

Scrap Metal Dealers Act 2013 Statement of Licensing Policy

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1. Introduction

1.1. This document sets out our policy on guidelines for scrap metal dealers.

The Law

1.2. The Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 and came into force on 1 October 2013.

1.3. The Scrap Metal Dealers Act 2013 ('the 2013 Act') repeals the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicle (Crime) Act 2001, Paragraph 1 of schedule 3 of the Vehicle Excise and Registration Act 1994, Paragraph 168 of schedule 17 to the Communications Act 2003 and section 145 to 147 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The 2013 Act introduces a new regime for regulating scrap metal dealing and vehicle dismantling industries.

1.4. The 2013 Act keeps local authorities as the main regulator. It also gives them better powers to regulate these industries. This includes refusing to grant a licence to 'unsuitable' applicants and revoking licences if the dealer becomes 'unsuitable'.

1.5. Chelmsford City Council ('the Council') is the Licensing Authority under the 2013 Act. We are responsible for granting site and collector licences in the Borough of for businesses that deal with scrap metal and vehicle dismantling.

1.6. When assessing applications, we need to be happy that the applicant is a 'suitable' person to hold a licence. We will judge if they are unsuitable based on several aspects, including any relevant criminal convictions.

1.7. Under the 2013 Act, a scrap metal dealer must have a licence in order to continue their business. It is an offence to carry on a business without first getting a licence. The Act also includes the separate regulatory scheme for motor salvage operators under the Vehicle (Crime) Act 2001. This replaces the current overlapping regimes with a single regulatory scheme.

Definition of a Scrap Metal Dealer

1.8. You can continue business as a scrap metal dealer if:

- a) you wholly or partly buy or sell scrap metal (whether or not sold in the form it was bought in)
- b) you continue business as a motor salvage operation (see 1.10)

1.9. You are not a scrap metal dealer if you sell scrap metal as surplus materials or as a by-product of manufacturing articles.

1.10. Motor salvage operation is defined in the Act as a business that consists wholly or mainly of:

- a) recovering salvageable parts from motor vehicles for re-use or sale and selling the rest of the vehicle for scrap
- b) buying written-off vehicles, repairing and reselling them
- c) buying or selling motor vehicles which are to be the subject of any of the activities mentioned in a) or b)
- d) wholly or mainly in activities under (b) and (c)

1.11. Scrap metal includes:

- a) any old, waste or discarded metal or metallic material
- b) anything which is made from, or contains, metal and is broken, worn out or seen as 'end-of-life by its last holder

1.12. Scrap metal does not include:

- a) gold
- b) silver
- c) any alloy which contains 2 per cent gold or silver by weight

2. Consultation

- 2.1. Under the 2013 Act, we do not need to have any formal policy for dealing with applications. However, as 'best practice', we have chosen to create a formal policy for this.
- 2.2. We do not need to carry out a consultation in relation to this policy document.

3. Types of Licences

- 3.1. You will need either a site or collector licence if you want to operate a business. The licence is valid for three years and allows you to operate within the boundaries of the issuing Authority. These are:
 - **Site Licence:** We will issue you a licence in the area where the scrap metal site is situated. All of the sites where the business is carried out will need to be identified and have a named site manager at each one. The site managers will then be allowed to work at these sites, including transporting scrap metal to and from each site.
 - **Collector's Licence:** This allows a licence holder to work as a 'mobile collector' in the area. You can collect any scrap metal you want to, including commercial and domestic scrap metal. You are not allowed to collect from any other local Authority area. If you want to collect from outside the area, you will need a separate licence from that area's local Authority. You are also not allowed to continue working at a site within any area. If you want to operate from a fixed site in another area, you will need a site licence from that area's

local authority. There is no restriction on locations for transporting and selling material.

- 3.2. You can have more than once licence across different authorities, but only one licence in a single authority.

4. Transitional Process

- 4.1. During the transitional period, there will be special arrangements in place. The conversion procedure is shown in Appendix 1.
- 4.2. If you are currently registered as a scrap metal dealer, you can apply for a licence from 1 October 2013. We will have automatically issued you with a licence if you completed our suitability assessment.
- 4.3. If you apply after 15 October 2013, you will be subject to the full licensing process.
- 4.4. If you operate after 1 December 2013 without a licence, you will be in breach of the 2013 Act. You may risk being issued with a closure order.
- 4.5. If you continue to operate once you have been issued a closure order, you may receive an unlimited fine.

