

## **Scrap Metal Dealer Licence Guidance**

### **Classification of a scrap metal dealer**

A scrap metal dealer shall be classed as carrying on a business in the local authority area if any of the following apply:

- The dealer occupies a place as a scrap metal store in the area
- The dealer does not occupy a place as a scrap metal store but has a usual place of residence in the area
- The dealer does not occupy a place as a scrap metal store but occupies a place for business purposes

### **Application**

Applicants must provide the following:

- Their full name
- The address of the dealer, or in the case of a company, their registered or principal office
- The address of each place occupied as a scrap metal store, if any
- If the business is carried on without a scrap metal store
- If the business is carried on without a scrap metal store but the applicant occupies a place for the purposes of business, and the address of such a place

### **Records required to be kept by the dealer**

Every scrap metal dealer must keep, at each place occupied by him as a scrap metal store, a book detailing all scrap metal received at that place and all scrap metal either processed at or dispatched from that place. Two books may be kept where the metal processed and or dispatched from a place is not received at that place.

The details to be kept for scrap metal received are:

The description and weight of the metal;

The date and time of receipt of the metal;

If the metal is received from another person the name and address of that person;

The price of the metal if it has been ascertained at the time the entry is made in the book;

If no price has been ascertained, the estimated value of the scrap metal;

The registration mark of any mechanically propelled vehicle used to deliver the scrap metal.

The details to be kept scrap metal processed or dispatched are:

The description and weight of the metal;

The date of processing or dispatch, and in the case of processing, the process applied;

Where scrap metal is dispatched for sale or exchange, the name and address of the person to whom it is sold or with whom it is exchanged and the consideration for which it is sold or exchanged;

Where scrap metal is despatched or processed other than for sale or exchange, its estimated value before being dispatched or exchanged. Entries must be made immediately upon receipt, processing or despatch and books containing records must be kept for two years following the last entry.

Where a person satisfies the Council that the business is part of the business of an itinerant scrap metal collector, the Council after consulting with the Chief of Police may make an order requiring that on the sale of any scrap metal he shall obtain from the purchaser a receipt showing the weight of the metal and the aggregate price at which it was sold. These receipts must be kept for two years and must be produced on demand to any body authorised to require their production.

Where a scrap metal dealer does not occupy a scrap metal store and is not registered as an itinerant then the reference to keeping a book at a scrap metal store shall be construed as a reference to keeping a book either at the dealers usual place of residence or at any other place occupied for the purpose of the scrap metal business. The references to the receipt, processing or despatch of scrap metal at or from a place shall be construed as the receipt, processing or despatch of scrap metal during the course of business. Particulars must be entered in the book as soon as is practicable.

Where a dealer occupies a scrap metal store and is not registered as an itinerant and scrap metal is received and disposed of other than at registered premises then entries in the required books must be made as soon as is practicable at the business' nearest registered store.

### **Rights of entry**

Any constable has a right at any reasonable time to inspect registered premises, records kept on those premises and scrap metal kept on the premises.

The Council has powers of entry to ascertain if premises are being used as a scrap metal store.

## **Offences and penalties**

Any person found guilty of failing to register a scrap metal business or to notify the local authority of alterations in the appropriate particulars shall be liable on conviction to a fine not exceeding £1,000.

Any person found guilty of failing to notify a local authority that a business has ceased shall be liable on conviction to a fine not exceeding £200.

Any person found guilty of failing to keep the proper prescribed records shall be liable on conviction to a fine not exceeding £1,000.

Any person found guilty of acquiring scrap metal from a person under the age of 16 shall on conviction be liable to a fine not exceeding £200.

Any person who obstructs the entry of an authorised inspector or fails to produce any book or document which the officer has a right to inspect shall on conviction be liable to a fine not exceeding £200.

Where a person is convicted of failing to register or failing to keep records of dealings the Court may make an order imposing restrictions on the dealer for a period not exceeding two years.

## **Further information**

The Scrap Metal Dealers Act 1964 ([opens in a new window](#)) can be viewed on the Office of Public Sector Information website.

A copy of the Scrap Metal Dealers Act 1964 can be inspected at the Council Offices where you may also obtain an application form and further help or advice.

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