

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 Mrs Miss Ms Other

(please state):

I am 18 years old or over.
Please tickYes No

Date of Birth:

Surname:

Forenames:

Please also state your maiden name or any other surnames you have previously been known by:

Position/Role in the business:

I have attached a Basic Disclosure Certificate issued for the applicant¹:Yes

If you do not provide a disclosure certificate your application will be 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 or number:

First line of address:

Town/City:

Postcode:

Telephone numbers:

Daytime:

Evening:

Mobile:

Home address:

House name or number:

First line of address:

Town/City:

Postcode:

Email address: (if you would prefer us to correspond with you by email):

¹ Further information about Basic Disclosure Certificates is set out in the explanatory notes accompanying this form.

<input type="checkbox"/> Please use my home address for correspondence	Please note that you must still provide us with a postal address
<p>Site details.</p> <p>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]</p>	
<p>Please state which area you are applying for a site licence in:</p> <p>Adur <input type="checkbox"/> Worthing <input type="checkbox"/></p> <p>There is a fee payable for each council area you apply for a licence in.</p>	
Full address of each site you intend to carry out business as a scrap metal dealer:	Site manager(s) details (if different from the applicant)
<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>Email address:</p> <p>Website address:</p>	<p>Name:²</p> <p>House name or number:³</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth: .../.../.....</p> <p>Basic Disclosure certificate attached:</p> <p>Yes <input type="checkbox"/>⁴</p>

² Please also state your maiden name or any other surnames you have previously been known by.

³ Please provide the site manager's home address as this will facilitate conducting checks on whether they are a suitable person.

⁴ If you do not provide a disclosure certificate issued for named persons, issued no more than one month before the date of this application your application will be rejected.

<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>Email 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:</p> <p>Yes <input type="checkbox"/></p>
<p>Partnerships</p> <p>(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>		
<p>Full name:⁵</p> <p>Date of birth:</p> <p>Residential address:</p> <p>Basic Disclosure certificate attached:</p> <p>Yes <input type="checkbox"/> ⁶</p>	<p>Full name:</p> <p>Date of birth:</p> <p>Residential address:</p> <p>Basic Disclosure certificate attached:</p> <p>Yes <input type="checkbox"/></p>	
<p>Companies</p> <p>(If you are applying as a company please provide the details set out below about the company)</p>		
<p>Company name:</p> <p>Registration number:</p> <p>Address of the registered office:</p>		

⁵ Please also state your maiden name or any other surnames you have previously been known by.

⁶ If you do not provide a disclosure certificate issued for named persons, issued no more than one month before the date of this application, your application will be rejected.

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 ⁷

Role:

Name:

Date of Birth:

House name or number:⁸

First line of address:

Town/City:

Postcode:

Basic Disclosure certificate attached:

Yes

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

⁷ If you do not provide a disclosure certificate issued for named persons, issued no more than one month before the date of this application, your application will be rejected.

⁸ Please provide the director's home address as this will facilitate conducting checks on whether they are a suitable person.

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 only in the authority's area applied for.

Details of prospective licence holder

Title (please tick):

Mr Mrs Miss Ms Other

(please state):

I am 18 years old or over. Please tick

Yes No

Date of Birth:/...../.....

Surname:

Forenames:

Please also state your maiden name or any other surnames you have previously been known by:

Please state which area you are applying to collect in:

Adur Worthing

There is a fee payable for each council area you wish to collect in.

I have enclosed 2 passport sized photographs of each collector

The Scrap Metal Dealers Act 2013 requires that you submit two photographs with your Licence application, one of which must be endorsed with a statement verifying the likeness of the photograph to the applicant by a *'person of a specified description'*. Please see guidance notes for further information.

I have attached a Basic Disclosure Certificate issued for the applicant⁹:

Yes

If you do not provide a disclosure certificate your application will be rejected.

Contact details

(we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address:

House name or number:

First line of address:

Town/City:

Postcode:

Telephone numbers:

Daytime:

Evening:

Mobile:

⁹ Further information about Basic Disclosure Certificates is set out in the explanatory notes accompanying this form.

SECTION 7. PAYMENT (For all applicants)

How do you wish to make payment for your scrap metal dealer's licence . (please tick)

Debit/Credit card Cheque BACS Cash

Cheques should be made payable to either Adur District Council **OR** Worthing Borough Council depending on which council you are applying for a licence from.

