored when not in use (give full address)?      |
|  | Please continue on a separate sheet if necessary. |
|  | [**Variation of Licence for Change of Name**](#S9notes)Please note that you cannot transfer a licence between different individuals or companies |
|  | Please give your/your company’s previous name |
|  |       |
|  | Please give your/your company’s new name  |
|  |       |
|  | Please give the date when this change of name took effect       |
|  | Please provide documentary evidence for the change of name (deed poll or company registration certificate) |
|  | [**Payment**](#S10notes)(all applicants must complete this section) |
|  | I will pay the application fee for variation of scrap metal dealer’s licence by:Debit or credit card [ ]  Cheque [ ]  Cash [ ]  (please tick)  |
|  | [**Checklist**](#S11notes)(all applicants must complete this section) |
|  | The form is fully completed, signed and dated by each individual, partner or the company secretary | [ ]  |
|  | The original basic disclosure certificates are enclosed for all site managers | [ ]  |
|  | Documentary evidence of the change of name | [ ]  |
|  | The fee is enclosed | [ ]  |
|  | [**Declaration**](#S12notes)(all applicants must complete this section) |
|  | The information contained in this form is true and accurate to the best of my/our knowledge and belief. I/we understand that if I/we make a material statement knowing it to be false, or if I/we recklessly make a material statement which is false, I/we will be committing an offence under paragraph 5 of Schedule 1 to the Scrap Metal Dealers Act 2013, for which I/we may be prosecuted, and liable, on summary conviction, to fine not exceeding level 3 on the standard scale (currently £1000).I/we understand that Eastleigh Borough Council may consult other agencies about my/our 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/we understand that the purpose of the sharing of this data is to form a full assessment of my/our suitability to be licensed as a scrap metal dealer. I/we also understand that the sharing of information about me/us may extend to sensitive personal data, such as data about any previous criminal offences. I/we understand that relevant information in respect of my application will be displayed on a national register, as required by the Scrap Metal Dealers Act 2013.Please note that the licensing authority may be required by law to disclose, from time to time, further information relating to applications and licences to the appropriate authorities for the purposes of law enforcement and the prevention of fraud.For more detail about how we handle your personal data please see our privacy policy, available online (<http://www.eastleigh.gov.uk/privacy>), or on request. |
|  | An individual applicant (section 2) or all partners (section 3) or the company secretary (section 4) must complete this section |
|  | Signed: |  | Dated |       |
|  | Name (please print) |       |
|  | Capacity of signatory: |       |
|  |  |  |  |  |
|  | Signed: |  | Dated |       |
|  | Name (please print) |       |
|  | Capacity of signatory: |       |
|  |  |
|  | Signed: |  | Dated |       |
|  | Name (please print) |       |
|  | Capacity of signatory: |       |
|  |  |
|  | Signed: |  | Dated |       |
|  | Name (please print) |       |
|  | Capacity of signatory: |       |
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| **Notes for Guidance – Variation of Scrap Metal Dealer’s Licence** |
| Please read these notes in full before completing the form. |
| For every individual site manager named in the application a Basic Disclosure Certificate must be obtained from the Disclosure & Barring Service. You can apply for this certificate at [<https://www.gov.uk/government/publications/basic-checks>](http://www.disclosurescotland.co.uk/apply/individuals/). The original certificates must accompany the completed application and must be no more than three months old when the application is received. These certificates will be returned to you. |
| This is because the Home Office has decided that any person listed on the application must tell the council if they have been convicted of certain crimes. A conviction may not automatically prevent a licence from being granted if the offence was unrelated to business as a scrap metal dealer or a long time ago, and the council is satisfied that you are a suitable person to hold a licence. |
| A Basic Disclosure Certificate is considered to be only valid for a limited period, but can be used to accompany as many applications as you wish within that time. Typically, three months is the longest period that a disclosure certificate can be considered valid. |
| **Section 1 – general information – all applicants** |
| 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 several 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 – application by an individual** |
| If you wish to apply for a licence in your sole name complete this section (and enclose a Basic Disclosure Certificate for the individual). |
| **Section 3 – application by a partnership** |
| If you carry on business as a partnership, complete this section (and enclose a Basic Disclosure Certificate for each partner). |
| **Section 4 – application by a company** |
| If the applicant is a legally established company, complete this section (and enclose a Basic Disclosure Certificate for each director and the company secretary). |
| **Section 5 – contact details – all applicants** |
| Indicate in this section how and where we should communicate with to you. |
| **Section 6 – current licence – all applicants** |
| Give details of your current licence from Eastleigh Borough Council |
| **Section 7 – variation to a site licence** |
