

**To the Chair and Members of the  
Licensing COMMITTEE**

**Licensing of Scrap Metal Dealers – Scrap Metal Dealers Act 2013  
Statement of Licensing Policy and Guidance to Applicants**

<b>Relevant Cabinet Member(s)</b>	<b>Wards Affected</b>	<b>Key Decision</b>
	All	No

**EXECUTIVE SUMMARY**

1. Doncaster Council currently has a statutory responsibility under the Scrap Metal Dealers Act 1964, for the registration of scrap metal dealers. Registration is made on application and there is no discretion to refuse. There is no fee.
2. The Scrap Metal Dealers Act 2013 commences on 1 October 2013, and changes the regime from registration to licensing and gives the Council the discretion to refuse an application given certain criteria and also gives the power to condition or revoke an existing licence in some circumstances.
3. The Act gives the Council the authority to set fees in respect of applications and variations of licences. The setting of fees is being dealt with separately.

**EXEMPT REPORT**

4. Not applicable

**RECOMMENDATIONS**

5. It is recommended that the Statement of Licensing Policy and Guidance to Applicants be noted by the Committee.

**BACKGROUND**

6. The Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 and commences on 1 October 2013.
7. The Act repeals the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicles (Crime) Act 2001 relating to Motor Salvage Operators, creating a revised regulatory regime for the scrap metal recycling and

vehicle dismantling industries. The Act maintains local authorities as the principal regulator but gives them the power to better regulate these industries by allowing them to refuse to grant a licence to ‘unsuitable’ applicants and a power to revoke licences if a dealer becomes ‘unsuitable’.

8. The Act aims to raise trading standards across the scrap metal industry by requiring more detailed and accurate records of transactions as well as a requirement to verify the identity of those selling metal to them and a total prohibition on making cash payments for scrap.
9. The Act incorporated the separate regulatory scheme for motor salvage operators under the Vehicles (Crime) Act 2001 into the new regime, thus replacing the overlapping regimes for the vehicle salvage and scrap metal industries.
10. The definition of ‘scrap metal dealer’ and ‘scrap metal’ has also been revised to ensure they reflect the 21<sup>st</sup> Century scrap metal industry.

### **OPTIONS CONSIDERED**

11. The Council has a statutory responsibility under the Scrap Metal Dealers Act 2013 for licensing, compliance and enforcement in relation to scrap metal dealers.
12. The Act is prescriptive in the requirements for an application but not regarding the process. There is no statutory requirement to provide a policy document.

### **REASONS FOR RECOMMENDED OPTION**

13. The provision of a policy and guidance provides applicants and other agencies with a benchmark of the licensing authority’s expectations and will assist them in understanding statutory requirements and in submitting complete and accurate applications thereby alleviating unnecessary work and delay.

### **IMPACT ON THE COUNCIL’S KEY PRIORITIES**

14. No significant impact

	<b>Priority Outcome</b>	<b>Implications of this initiative</b>
1.	Doncaster’s economy develops and thrives, underpinned by effective education and skills	
2.	Children are safe	
3.	Stronger families and stronger communities	
4.	Modernised and sustainable Adult Social Care Services with increased choice and control	

5.	Effective arrangements are in place to deliver a clean, safe and attractive local environment	The introduction of this policy will ensure effective measures are in place to reduce metal theft and promote better trading standards within the scrap metal industry.
6.	The Council is operating effectively, with change embedded and sustained with robust plans in place to operate within future resource allocations	
7.	Doncaster's economy develops and thrives, underpinned by effective education and skills	

## RISKS AND ASSUMPTIONS

15. There are no risks or assumptions

## LEGAL IMPLICATIONS

16. The Scrap Metal Dealers Act 2013 repeals the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicles (Crime) Act 2001. The Act maintains local authorities as the principal regulator of scrap metal dealers, but gives them additional power to refuse to grant a licence and revoke licences if the dealer is considered unsuitable. The Act will also give local authorities powers of inspection.

## FINANCIAL IMPLICATIONS

17. There are no immediate direct Financial Implications associated with this report. However as the Scrap Metal Dealers Licence Fee is a new fee, it will require approval by Cabinet in compliance with the Financial Procedure Rules B19.

## CONSULTATION

18. Not applicable

Procurement		Crime & Disorder	x
Human Resources		Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	x
ICT		Capital Programme	

## BACKGROUND PAPERS

19. Doncaster Council – Scrap Metal Dealers Act 2013- statement of policy and guidance to applicants.

## **REPORT AUTHOR & CONTRIBUTORS**

Paul Wilson  
Licensing Officer  
01302 862546  
paul.wilson@doncaster.gov.uk

Marie-Claire Churchman  
Senior Legal Advisor  
01302 736722  
Marie-Claire.Churchman@doncaster.gov.uk

David Murphy  
Senior Finance Officer  
01302 737862  
David.Murphy@doncaster.gov.uk

**Peter Dale**  
**Director – Regeneration & Environment**