SECTION 8. Suitability of applicant(s) (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? (Please see below 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:

Have you, any listed partners, any listed directors, or any listed site manager(s) in this application ever been the subject of any relevant enforcement action?

Yes No

If 'yes' you must provide details below:

Have you, any listed partners, any listed directors, or any listed site manager(s) in this application ever had an application for a scrap metal licence (site or collectors licence) refused, or revoked by any council?

Yes No

If 'yes' you must provide details below:

SECTION 9. TAX CONDITIONALITY CHECK

Schedule 33 of Finance Act 2021 introduced new tax checks for all scrap metal licence holders.

Schedule 23 to Finance Act 2011 (Data Gathering Powers) and Schedule 36 to Finance Act 2008 (Information and Inspection Powers), grant HMRC powers to obtain relevant information from third parties. This includes licensing bodies being required to provide information about licence applicants.

Please find the guidance for HMRC tax registration obligations at the below links:

<https://www.gov.uk/register-for-self-assessment>

<https://www.gov.uk/corporation-tax>

<https://www.gov.uk/income-tax/how-you-pay-income-tax>

If you are applying for a new licence and have not held a scrap metal licence before, or if the licence has not been valid for over 1 year you are not required to provide a tax code. Instead you are required to confirm that you are aware of your tax obligations. This is included in the declaration section of this form.

If this is a renewal application or a new application but you have held a scrap metal licence with this or any other authority that was valid within the last year then you must generate a tax check code at the following link: <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>. Please provide the 9 digit code below.

Please see pages 15 & 16 of the guidance for full information on tax checks.

Tax Code: (9 digits)

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SECTION 10. 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.

I confirm that I am aware of the content of HMRC guidance relating to my/our (please delete as appropriate) tax registration obligations.

Signed:

Date:

Signed:

Date:

Signed:

Date:

Signed:

Date:



**Photograph Declaration for a Licence Application
Scrap Metal Dealers Act 2013**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes below.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

The Scrap Metal Dealers Act 2013 requires that you submit two photographs with your Licence application, one of which must be endorsed with a statement verifying the likeness of the photograph to the applicant by a *'person of a specified description'*.

A *'person of a specified description'* can be either a Solicitor, Notary, a person of standing in the community (Bank or Building Society official, a Police Officer, a Civil Servant or a Minister of Religion) or an individual with a professional qualification, or in the case of a conversion application only, the chief executive of the Licensing Justices.

One of the photographs must be endorsed with a statement verifying the likeness of the photograph to the applicant. The text of the verifying statement should read:

'I certify that this is a true likeness of Mr, Mrs, Miss, Ms or other (full name), followed by your signature, full name and details of your 'specified description' e.g. 'Solicitor', 'Police Officer', 'Building Society Official' etc..'

In order for the Licensing Authority to be satisfied that the person who has signed one of your photographs meets with these statutory requirements, and to deter fraudulent applications, it is necessary for the declaration statements overleaf to be completed.

Any details provided are held confidentially and are subject to the provisions of the Data Protection Act 1998.

If you have any questions in relation to the declaration, please do not hesitate to contact us.

Telephone: 01273 263331

Email: licensing.unit@adur-worthing.gov.uk

Statement by Endorser

Title: Mr / Mrs / Miss / Ms or Other (please specify):

Surname:

Forename(s):

**Occupation and/or
Professional qualification:**

Business Address (if applicable):

Home Address:

Daytime Telephone:

Mobile:

Email:

Name (please print):

Signature:

Date:

Statement by Applicant

I confirm that the person named above certified a photograph in support of my application for a Licence.

Name (please print):

Signature:

Date:

Information on the Scrap Metal Dealers Act 2013 is available on the Home Office website - www.homeoffice.gov.uk

Or from: - Public Health & Regulation, Adur & Worthing Councils, Portland House,
44 Richmond Road, Worthing, BN11 1HS

Telephone: 01273 263331

Email: licensing.unit@adur-worthing.gov.uk

Help with completing your application for a scrap metal dealer's licence

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 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 – 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.environment-agency.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 including their home address. These details are required by law or to facilitate checks on the applicant or 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 suitability Certificate. You can apply for this certificate at <https://www.gov.uk/guidance/responsible-organisations>

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, one month 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.