5. Application Process

- 5.1. When we consider an application, we will look at:
- the 2013 Act
 - guidance issued by the Secretary of State
 - any supporting regulations
 - this statement of licensing policy
- 5.2. This does not undermine your rights to apply under the 2013 Act for a licence and have your application considered on its individual merits.
- 5.3. If you continue, or propose continuing, a business as a scrap metal dealer, you may apply to be licensed. You must apply in writing and include the appropriate mandatory details, as set out in Appendix 1.
- 5.4. We may request that you provide other relevant information to help us consider your suitability. This is set out in Appendix 1.
- 5.5. You must include the appropriate fee when you apply.
- 5.6. If you don't include all the relevant information, including supporting documents, we may decline your application as invalid.

6. Suitability of Applicants

- 6.1. We need to determine whether you are a suitable person to continue business as a scrap metal dealer.
- 6.2. We may consider any information we believe is relevant. This includes whether you have had enforcement action taken out against you or if you have been convicted of a relevant offence. A list of relevant offences is set out in Appendix 2.
- 6.3. We must also consider any guidance on determining suitability which has been issued by the Secretary of State.
- 6.4. We may consult other agencies regarding your suitability, including:
 - any other local Authority
 - the Environment Agency
 - the Natural Resources Body for Wales
 - an officer of a police force

7. Determination of Application/Issue of Licence

- 7.1. If we are satisfied that you are a 'suitable person' to hold a scrap metal dealer licence, we will issue you a licence.
- 7.2. We may include one or both of the following conditions in your licence:
 - we limit you to receiving any metal between 9am and 5pm
 - we instruct you to keep any scrap metal in its received form for a specified period of time, no more than 72 hours
- 7.3. We must consider refusing your application or refusing your licence and referring you to our Licensing and Regulatory Committee for a ruling if:
 - we are not satisfied that you are a 'suitable person' to hold a scrap metal dealer's licence
 - we believe you are no longer considered 'suitable' to hold a licence

Right to Make Representations

- 7.4. If we refuse an application or revoke/vary a licence, we must issue you with a notice explaining what we propose to do and why. We must also say that you can do one of the following things within the specified period:

- make representations about the proposal
 - tell us that you wish to do so
- 7.5. The specified period in the notice must be at least 14 days beginning with the date on which you are issued with the notice. Within this time, you must tell the Council that you do not wish to make representations. If you have not made representations, or told us you wish to do so, within this time, we may refuse the application. We may also revoke or vary the licence.
- 7.6. If, within the period specified, you let us know that you wish to make representations, we must allow a reasonable period to make representations. We may refuse the application or revoke or vary the licence if you do not make representations within that period.
- 7.7. If you let us know that you wish to make oral representations, we must give you an opportunity. You will appear before, and be heard by, one of our appointed staff from the Licensing and Regulatory Committee.
- 7.8. We may revoke a scrap metal dealer's licence in certain circumstances. These are set out in section 9.

Notice of Decisions

- 7.9. If your application is refused, or your licence is revoked or varied, we must give you a notice explaining our decision and its reasons. This notice must also state that:
- that you may appeal against the decision (set out in Appendix 4)
 - the time within which your appeal may be brought
 - the date when your licence will be revoked or varied (if applicable)

8. Variation of Licence

- 8.1. You can apply to us to vary a licence by changing it from one type to another. You can amend the name of the licensee but not transfer the licence to another person. Your variation application must explain:
- the new name of the licensee, sites and site manager (site licences)
 - the new name of the licensee (collector licences)
- 8.2. You should apply to us and explain the details of the changes being made to the licence.

9. Revocation of Licence

- 9.1. We may revoke your licence if you are not scrap metal dealing at any of the licensed sites.
- 9.2. We may revoke your licence if a site manager named in the licence does not act as such at any of the licensed sites.
- 9.3. We may revoke your licence if you are no longer a 'suitable person' to continue business as a scrap metal dealer.
- 9.4. If you cannot appeal under section 16.9, or if an appeal has been determined or withdrawn, your licence will be revoked or varied.
- 9.5. If we believe your licence should not continue without conditions, we may order the following:
 - a) until your licence is revoked, it will be subject to one or both of the conditions set out in section 7.2
 - b) your licence is varied immediately under section 7.2

10. Register of Licences

- 10.1. The Environment Agency must keep a register of scrap metal licences issued by authorities in England.
- 10.2. Each entry must record:
 - a) the name of the Authority which issued the licence
 - b) the name of the licensee
 - c) any trading name of the licensee
 - d) the address of the site(s) identified in the licence
 - e) the type of licence
 - f) the date when the licence will expire
- 10.3. The registers are to be open to the public for inspection.

11. Notification Requirements

- 11.1. If you apply for a scrap metal licence, or to renew or vary one, you must tell us any changes which affect the application.

- 11.2. You must tell us if you are not continuing business as a scrap metal dealer in the area within 28 days.
- 11.3. If your licence is issued to a business under a trading name, you must tell us of any change of name within 28 days.
- 11.4. We must tell the Environment Agency about:
- a) any notification given to us under section 11.2 or 11.3
 - b) any licence we vary under section 8 (variation of type of licence or matters set out in licence)
 - c) any licence we revoke
- 11.5. We must receive any notification under subsection 11.4 within 28 days of the notification, variation or revocation.
- 11.6. When we tell the Environment Agency about any changes under subsection 11.4, we must also amend the register under section 10.

12. Display of Licences

- 12.1. You must display a copy of your site licence at each site identified in the licence. It must be displayed in a prominent place in an area accessible to the public.
- 12.2. You must display a copy of your collector's licence on any vehicle being used in the course of your business. It must be displayed so that it can be easily read from outside the vehicle.

13. Verification of Supplier's Identity

- 13.1. Before you receive any scrap metal, you must verify your full name and address by referencing documents or data from a reliable source.
- 13.2. If you do not verify your name and address, the following parties are guilty of an offence:
- a) you
 - b) the site manager (if metal is received at the site)
 - c) anyone who has verified you or the site manager

14. Payment for Scrap Metal

- 14.1. You must only pay for scrap metal via either of the following methods:
- a) a cheque (which is not transferrable under Section 81A Bills of Exchange Act 1882)

- b) electronic transfer of funds (authorised by a credit, debit card or otherwise)

14.2. Before you receive any scrap metal, you must verify your full name and address by referencing documents or data from a reliable source.

15. Records: Receipt of Scrap Metal

15.1. If you receive any metal in the course of your business, you must record the following information:

- a) a description of the metal, including its type (types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features
- b) the date and time it was received
- c) the vehicle registration number of the vehicle that delivered it
- d) the full name and address of the person who delivered it
- e) the full name of the person making payment on the dealer's behalf

15.2. The dealer must keep a copy of any documents used to verify the name and address of the person delivering the metal.

15.3. If payment is made via cheque, the dealer must keep a copy of the cheque.

15.4. If payment is made via electronic transfer, the dealer must keep a receipt identifying the transfer, or record details identifying the transfer.

16. Records: Disposal Scrap Metal

16.1. According to the 2013 Act, metal has been disposed of whether or not:

- a) the metal is in the same form as it was when purchased
- b) the disposal is to another person
- c) the metal is dispatched from a site

16.2. If you have a site licence and are disposing metal, you must record the following information:

- a) a description of the metal, including its type (or types if mixed), form and weight
- b) the date and time of disposal
- c) the name and address of another person if it was given to them

d) the price or agreement made if you receive payment through sale or exchange

16.3. If you have a collector's licence and are disposing metal, you must record the following information:

a) the date and time of disposal

b) the name and address of another person if it was given to them

17. Records: Supplementary

17.1. You must record the information in sections 15 and 16 so that both it and the scrap metal can be easily identified.

17.2. You must mark the records mentioned in section 15 so that the scrap metal can be easily identified.

17.3. You must keep records for three years from the day when the metal is received or disposed of.

17.4. If you do not keep to the requirements in sections 15, 16 and this section, the following parties are guilty of an offence:

a) you

b) the site manager (if metal is received at the site)

c) anyone who has verified you or the site manager

17.5. If either you or the site manager are charged with an offence under this section, you must prove that:

a) arrangements were made to make sure the requirements were kept to

b) all reasonable steps were taken to ensure these arrangements were complied with

18. Fees

18.1. We may charge for a licence on a cost recovery basis (subject to guidance issued by the Secretary of State).

19. Compliance

19.1. Under the 2013 Act, a Police Constable or one of our officers can enter and inspect premises of licensed or unlicensed scrap metal dealers.

