

LICENSING COMMITTEE



Report subject	Consideration of revised Scrap Metal Dealer Policy 2025-2030
Meeting date	12 December 2024
Status	Public Report
Executive summary	The current Scrap Metal Dealer Policy 2020-2025 is due for review in 2025. The purpose of the Scrap Metal Dealer Policy is to highlight the requirements of the Scrap Metal Dealers Act 2013 by providing guidance to new applicants, existing licence holders, consultees and members of the public on how the Act is administered and enforced. This is a light touch review of the previous Policy to refresh the policy by making minor changes to its contents, including updating dates, removing application form and replacing it with a link to the application on the website, minor changes to the wording to make it clearer and consequential formatting. Once approved, the final version will be presented to Full Council for ratification.
Recommendations	It is RECOMMENDED that: Members consider the draft policy in Appendix 1 and either I. Agree the draft policy as presented or II. Amend the draft policy presented and agree a final version for ratification by Full Council.
Reason for recommendations	The Scrap Metal Dealers Act 2013 has no requirement for a Council to have in place a formal policy for dealing with applications made under the Scrap Metal Dealers Act 2013, however, in line with 'Best Practice', BCP Council has chosen to adopt a formal policy for this purpose. When considering any amendments to the Scrap Metal Dealers Policy (The Policy), consideration should also be given to the Scrap Metal Dealers Act 2013, the Scrap Metal Dealers Act 2013 Supplementary guidance and the Scrap Metal Dealers Act 2013 Guidance on Determining Suitability to hold a scrap metal dealer's

	licence. The current policy was adopted and agreed in 2020 following the creation of BCP Council and replaced the three preceding legacy authority policies. This is the first review of the Scrap Metal Dealers Policy by BCP Council.
Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Jillian Kay – Corporate Director for Wellbeing
Report Authors	Tania Jardim – Licensing Officer Nananka Randle – Licensing and Trading Standards Manager
Wards	Council-wide
Classification	For Decision

Background

1. The Scrap Metal Dealers Act 2013 was introduced in response to the continuous increase in metal theft driven by the global rise in commodity prices and the recognition that the existing regulation of scrap metal dealers was ineffective. The Home Office had estimated that there were 80,000 – 100,000 reported metal theft offences in 2010/11 alone and was costing the economy up to an estimated £260m per year. A government review into the effect of Scrap Metal Dealer's Act in 2016, revealed that the number of thefts had dropped from nearly 62,000 per year in 2012/2013 to around 16,000 in 2015/2016 and recent figures from the Office of National Statistics showed police-recorded metal thefts in England and Wales fell to fewer than 13,000 in 2016/2017 (<https://www.gov.uk/government/news/metal-theft-falls-after-introduction-of-scrap-metal-dealers-act>).
2. The impact of metal theft within communities can be immense, ranging from:
 - Disruptions to rail services
 - Loss of power to homes/businesses
 - Interruptions to telecommunications
 - Theft of lead from church roofs
 - Theft of bus shelters, lighting conductors, street signs
 - Theft of gully and manhole covers
 - Theft of war and grave memorials

All have serious economic and social implications for communities, and can result in the loss of national infrastructure, loss of heritage and loss of life.

3. The key provisions of the Act include: -
 - Requiring all individuals and businesses to complete an enhanced application process to obtain a scrap metal dealer licence. Local authorities will have the power to turn down unsuitable applicants.
 - Giving local authorities the power to revoke a licence.
 - Requiring all sellers of metal to provide personal identification at the point of sale which is then recorded by the scrap metal dealer.
 - Extending the offence of buying metal with cash to itinerant metal collectors.
 - New powers for the police and local authorities to enter and inspect sites.
 - Creating a central public register, hosted by the Environment Agency, of all individuals and businesses licensed as scrap metal dealers.
 - Widening the definition of a scrap metal dealer to include motor salvage operators.
4. Two types of licences have been specified in the Act, and each licence is valid for a period of three years. A scrap metal operator cannot hold both a site licence and a collector's licence in the same authority: -
 - **Site Licence**

All 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 these sites from any local authority.
 - **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 must be obtained from each council the collector wishes to operate in.
5. There are currently 16 scrap metal dealers with site licences and 16 scrap metal dealers with collector licences registered within the BCP Council area.
6. A person may NOT hold more than one collector's licence in each local authority area but may hold additional collector's licences, issued by a different authority to allow collection in their areas.

