



Buckinghamshire Council Scrap Metal Licensing Policy consultation

Open date: 3 July 2023

Close date: 13 August 2023

Name: Licensing Team

Phone: 01296 585605

Email: licensing@buckinghamshire.gov.uk

Overview

We want to hear your views on our draft Scrap Metal Licensing Policy for Buckinghamshire Council.

As the Licensing Authority, we regulate the collection, buying and selling of scrap metal.

All scrap metal dealers in Buckinghamshire must obtain a licence from us. There are 2 types, which last for 3 years:

- **a site licence** is required for premises used for the purposes of buying and selling scrap metal and may include motor salvage operators
- **a collectors' licence** is required by persons who carry on a business as a scrap metal dealer other than at a site
 - collectors typically carrying out door to door collections of scrap metal

A dealer cannot hold both a site and mobile collectors' licence with Buckinghamshire Council.

Draft Buckinghamshire Council Scrap Metal Licensing Policy

The draft policy sets out:

- the legal requirements, regulations and guidance relevant to applicants, licence holders and officers working with scrap metal licensing
- the application process

- our approach to enforcing licensed and unlicensed activities
- our approach to scrap metal licensing fees

The draft policy aims to ensure:

- there is fairness and consistency for scrap metal dealers
- persons operating scrap licence businesses are compliant with legislation
- action is taken where there is evidence of unlicensed sites

The policy will cover the Buckinghamshire Council area. It will replace any scrap metal licensing policies from the previous district councils.

How the draft policy has been developed

The draft policy follows guidance from the government and relevant organisations.

We have also engaged with licence holders and other relevant stakeholders.

More information about its development is included in the draft Buckinghamshire Council Scrap Metal Licensing Policy.

Related documents and links

Before you respond to this consultation, please have a look at the following document and links. These are available online at

yourvoicebucks.citizenspace.com

- Draft Buckinghamshire Council Scrap Metal Licensing Policy
- [Scrap Metal Dealers Act 2013: supplementary guidance](#)
- [Determining suitability to hold a scrap metal dealer's licence](#)
- [Scrap Metal Dealer Act 2013: licence fee charges](#)

How to have your say

You can tell us your views in one of the following ways:

- complete the online survey at yourvoicebucks.citizenspace.com
- complete, and return, a printed version of the survey below
- email us at licensing@buckinghamshire.gov.uk
- write to us at Scrap Metal Licensing Policy consultation, Licensing Services, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF

If you have any questions about this consultation, please email us at licensing@buckinghamshire.gov.uk or phone us on 01296 585605.

Please tell us your views by midnight on Sunday 13 August 2023.

What happens next

We will use your responses to develop the final Buckinghamshire Council Scrap Metal Licensing Policy.

The policy will then be presented for approval and adoption by the end of 2023.

We will review the policy every 5 years.

Privacy

We will use the information you provide here only for this activity. We will store the information securely in line with data protection laws and will not share or publish any personal details. For more information about data and privacy, please see our [Privacy Policy](#).

If you have questions about data and privacy, please email us on dataprotection@buckinghamshire.gov.uk. Or write to our Data Protection Officer at Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF.

Printed consultation survey

Scrap metal licensing

We cannot issue a scrap metal licence unless satisfied that the applicant is a suitable person to do business as a scrap metal dealer. Applicants are required to disclose unspent convictions. Any unspent convictions will be considered as part of the application.

In addition to the information applicants are required to provide, we may request other information to help us make application decisions.

A dealer with a collector's licence is required to display their licence on any vehicle being used for their collection business. This is so it can be easily read by a person outside the vehicle.

Licence holders are required to keep records about the purchase and sale of scrap metal.

We are proposing:

- applicants are required to provide a Basic Disclosure and Barring Service (DBS) check that is no more than 1 month old at the time of application to assist in assessing their suitability
 - applicants include directors, shadow directors, company secretaries, and any person listed on the application form including site manager(s)
- in appropriate cases, applicants provide a site plan and layout
 - for example, to show licensed site boundaries where this is not clear
- to provide identification plates or disc to be placed on licence holders' collections vehicles – to help residents identify licensed scrap metal dealers
- records about the purchase and sale of scrap metal are produced in the English language either on paper or electronically
 - where a required record is not made in the English language, the licence holder may retain it in that language – however, they will be expected to provide a translation if requested by a constable or authorised council officer

1. Do you agree or disagree with the proposals for scrap metal licensing?

Please tick (✓) one option for each proposal

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know
Applicants provide a Basic DBS check no more than 1 month old at the time of application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Applicants provide a site plan and layout	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identification plates or disc to be placed on licence holders' collections vehicle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Records relating to the purchase and sale of scrap metal are produced in the English language either on paper or electronically	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Please tell us the reasons for your answers:

Approach to enforcement

Any enforcement action carried out will be proportionate and reasonable. We will treat all licensees fairly and consistently.

Officers will take a risk-based approach to compliance checks. This will be based on how well a scrap metal dealer shows they are meeting their license requirements. Businesses which have been subject to a substantiated complaint or have a history of non-compliance are likely to be visited more frequently.

After granting a license, we are proposing to carry out compliance checks. This may be unannounced site visits or requests to view records.