19.2. Under the 2013 Act, we do not have the power to inspect premises of licensed or

unlicensed scrap metal dealers outside our area.

- 19.3. We deliver a wide range of compliance services which help to protect the environment, the community and assist businesses with fair trade.
- 19.4. This includes the administration and compliance of the licensing regime.
- 19.5. In terms of compliance, we believe that businesses should:
- receive clear explanations from regulators of what they need to do and when
 - have an opportunity to resolve differences before compliance action is taken, unless immediate action is needed
 - receive an explanation of their right of appeal
- 19.6. We recognise the interests of both citizens and businesses. We will work closely with our partners to assist you to comply with the law. However, we will take fair but firm action against you if you commit a serious offence or consistently break the law. We have a clear set of standards of service and performance that the public and businesses expect.
- 19.7. We have created a compliance policy to explain how we carry out our role as Licensing Authority and how we achieve compliance.
- 19.8. We have also established a compliance protocol with Essex Police and British Transport Police on compliance issues. This protocol helps high-risk premises with resources and activities that require greater attention. It also provides a lighter touch for low-risk premises which operate well.

20. Closure of Unlicensed Sites

Closure Notice

- 20.1. This is not applicable if your premises are residential.

We must be satisfied that your premises is unlicensed and is being used by a scrap metal dealer in the course of business. A Police Constable can also assess this.

Either we, or a Police Constable, may then issue a 'closure notice'. This must state that we are satisfied of the above assessment and its reasons. It must also state that we may apply to the court for a closure order. This will explain the steps which may be taken to ensure that premises stops being used for dealing with scrap metal. Our powers can only be used within our area.

We must give the notice to the person who appears to be the site manager and any director, manager or other officer of the business. We may also give the notice to anyone who has an interest in the premises, such as the owner, leaseholder or occupier.

We must give the notice to a person who occupies another part of the premises. This must consider whether the person would lose access that part of the premises if we made a closure order.

Cancellation of Closure Notice

20.2. Either we, or a Police Constable can issue a 'cancellation notice' to cancel a closure notice. This begins when we give it to anyone who was given the closure notice. We must also give this to anyone else who was given the closure notice.

Application for Closure Order

20.3. When a closure notice has been given, we may make a complaint to the justices of the peace for a closure order. This may not be made until seven days after the closure notice was given, and no more than six months later.

You cannot make a complaint under this paragraph if:

- we are satisfied that the premises is not being used for scrap metal dealing
- the premises will not be used for scrap metal dealing again in the future

The justice may issue a summons to answer to the complaint. They must direct this to anyone who received the closure notice and must the date, time and place where the complaint will be heard.

Closure Order

20.4. A closure order means that a premises must be closed immediately to the public. It must remain closed until we, or a Police Constable, makes a termination of closure order by certificate.

The closure order may include conditions relating to:

- letting people into the premises
- people having to another part of any building
- another structure which the premises forms a part of

The closure order may also explain what will happen if these conditions are disobeyed, as determined by the court.

You must fix a copy of the closure order in an obvious position to the premises as soon as possible after its been made.

You must pay a sum into court to the designated officer under the closure order.

Termination of Closure Order by Certificate

20.5. A closure order means that a premises must be closed immediately to the public. It must remain closed until we, or a Police Constable, makes a termination of closure order by certificate. This ends the closure order and you would receive any sum paid into the court once they have released it.

We, or a Police Constable, must give a copy of the certificate to anyone who received the closure order as soon as it is made. We must also give a copy to the designated officer for the court and anyone else who requests one. We must fix a copy in an obvious position to the premises as soon as possible after its been made.

Discharge of Closure Order by Court

20.6. A closure order may be discharged if a complaint is given to a justice of the peace. Anyone who received the closure order can do this, as can anyone who has an interest in the premises.

The court will make a discharge order if they are satisfied that there is no further need for a closure order. The justice may issue us, or a Police Constable, with a summons to appear before the magistrates' court to answer the complaint.

If a summons is issued, everyone who received the closure order must be given notice of the date, time and place of the complaint's hearing.

Appeal

20.7. You can appeal to the Crown Court against:

- a) a closure order
- b) a decision not to make a closure order
- c) a discharge order
- d) a decision not to make a discharge order

You must appeal no more than 21 days after the order or decision was made.

Anyone who received the closure notice, or anyone who has interest in the premises, can make an appeal under a) or b).