Proposed Amendments to the Policy

7. Whilst there is no legal requirement for the Council to have a Policy relating to scrap metal licensing, a policy benefits all interested parties, providing a clear and consistent framework for the Council's approach to scrap metal licensing
8. The current policy is available to view on our website - <https://www.bcpCouncil.gov.uk/documents/business/Final-BCP-SMD-Policy-2020.pdf>.
9. Since the Policy was published in 2020 there have no significant changes to the guidance or legislation. As such on reviewing the current policy, no substantial changes are required. The draft presented in Appendix 1 has the following minor proposed changes: -

10. The following changes have been made: -
- a. Dates on the front page from 2020-2025 to 2025-2030;
 - b. Revised Review date on page 1 from 2020 to 2025;
 - c. On page 1 - Remove reference to *Appendix B – Application form and guidance* on page 11 following its removal from the policy.
 - d. On page 2 – Replace paragraph 3.1 *‘There were no previous policies by Bournemouth Borough Council, Christchurch Borough Council or The Borough of Poole’*. With *‘This policy replaces Bournemouth, Christchurch and Poole Council’s previous policy dated 2020’*.
 - e. On page 3 – amend wording on paragraph 3 from *‘tradesman’* to *‘tradesperson’*.
 - f. On page 5 – update paragraph 8.3 to make it clearer to the reader. Replace *‘The site licence also permits the licence holder to act as a collector.’* with *‘The site licence also permits the licence holder to collect waste materials by arrangement from a location to the site, however, it cannot regularly collect waste materials from door to door visits’*.
 - g. Add paragraph 9.12 *‘Applicants must ensure they understand the legal obligations of holding a scrap metal dealer’s licence’*.
 - h. Update paragraph 10.1 to remove reference to application form at Appendix B and include a link to our website where updated application form is available [Scrap metal and motor salvage licence | BCP \(bcpccouncil.gov.uk\)](https://www.bcpccouncil.gov.uk/Scrap-metal-and-motor-salvage-licence)
 - i. Amend paragraph 10.3 to add ‘from’ at the end of the paragraph to make it clearer, it now reads *‘The application for a collector’s licence only allows a business or individual to operate only within the Bournemouth, Christchurch and Poole area, therefore applicants wishing to operate across borders will be required to obtain a further collector’s licence from the relevant local authority where they wish to collect and sell from’*.
 - j. Add paragraph 10.10 *‘There is no provision to transfer a licence from one person to another’*.
 - k. Formatting of paragraphs following amendments.

It is not proposed that these changes will be subject to consultation, they are minor and do not impact on applicants or impose any additional requirements.

Options Appraisal

11. Members are asked to consider the proposed draft policy and either
- a. Agree the draft policy as presented, or
 - b. Amend the draft policy and agree a final version ready for ratification by Full Council.

Summary of financial implications

12. There are no financial implications.

Summary of legal implications

13. There is no legal requirement to have a Scrap Metal Dealers Policy however it is considered good practice. The policy will be reviewed every 5 years.

Summary of human resources implications

14. Delivery and implementation of the policy will continue within the existing resources of the Licensing Team.

Summary of sustainability impact

15. The Local Authority licensing regime sits beside the regulation carried out by the Environment Agency. By ensuring that scrap metal sites are licenced we ensure that hazardous waste and products are dealt with correctly and responsibly.

Summary of public health implications

16. By ensuring anyone running a scrap metal site or collector, we ensure sites and collectors hold the correct permissions for transporting waste metals which can include hazardous waste and products.

Summary of equality implications

17. An Equalities Impact Assessment (EIA) screening document has been completed and that has been approved by the EIA panel. Following is a summary of the EIA as submitted: -
 - The policy changes will make it easier and clearer for new applicants and existing licence holders to apply/renew scrap metal licences, in line with the legislation. It also provides information to the wider community on what is required to carry out the business of a scrap metal dealer on how to look out for rogue traders (unlicensed scrap metal dealers).
 - Consideration has been given to applicants with different characteristics, such as age, race and socio-economic background and where necessary paper copies of the application form or assistance will be provided.
 - All employees/ licensing officers will be made aware of changes to the Policy.

Summary of risk assessment

18. There are no risk assessment implications.

Background papers

Scrap Metal Dealers Act 2013

<https://www.legislation.gov.uk/ukpga/2013/10>

Scrap Metal Dealers Act 2013 Supplementary Guidance – January 2023

https://assets.publishing.service.gov.uk/media/64009cc6e90e0740dba78cab/Scrap_Metal_Dealers_Act_2013_supplementary_guidance.pdf

Scrap Metal Dealers Act 2013 Guidance on Determining Suitability to hold a scrap metal dealer's licence – May 2014

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/312485/ScrapMetalDealersSuitability.pdf

Appendices

Appendix 1 – Draft BCP Council Scrap Metal Dealers Policy 2025-2030