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 along with the application form. You can apply for this certificate at - <https://www.gov.uk/guidance/responsible-organisations>
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, one month is the longest that you can expect your check to be considered valid.

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. You will need to apply for a site licence to operate as a motor salvage operator.

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

There is a fee to apply for a licence and your council will tell you how you can pay. The fee varies from council to council as it reflects their costs of processing the form and checking that people are doing what the licence requires. Applications cannot be accepted unless the correct fee has been paid.

Section 8 – Suitability of Applicant(s)

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 that you are required to submit with the application, along with information retained by the police and the Environment Agency or Natural Resources Wales.

Section 9 – Tax Conditionality Checks

The government has put in place new tax requirements for applications to certain licences. HMRC has now published information on Gov.UK to help licensees and licensing bodies to prepare for new tax checks that were introduced in Schedule 33 of Finance Act 2021.

Most people are registered to pay tax and this is about ensuring everyone pays the tax they should, creating a level playing field for the compliant majority. HMRC are working with industry bodies to make this as straightforward as possible. The check should take a few minutes every few years and is simply to confirm that someone is appropriately registered for tax.

You'll need to complete a tax check when you renew your licence as a:

- scrap metal dealer mobile collector
- scrap metal dealer site

You will be able to generate this tax check at <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on GOV.UK. There's guidance on GOV.UK and anyone who needs extra support will be able to complete the tax check by phone through HMRC's customer helpline - 0300 200 3300

When you've completed the tax check, you'll get a 9 digit code. You must give this code to your licensing body. The licensing body cannot proceed with your licence application or renewal until the tax check is completed and they've received the code.

Your licensing body will only receive confirmation from HMRC that you've completed the tax check, they will not have access to information about your tax affairs.

If you are applying for a new licence and have not held a scrap metal licence before, or if the licence has not been valid for over 1 year you are not required to provide a tax code. Instead you are required to confirm that you are aware of your tax obligations. This is included in the declaration section of this form.

Registering for tax

You may have to pay tax through Pay as You Earn (PAYE), Self Assessment and/or Corporation Tax, depending on your circumstances. If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC are here to help.

What you need to do

If you've not registered to pay tax on earnings from your licensed trade, please go to GOV.UK to check if you need to register as soon as possible:

- if you're an employee, find information on Pay As You Earn (PAYE):
www.gov.uk/income-tax/how-you-pay-income-tax
- if you're self-employed, find information on registering for Self Assessment:
www.gov.uk/register-for-self-assessment
- if you operate through a company, find information on Corporation Tax:
www.gov.uk/corporation-tax

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC is here to help.

You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Visit GOV.UK and search 'Get help from HMRC if you need extra support'.

Section 10 – 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 council's licensing team.

Relevant offences

For the purposes of section 3(3)(b) of the Scrap Metal Dealers Act 2013, “relevant offence” means any offence specified in the Schedule to these Regulations, and includes an offence of—

- (a) attempting or conspiring to commit any offence falling within the Schedule;
- (b) inciting or aiding, abetting, counseling or procuring the commission of any offence falling within the Schedule, and
- (c) an offence under Part 2 of the Serious Crime Act 2007(2) (encouraging or assisting crime) committed in relation to any offence falling within the Schedule.

SCHEDULE

PART 1

Primary Legislation

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990
- (e) An offence under section 9 of the Food and Environment Protection Act 1985
- (f) An offence under section 1 of the Fraud Act 2006, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g) An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002
- (i) Any offence under the Scrap Metal Dealers Act 1964
- (j) Any offence under the Scrap Metal Dealers Act 2013
- (k) An offence under sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l) Any offence under Part 1 of the Vehicles (Crime) Act 2001
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991.

PART 2

Secondary Legislation

- (a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007
- (b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010
- (c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005
- (d) Any offence under the Hazardous Waste (Wales) Regulations 2005
- (e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002
- (f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000
- (g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007
- (h) Any offence under the Transfrontier Shipment of Waste Regulations 1994
- (i) Any offence under the Transfrontier Shipment of Waste Regulations 2007
- (j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006
- (k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011.