We, or a Police Constable, can make an appeal under c) or d).

Enforcement of Closure Order

20.8. If you open a premises in breach of, or you do not comply with, a closure order, you are

guilty of an offence.

We, or a Police Constable, can enter the premises at any reasonable time to ensure it complies with a closure order.

If the owner, occupier or other person in charge needs the office to identify themselves or to exercise power, they must produce evidence.

21. Delegated Authority

- 21.1. We will make decisions on licensing matters through delegation in a timely, efficient and effective manner.
- 21.2. Our current Scheme of Delegation recommends that decisions on scrap metal dealers are made by our Licensing and Regulatory Committee.

Appendix 1: Application Process

You should apply for a licence to the following address:

The Licensing Authority
Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
Essex, CM1 1JE

To apply for a scrap metal dealer's licence, you will to complete an application form and send it to us with:

- a) your full name, date of birth and usual place of residence
- b) your registered number and office and trading name (if a company)
- c) the full name of each partner, their date of birth and their usual residence (if a partnership)
- d) the proposed trading name
- e) your telephone number and email address
- f) the address within any other area where you will continue business as a scrap metal dealer
- g) any relevant environmental permit or registration
- h) details of any other scrap metal licence you have received in the last three years
- i) details of the bank account which will be used to comply with section 15
- j) details of any relevant conviction or enforcement action taken against you

For a site licence, you must also provide:

- a) the address of each site which will be on either a new or renewed licence
- b) the full name, date of birth and usual residence of each site manager
- c) site manager details for g), h) and j) above

A collector's licence allows a business or individual to operate within that our area. Therefore, if you wish to collect from another area, you will need a separate collector's licence from that area's Authority.

You must provide a basic disclosure of criminal convictions when you apply. You can get these

directly from www.disclosurescotland.co.uk or by telephoning the Disclosure Scotland Helpline on 0870 609 6006. This disclosure is valid for one month from the date it was issued.

Further Information

We may ask you to supply further information if it is relevant for considering your application, either when you apply or later.

We will need the following additional photographic evidence:

- a current valid passport
- a driving licence (photo ID and counterpart)

We may also consider the following information when considering if someone is a 'suitable person':

- whether you or the site manager has been convicted of any relevant offence or enforcement action
- any previous refusal of an application for a new or renewed licence and its reasons
- any previous refusal of an application for a relevant environmental permit or registration and its reasons
- any previous revoked scrap metal licence and its reasons
- whether you have demonstrated that there will be adequate procedures in place to comply with the 2013 Act

If you are not applying as an individual, all of the above also applies to a company director or secretary.

Appendix 2: Relevant Offences and Penalties

When considering your suitability, we will consider any relevant offences, including:

Part 1 (Primary Legislation)

- an offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989
- an offence under section 170 or 170B of the Customs and Excise Management Act 1979, where the specific offence concerned relates to scrap metal
- an offence under section 110 of the Environment Act 1995
- an offence under sections 33, 34 or 34B of the Environmental Protection Act 1990
- an offence under section 9 of the Food and Environment Protection Act 1985
- 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
- an offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
- an offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002
- any offence under the Scrap Metal Dealers Act 1964
- any offence under the Scrap Metal Dealers Act 2013
- 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
- any offence under Part 1 of the Vehicles (Crime) Act 2001
- an offence under sections 85, 202, or 206 of the Water Resources Act 1991

Part 2 (Secondary Legislation)

- any offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007
- any offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010

You should not rely on this document as an accurate statement of law, only of general offences and penalties. You should seek independent legal advice if you are unsure of any information in

this document.

Offences relating to scrap metal dealing and motor salvage are described below under the relevant statute.

In relation to the maximum penalties specified, the levels of fine are currently as follows (this information is correct at the time of writing this Policy and are subject to change):

- level 1: £200
- level 2: £500
- level 3: £1,000
- level 4: £2,500
- level 5: £5,000

