

name  
address

Date:  
Our Ref:  
Please Ask for:  
Direct dial:  
Fax No:

Dear Sir

### **New Legislation affecting your business – Scrap Metal Dealers Act 2013**

I am writing to you because you are registered with Blackburn with Darwen Borough Council as either a Motor Operator or a Scrap Metal Dealer/itinerant scrap metal collector to advise you of new legislation which will affect the operation of your business. From the 1<sup>st</sup> October 2013, both Motor Salvage Operators and Scrap Metal Dealers will be required to be licensed and regulated by the above legislation. There will be two types of licence you can apply for as follows:

#### **A Site Licence:**

Each site where a person carries on a business of buying/selling scrap metal (e.g. a scrap yard), within a Local Authority area must be listed on a Site Licence granted by that Local Authority. Each site must also have a named site manager recorded on the licence. A Site Licence authorises the holder to transport scrap metal to and from the site(s) listed on the licence.

#### **A Collectors Licence:**

A Collector's Licence authorises the holder and the holder alone to collect scrap metal within the Local Authority area which has issued the licence. The cannot collect scrap metal in any other Local Authority area without first obtaining a separate licence from the other Local Authority concerned. In addition, a Collectors Licence does not authorise the holder to operate a site. Each person who travels in a vehicle collecting scrap metal must be in possession of a Collectors Licence. It is a criminal offence to be in a vehicle which has engaged in the collection of scrap metal if you do not hold a Collectors Licence.

You can only apply for **one** of the above licences. The holder of a Site Licence cannot collect scrap metal and take it to their site.

#### **How to obtain a licence:**

You must submit an application to Blackburn with Darwen Borough Council for a licence if you wish to continue operating your business without disruption from with the Blackburn and Darwen area. The government has stipulated a transitional period from the 1<sup>st</sup> to 14<sup>th</sup> October 2013, during which period if you are currently registered under the 1964 Scrap Metal Dealers Act, or under the 2001 Vehicles (Crime) Act, you can submit an application for a licence and continue to operate your business whilst your application is being processed.

Once issued, each licence will be valid for 3 years from the date of issue.

If you do not apply for a licence before the end of the transitional period, you will be treated as a new applicant and will have to cease trading until such time that your licence is granted. To operate without a licence is a criminal offence.

As part of the application process, you are required to enclose with your application a 'Basic Criminal Disclosure Certificate' which can be obtained by contacting Disclosure Scotland as follows:

Disclosure Scotland,  
PO Box 250,  
Glasgow,  
G51 1YE  
Tel: 0870 609 6006  
Online: [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

Applications for a Basic Disclosure can be made and paid for online. The current fee for the Disclosure is £25. As it can take up to 14 days for your Disclosure Certificate to be posted to you, you are strongly advised to **apply for a Disclosure online without delay**. Once received, and so as to ensure that your application is with Blackburn with Darwen Borough Council before the end of the 14 day transition period, it would be in your interest to hand deliver your completed application together with the **original** Disclosure Certificate. A fee will be applicable upon the grant of your licence.

Enclosed with this letter is the application form you will need to complete.

Finally, you should also be aware that since 3<sup>rd</sup> December 2012, it has been a criminal offence for a scrap metal dealer to buy or sell scrap metal for cash. A scrap metal dealer must not pay for scrap metal except by non transferable cheque or by an electronic transfer of funds via bank debit/credit card.

Please feel free to contact this office on the above phone number if there is anything in this letter which you wish to discuss.

Yours sincerely,

Officer