

Meeting:	Safer Bromley Partnership Strategic Group
Date:	2nd December 2013
Subject:	Scrap Metal Dealers Act 2013
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1 SUMMARY

- 1.1 This report is presented in order to update the Safer Bromley Partnership on the Scrap Metal Dealers Act

2 RECOMMENDATION

- 2.1 The Strategic Group is asked to:
 - Note and comment on the performance information contained within the report.

3 BACKGROUND INFORMATION

3.1 Background information

Theft of metal has had a significant impact on communities, businesses and councils over the last few years. A survey by the Local Government Association conducted in early 2012 showed that seven out of ten councils had been the victims of metal theft, and that this cost councils over £5.25 million in 2010/11.

The Local Government Association, along with a range of other bodies, pressed the government to reform the regulation of scrap metal dealers. The result was the Scrap Metal Dealers Act 2013, taken through Parliament by Richard Ottaway MP as a private members' bill.

The Scrap Metal Dealers Act 2013 replaces the previous registration system for scrap metal dealers created by the 1964 Scrap Metal Dealers Act. In its place it establishes a new licensing regime. This scheme will be run and administered by local authorities. Every scrap metal dealer will be required to have a licence, and operating without one will be a criminal offence. Under the new legislation the definition of scrap metal dealers is extended so it now includes motor salvage operators, and the provisions in the Vehicles (Crime) Act 2001 under which they operate will end once the new Act comes into effect.

The Act comes in to full effect on 1 December 2013

3.2 Main Provisions of the Act

In order for anyone to carry on business as a scrap metal dealer they have to have a licence. These licences will last for three years. Trading without a licence is a criminal offence and if convicted the offender can be fined.

There are two types of licence specified in the Act:

- **Site licence.** All the sites where a licensee carries on business as a scrap metal dealer have to be identified, and a site manager has to be named for each site. This licence allows the licensee to transport scrap metal to and from those sites from any local authority area.
- **Collector's licence.** This allows the licensee to operate as a collector in the area of the issuing local authority. It does not allow the collector to operate in any other local authority area, so a separate licence has to be obtained from each council the collector wishes to operate in. The licence does not authorise the licensee to operate a site; to do so they will need a site licence from the relevant local authority.

A scrap metal dealer can only hold one type of licence in any one local authority area. They have to decide whether they are going to have a site or a mobile licence in any one area. They cannot hold both a site and mobile collector's licence from the same council.

- The Environment Agency will maintain a national register of scrap metal dealers.
- A copy of the scrap metal licence must be displayed at the site and on collector's vehicles.
- Scrap metal dealers cannot buy scrap metal for cash.
- Dealers will have to keep records of metal purchased and sold.

3.3 Record keeping by Scrap Metal Dealers

Scrap metal dealers, whether holding a site licence or collectors licence will have to keep records relating to

- Who and where the scrap metal came from, including verifying their name and address.
- Where the metal is disposed of and to whom.
- Date and time of receipt / disposal.
- The nature of the metal, form condition weight and a description.
- Registration mark of any vehicle use for delivery.
- Where payment is made who made that payment on behalf of the dealer.
- Whether the form of the metal has been changed.

3.4 Decision Making

The Council will be required to grant licences for three year periods subject to being satisfied that the applicant is a suitable person.

If there is doubt about the applicants suitability a procedure is set out in the Act which allows the applicant to make written representations, but also to request to make oral representations and appear before a person appointed by the authority.

3.5 Enforcement

The Act can be enforced by both the Police and the Council.

Press Release December 2013

Published on 6 November 2013

From December 2013, scrap metal dealers will need to hold either a site licence or a collector's licence to operate legally.

From December 2013, scrap metal dealers will need to hold either a site licence or a collector's licence to operate legally and this will affect how they operate in the future when collecting scrap metal from householders in Bromley.

Metal thefts from war memorials, roofs, manhole covers and power cables cause millions of pounds worth of loss and disruption every year. The new system of licensing which will be carried out by local authorities and enforced by the police is being introduced by central government to tackle this problem.

From 1 December 2013 scrap metal dealers have to record the name and address of the person they receive scrap metal from, so householders will need to be present if they are using this method to dispose of unwanted items. They can expect to have to show documents which prove their name and address, such as a valid photo-card driving licence, a passport with evidence of their address such as a bank statement, credit card statement, council tax demand or utility bill which is less than three months old. The scrap metal dealer must also keep a copy of the documents used to verify the owner's name and address. In addition dealers cannot pay cash for scrap metal or scrap cars; they must pay by either cheque or electronic transfer to a bank account.

Cllr Tim Stevens, Executive Member for Public Protection and Safety said: "In the past many householders have experienced putting a broken washing machine on their drive for it to be taken away by the scrap metal dealer. This will still be possible under the new scheme but from 1 December scrap metal dealers will have to keep detailed records and not pay by cash. It is hoped that this will put an end to the misery and cost caused by unscrupulous traders dealing in stolen metals."

Ends

- **For media enquiries**, please contact Susie Clark in Corporate Communications, on 020 8461 7911 or email Susie.clark@bromley.gov.uk