Scrap Metal Dealers Act 2013

Section	Offence	Maximum Penalty
1	Carry on business as a scrap metal dealer without a licence	Level 5
8	Failure to notify authority of any changes to details given within application	Level 3
10	Failure to display site licence or collector's licence	Level 3
11 (6)	Receiving scrap metal without verifying the persons full name and address	Level 3
11 (7)	Delivering scrap metal to dealer and giving false details	Level 3
12 (6)	Buying scrap metal for cash	Level 5
13	Failure to keep records regarding receipt of metal	Level 5
14	Failure to keep records regarding disposal of metal	Level 5
15 (1)	Failure to keep records which allow the information and the scrap metal to be identified by reference to one another	Level 5
15 (2)	Failure to keep copy of document used to verify name and address of person bringing metal, or failure to keep a copy of a cheque issued	Level 5
15 (3)	Failure to keep information and record for three years	Level 5
16	Obstruction to right of entry and failure to produce records	Level 3

Offences by Corporate Bodies

1. Where an offence under the Act is committed by a body corporate and is proved:
 - a) to have been committed with the consent or connivance of a director, manager, secretary or other similar officer
 - b) to be attributable to any neglect on the part of any such individual.

The individual as well as the body corporate is guilty of the offence and is liable to be proceeded

against and punished accordingly.

2. Where the affairs of a body corporate are managed by its members, section 1 applies in relation to the acts and omissions of a member in connection with that management as if the member were a director of the body corporate.

Appendix 3: Compliance

Right of Entry

1. One of our officers, or a Police Constable, may enter and inspect a licensed site at any reasonable time on notice to the site manager.
2. One of our officers, or a Police Constable, may enter and inspect a licensed site at any reasonable time on any other occasion if:
 - a) reasonable attempts to give notice have been made and failed
 - b) entry to the site is reasonably required to decide whether the provisions of this Act are being complied with
 - c) entry to the site is reasonably required to investigate offences under the Act
3. Sections 1 and 2 above do not apply to residential premises.
4. One of our officers, or a Police Constable, are not allowed to use force to enter a premises under sections 1 and 2 above.
5. A justice of the peace may issue a warrant authorising entry (in accordance with section 7 below) to any premises within section 6 below. This occurs if the justice is satisfied by information on oath that there are reasonable grounds for believing that entry to the premises is needed. This entry would be for the purpose of:
 - a) securing compliance with the provisions of the Act
 - b) deciding whether those provisions are being complied with
6. Premises are within this section if:
 - a) the premises is a licensed site
 - b) the premises is unlicensed but there is evidence that the premises is being used by a scrap metal dealer carrying out business
7. The warrant is a warrant signed by the justice which:
 - a) details the premises concerned
 - b) authorises one of our officers or a Police Constable to enter and inspect the premises within one month from the date of the warrant
8. One of our officers, or a Police Constable may, if necessary, use reasonable force in the under a warrant under section 5.

9. One of our officers, or a Police Constable may:
 - a) require production of, and inspect, any scrap metal kept at any premises mentioned in section 1 or 2 or in a warrant under section 5
 - b) require production of, and inspect, any records kept in accordance with section 15 or 16 and any other records relating to payment for scrap metal
 - c) take copies of or extracts from any such records
10. Section 14 below applies if one of our officers, or a Police Constable, seeks to exercise powers under this section in relation to any premises.
11. If the owner, occupier or other person in charge of the premises requires the officer to produce:
 - a) evidence of the officer's identity
 - b) evidence of the officer's authority to exercise those powersthe officer must produce that evidence.
12. Our powers under this section are exercisable only in relation to premises in our area.

Appendix 4: Appeals

You may appeal to the magistrates' court against the refusal of an application or a variation. You may appeal to a magistrates' court against the inclusion in a licence of a condition under section 7.2. You may also appeal against the revocation or variation of a licence under section 9.

You must make an appeal within 21 days from the day the notice for refusal, revocation or variation under section 7 was given.

The procedure on an appeal under this paragraph is to be by way of complaint for an order and in accordance with the Magistrates' Court Act 1980.

For the purposes of the time limit for making an appeal, the making of the complaint is to be treated as the making of the appeal.

On appeal, the Magistrates' Court may confirm, vary or reverse our decision. It may also give appropriate recommendations in accordance with the Act.

We must comply with any directions given by the Magistrates' Court. However, we do not need to comply with them until the time for applying under section 111 of the Magistrates' Courts Act 1980 has passed. We can also comply when the application is finally determined or withdrawn.

Appendix 5: Fees

You must include the fee for your licence when you apply. The cost of a licence is detailed in the table below **(this information is correct at the time of writing this Policy and subject to change)**:

Licence Type	Site Licence	Collector's Licence
New	£430	£200
Renewal	£270	£170
Variation	£50	£50