| Fill out this section if you want to vary your licence to a **site licence**. Give details of the sites in Southampton where you carry on or propose to carry on business as a scrap metal dealer and the details of the manager who is responsible for each site, including their home address. These details are required by law, to facilitate checks on the applicant and so that contact can be made if there are any problems. Enclose a Basic Disclosure Certificate for each site manager. |
| A **site manager** is the person who will be in charge of the site on a daily basis. |
| If any of your sites were established after 1990, 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’s planning department. |
| **Section 8 – variation to a collector’s licence** |
| Fill out this section if you want to vary your licence to a **collector’s licence**. You are asked to provide details of every vehicle used to collect scrap metal, together with details of the place where the vehicle is stored when not in use. |
| 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 9 – variation of name** |
| Complete this section if you have changed your or your company’s name and provide documentary proof of the change |
| **Section 10 – payment**  |
| There is a fee to apply for a licence which reflects the council’s costs of processing applications, issuing licences and ensuring that licence holders comply with the legislation. Applications cannot be accepted unless the correct fee has been paid. |
| **Section 11 - checklist** |
| If you fail to complete the form and include all the documents required, your application may be rejected. |
| **Section 12 – declaration** |
| The declaration must be signed and dated by each individual or each partner or the secretary of the company applying for a licence, This section also explains that the council is required to share some of the information contained in the form with the police, the Environment Agency, or Natural Resources Wales when checking whether the applicant is a suitable person to hold a licence. Some of the information will also be displayed on a public register held by the Environment Agency. |
| If you do not agree to this use of your information then you should **not** sign the form and you will not be able to apply for a licence. If you are in any doubt about what this section means then speak to the licensing team. |
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| **Relevant offences and Enforcement Action** |
| These “relevant offences” and enforcement action are prescribed by the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013. Any of the offences or the enforcement actions listed here must be declared in connection with an application and may affect the suitability of the applicant to hold a licence.  |
| **Relevant offences** |
|  | section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989(1)  |
|  | section 170 or 170B of the Customs and Excise Management Act 1979(2), where the specific offence concerned relates to scrap metal  |
|  | section 110 of the Environment Act 1995(3)  |
|  | sections 33, 34 or 34B of the Environmental Protection Act 1990(4)  |
|  | section 9 of the Food and Environment Protection Act 1985(5)  |
|  | section 1 of the Fraud Act 2006(6), where the specific offence concerned relates to scrap metal, or is an environment-related offence  |
|  | section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(7)  |
|  | sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002(8)  |
|  | the Scrap Metal Dealers Act 1964(9)  |
|  | the Scrap Metal Dealers Act 2013  |
|  | sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968(10), where the specific offence concerned relates to scrap metal, or is an environment-related offence  |
|  | Part 1 of the Vehicles (Crime) Act 2001(11)  |
|  | sections 85, 202, or 206 of the Water Resources Act 1991(12).  |
|  | regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007(1)  |
|  | regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010(2)  |
|  | the Hazardous Waste (England and Wales) Regulations 2005(3)  |
|  | the Hazardous Waste (Wales) Regulations 2005(4)  |
|  | regulation 17(1) of the Landfill (England and Wales) Regulations 2002(5)  |
|  | the Pollution Prevention and Control (England and Wales) Regulations 2000(6)  |
|  | the Producer Responsibility (Packaging Waste) Regulations 2007(7)  |
|  | the Transfrontier Shipment of Waste Regulations 1994(8)  |
|  | the Transfrontier Shipment of Waste Regulations 2007(9)  |
|  | the Waste (Electrical and Electronic Equipment) Regulations 2006(10)  |
|  | regulation 42 of the Waste (England and Wales) Regulations 2011(11). |
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| **Relevant Enforcement Action** |
|  | the person has been charged with an offence specified in the Schedule to the Regulations *[set out as (a) to (x) above]*, and criminal proceedings in respect of that offence have not yet concluded; or |
|  | an environmental permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 (1) has been revoked in whole, or partially revoked, to the extent that the permit no longer authorises the recovery of metal |
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| **Contacting the Licensing Team:** |
| If you require further information, you may contact the Licensing Team as follows: |
| Email: |  licensing@eastleigh.gov.uk |
| Address: | Licensing Team, Hedge End Depot, Botley Road, Hedge End SO30 2RA |
| Phone: | 023 8068 8109 |
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| **Payments** |
| You must pay for your licence application before it can be accepted. We can accept payment by debit or credit card, by cheque or in cash. Please note that a subsequent failure of a cheque to clear will invalidate your application and may give rise to a criminal offence. |