

**Scrap Metal Licensing Policy Consultation**

The Scrap Metal Dealers Act 2013 came into effect on 1 October 2013. The Scrap Metal Dealers Act 2013 requires that scrap metal sites and collectors are licensed by the local authority. The legislation was introduced to stem the increase in metal theft at the time. The consultation on the draft policy ran for 6 weeks from 8<sup>th</sup> August 2022, during which time it was advertised on the Councils consultation website page. The list of consultees specifically contacted is in section 6.6 of the cabinet report

**The results:-**

A total of 3 people and organisations responded to the consultation, no actual questions were set as we wanted responses and opinions on the content within the draft policy.

Comments	
<p><b>Licensed Collector</b></p> <p>Would like to see a requirement for collectors to physically show their licence to the dealer to get paid so unlicensed people would not be able to sell stolen scrap metal.</p>	<p><b>Licensing Authority (LA) Response</b></p> <p>There is no provision within the Act to support such a requirement. However, prior to receiving scrap metal the scrap metal dealer must verify the person’s full name and address by reference to documents, data or other information obtained from a reliable and independent source.</p> <p>Outcome – No Change</p>
<p><b>Onis Consultancy (Sent to the LGA and forwarded to SCC)</b></p> <p>States “there are a few areas of concern towards the end of the document in Section 20 onwards” but does not explain further</p>	<p><b>Licensing Authority (LA) Response</b></p> <p>Section 20, in the main, is to signpost readers to the Environmental &amp; Regulatory Enforcement policy which lays out how enforcement for all licensing regimes is carried out. The writer was asked to explain the concerns but no response was received.</p>

<p>Suggests some edits as follows</p> <p>15.1 <i>“The Act regards requires the metal to be disposed of (this isn’t in the act either and should read ‘ For these purposes metal is disposed of—’)</i></p> <p><i>a) whether or not in the same form it was <u>purchased</u>; (this should be received – purchased is in contradiction to the purpose of the act)</i></p> <p><i>b) whether or not the disposal is to another person;</i></p> <p><i>c) whether or not the metal is dispatched from a site”</i></p> <p>Concerned that the phrase “subject to Guidance issued by the Secretary of State” has been removed from the previous policy and believes this means the Council will no longer follow the guidance</p>	<p>Outcome – No Change</p> <p>The LA agrees that this could be better worded for clarity</p> <p>Outcome – Section 15.1 amended</p> <p>The reader has misunderstood why this has been removed. That phrase was in the original policy which was published while we were awaiting guidance which MAY have changed things back then. We are not saying we will stray from guidance by removing references to it</p> <p>Outcome – No Change</p>
<p><b>British Transport Police (BTP)</b></p> <p>Comment – “From reading the policy I get the feeling that you have covered the necessary points within the legislation...</p> <p>...Your policy, will of course have the flexibility of being changed as and when needed”.</p>	<p><b>Licensing Authority (LA) Response</b></p> <p>BTP have a larger role in Scrap Metal licensing than most other types of licensing. This is because of the high level of metal theft on the railways. It is encouraging to see their support for the policy.</p> <p>Outcome – No Change</p>