What happens next will depend on the result of the compliance check:

- if the licence holder is found to be compliant and officers have no concerns:
 - we will carry out one further check during the 3-year period of the licence
- if initial compliance checks identify issues of concern:
 - the licence holder will be given an action plan and advice on how to improve
 - the licence holder will be subject to annual compliance checks to ensure issues are addressed and advice is followed
 - annual compliance checks will continue until the licence holder has demonstrated they are compliant
- if compliance checks identify significant concerns (such as having stolen metal on site, not displaying a licence, disregarding advice):
 - the licence holder will be considered high risk and appropriate enforcement action will be taken

3. To what extent do you agree or disagree with our proposal for enforcing scrap metal licensing?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

4. Please tell us the reasons for your answer:

Other comments

5. How easy is the draft Buckinghamshire Council Scrap Metal Licensing Policy to understand?

Please tick (✓) one option

- Very easy
- Somewhat easy
- Not very easy
- Not at all easy
- I don't know

If you think we could make the Buckinghamshire Council Scrap Metal Licensing Policy easier to understand, please tell us how:

6. If you have any other comments about the draft Buckinghamshire Council Scrap Metal Licensing Policy, please tell us here:

About you

We will use the information you provide here only for the purpose of this activity. We will store the information securely in line with data protection laws and will not share or publish any personal details.

7. What scrap metal licence do you currently hold?

Please tick (✓) one option

- Collectors' licence
- Site licence
- I don't currently hold a scrap metal licence

8. Which of the following describe you?

Please tick (✓) all that apply

- I live in Buckinghamshire
- I work in Buckinghamshire
- I study in Buckinghamshire
- I represent or own a business in Buckinghamshire
- I represent a community or voluntary group in Buckinghamshire
- I am an elected representative in Buckinghamshire
- I represent a Parish / Town Council or Town Committee in Buckinghamshire
- I work for Buckinghamshire Council
- I work for a neighbouring local authority
- Other (please give details below):

9. How did you find out about this consultation?

Please tick (✓) all that apply

- Local media (newspaper, radio or TV)
- Social media (Facebook, Twitter)
- Nextdoor
- Buckinghamshire Council website or Your Voice Bucks website
- Buckinghamshire Council newsletter
- Email from Buckinghamshire Council
- From Buckinghamshire Council staff
- Through working at Buckinghamshire Council
- Word of mouth
- Local Community Board
- Local Councillor
- Local Parish / Town Council
- Other (please give details below):

10. Are you responding as an individual or on behalf of an organisation (e.g. a business or a voluntary group)?

Please tick (✓) one option

- As an individual (go to question 12)
- On behalf of an organisation

On behalf of an organisation

11. Please provide the following details:

Name of organisation:

Your job title:

End of survey if responding on behalf of an organisation

More about you

We want to hear from as many people as possible to understand the views and needs across Buckinghamshire. The following questions help us see if the communities we serve have had the opportunity to be heard through this activity.

All questions are optional. You can skip any questions you do not wish to answer.

12. What is your age?

Why we ask this: We want to understand the experiences and views of different age groups.

Please tick (✓) one option

- Under 16
- 16 to 24
- 25 to 34

More answer options on the next page

- 35 to 44
- 45 to 54
- 55 to 64
- 65 to 74
- 75 to 84
- Over 85
- Prefer not to say

13. Do you consider yourself to have a disability / disabilities, impairment(s) or long term health condition(s)?

Why we ask this: We want to understand the experiences and views of disabled people, people with impairments and people with long term health conditions.

Please tick (✓) all that apply

- Disability / disabilities
- Impairment(s)
- Long term health condition(s)
- No
- Prefer not to say

14. Are you:

Why we ask this: We want to understand the experiences and views of different sexes.

Please tick (✓) one option

- Female
- Male
- Prefer not to say

15. How would you describe your ethnicity?

Why we ask this: We want to understand the experiences and views of different ethnicities.

Please tick (✓) one option

- Asian - British

More answer options on the next page

- Asian - Bangladeshi
- Asian - Chinese
- Asian - Indian
- Asian - Pakistani
- Any other Asian background - Please give details below
- Black - African
- Black - British
- Black - Caribbean
- Any other Black, African or Caribbean background - Please give details below
- Mixed or multiple ethnic groups - White and Asian
- Mixed or multiple ethnic groups - White and Black African
- Mixed or multiple ethnic groups - White and Black British
- Mixed or multiple ethnic groups - White and Black Caribbean
- Mixed or multiple ethnic groups - Mixed or Multiple Ethnic backgrounds British
- Any other Mixed or Multiple ethnic background - Please give details below
- White - English, Welsh, Scottish, Northern Irish or British
- White - Irish
- White - Gypsy or English traveller
- White - Irish Traveller
- White - European
- Any other White background - Please give details below
- Other ethnic group - Arab
- Other ethnic group - Arab British
- Other ethnic group - Please give details below
- Prefer not to say

Please give other details here:

End of the survey

Thank you for taking the time to complete this survey.

Please return your completed survey by midnight on **Sunday 13 August 2023.**

You can:

- email it to licensing@buckinghamshire.gov.uk
- post it to Scrap Metal Licensing Policy consultation, Licensing Services, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF