

# Scrap Metal Dealers Licence Application Guidance Notes



**From the 4 April 2022 the HMRC tax check requirements have changed how scrap metal dealer licence applications are made. Please read the guidance notes for further information**

Any person who operates a business as a scrap metal collector, scrap metal site or motor salvage in the Merthyr Tydfil Borough area requires a licence from this Council.

## **What is the definition of scrap metal?**

This includes any old, waste or discarded metal or metallic material, and any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life. For example, boilers, washing machines, vehicles.

Please note that any items of gold, silver, and any alloy of which 2 per cent or more by weight is attributable to gold or silver are not classed as scrap metal.

## **Are there different types of Licence available?**

Yes. There are two types of Licence, one for a site and the other for a mobile collector:

A Site Licence which lets you buy and sell scrap metal from a fixed location within the Council area. Each site will have a nominated Site Manager included on the Licence.

A Collectors Licence which 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.

You may only apply for **one** type of licence in each Council area.

If you have multiple sites in one Council area you may apply to include all of these sites on one Licence.

## What do I have to submit with my application form?

All applicants will be required to submit the fee with their application along with;

### Site Licence

A basic disclosure for the applicant, (where the applicant is a business or partnership the partners and directors would be required to provide individual basic disclosures). A HMRC confirmation of awareness of guidance (new) or a tax check code (renewal).

### Collectors Licence

A basic disclosure for the applicant and a passport photograph. A HMRC confirmation of awareness of guidance (new) or a tax check code (renewal).

**Important Note:** Basic disclosures must be less than three months old when the application is submitted. Basic disclosures are available from <https://www.gov.uk/request-copy-criminal-record>.

## How do I complete a tax check for my application?

From the 4<sup>th</sup> April 2022 there has been changes to how you apply for a licence, you will now be required to do a tax check with HMRC. The process is different for new and renewal applications.

### New Applications

New applicants will be required to read the HMRC guidance on what you need to do to be properly registered for tax in the future and confirm that you have done this by completing the check box on the application form. The guidance is available at <https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022>, a copy has also been included in this application pack.

### Renewal Applicants

Renewal applicants will need to do a tax check on HMRC and provide the code on the application form. A copy of the HMRC guidance for completing a tax check has been enclosed with this application pack.

The HMRC tax check service is available online <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence> you will be provided with a code which will expire after 120 days. You can use the tax check for more than one application as long as you are applying for the same type of licence (e.g. the same licence in more than one local authority area).

## Application Fees

The current fees are:

	<b>Site Licence</b>	<b>Collector Licence</b>
New Application	£327	£226
Variation of a Licence	£72	£68
Renewal of a Licence	£288	£210

Fees can be paid by cash, cheque or by card payment made by telephone. If you wish to pay by card, select the check box on the application form. Once the application form is received you will then be contacted to arrange the card payment.

## What Happens Next?

Before an application can be granted the Council must ensure that the applicant is a suitable person to carry on a business as a scrap metal dealer, this is done by:

1. Assessing the basic disclosure, whether the applicant has an unspent 'relevant conviction' or any other conviction that may affect the suitability or the applicant and in the case of site licences the site managers.
2. A 21 day consultation with the Council's Environmental Health Department and South Wales Police.
3. Assessing any other information it considers relevant. For example the applicants behavior in the operation of their business, such as poor compliance, complaints and operating without a licence are factors that would be considered.
4. Checking that the HMRC tax check has been made for renewal applications, or that the applicant has confirmed they are aware of the HMRC guidance for new applications. Please note your application cannot be processed if this is not completed.

## How long does the Licence last for?

A licence lasts for 3 years.

## What happens if the council proposes to refuse my Licence?

You will be notified that the council is proposing to refuse your application and will be notified in writing and have 21 days in which to make representations in support of your application. These can be made in writing or in person.

We will then arrange a meeting for your representations to be heard by the Head of Protection and Safety Services advised by a member of the authority's legal team.

Should the Council refuse your Licence you will have the right of appeal to the Magistrates' Court, within 21 days.

## **What variations can I make to my licence?**

The options for variation are as follows:

1. Change of licensee's details (name and address).
2. Change from a Site Licence to a Collector's Licence or vice versa.
3. Changes to the site licensed (adding, removing or changing details).
4. Change of Site Managers.

**Important Note:** As part of your licence you are required to inform the Council within 28 days of the material changes above.

## **Welsh**

Please note these guidance notes and application forms are available in Welsh please let us know if you wish to receive Welsh forms.

## **Contact Details**

For an application form or to obtain further information please contact:

Trading Standards, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN.

Tel: 01685 725000

Email: [TradingStandards@merthyr.gov.uk](mailto:TradingStandards@merthyr.gov.uk)