

Does the applicant carrying on business as a scrap metal dealer?

## APPENDIX THREE

A person carries on business as a scrap metal dealer if the person;

- carries on a business which consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought, or
- carries on business as a motor salvage operator. ([s.21](#))

Yes – Application required.

No

No licence required

Applicant suitable person to carry on business as a scrap metal dealer?

In determining this, the authority may have regard to any information which it considers to be relevant, including in particular:

- (a) whether the applicant or any site manager has been convicted of any relevant offence;
- (b) whether the applicant or any site manager has been the subject of any relevant enforcement action;
- (c) any previous refusal of an application for the issue or renewal of a scrap metal licence (and the reasons for the refusal);
- (d) any previous refusal of an application for a relevant environmental permit or registration (and the reasons for the refusal);
- (e) any previous revocation of a scrap metal licence (and the reasons for the revocation);
- (f) whether the applicant has demonstrated that there will be in place adequate procedures to ensure that the provisions of this Act are complied with. ([s.3\(2\)](#))

Yes

Grant licence

No - a local authority **must not issue or renew a scrap metal licence unless it is satisfied that the applicant is a suitable person** ([s. 3\(1\)](#))

For a proposal to refuse (or revoke), applicant must be given notice of proposal setting out;

1. Intention to refuse (or revoke)
2. Reasons
3. Applicant can make representation to Council within specified period (not less than 14 days beginning with the date on which the notice is given.) ([Sch. 1 para7\(1\)-\(4\)](#))

Suitable

Not Suitable

Establish whether applicant is suitable to have a licence.

Applicant made representation within specified period? ([Sch. 1 para7\(5\)](#))

Yes

Allow applicant a further *reasonable* period to make representations (either written or oral) and Council must consider the representations ([para7\(7\) sch. 1](#))

Applicant made representation within *reasonable* period?

Yes

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No

Refuse licence ([Sch. 1 para7\(5\) & \(6\)](#))

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