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**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**LICENSING OF METAL DEALER**

**APPLICATION FOR GRANT, RENEWAL OR MATERIAL CHANGE OF CIRCUMSTANCES**

**FOR A METAL DEALER’S LICENCE**

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| All questions must be answered unless otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant. It is a criminal offence to make any statement which you know to be false or recklessly to make any statement which is materially false. |
| **SECTION 1: TYPE OF LICENCE** |
| **1.1** Specify the type of licence you are applying for |
|  | Please tick one box only |
| Grant | 🞏 |
| Renewal | 🞏 |
| Material change of circumstances (to a current licence) | 🞏 |
| If the application is for a material change of circumstances, please detail clearly, the nature of the variation:-  |
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| **SECTION 2: APPLICANT/LICENCE HOLDER DETAILS**  |
| **2.1** Is the applicant: |
|  | **Please tick one box only** |
| An individual  | 🞏 please answer questions 2.2 and 2.3 only |
| A company or other corporate body | 🞏 please answer questions 2.4 to 2.6 only  |
| A Partnership | 🞏 please answer questions 2.7 to 2.9 only (a copy of the official partnership agreement must accompany this application) |
| **All applicants must then complete all remaining sections of the form** |
| * 1. Individual applicant
 |
| Title | Surname | First Name(s)  |
|  |  |  |
| Date of birth |  | Place of birth  |  |
| Home address (including postcode) |  |
| Contact Telephone No: | Email address |
| Home:-Mobile:-  |  |
| **2.3** Does the applicant carry out day-to-day management of the premises? |
| Yes 🞏  | No 🞏 (Please provide further details below of anyone responsible for the day to day management of the business) |
| Please state full name, address, date of birth and place of birth  |
| Full Name | Address | Date of Birth | Place of Birth |
|  |  |  |  |
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| **2.4** Company or other corporate body applicant  |
| Name of company/corporate body  |
|  |
| Address of registered/principal office (including postcode)  |
|  |
| Registered company number  |  |
| If the company is not on the register of companies, please confirm the legal status/entity of the company   |  |
| Contact Telephone No: | Email address |
| Office:-Mobile:-  |  |
| **2.5** Please state full name, home address, date of birth and place of birth and email address of all directors (continue on a separate sheet if necessary |
| Full Name | Home Address | Date of Birth | Place of Birth  | Email address |
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| **2.6** Please state full name, address, date of birth and place of birth of the person who will be responsible for the day-to-day management of the premises (i.e. the manager) |
| Full Name | Address | Date of Birth | Place of Birth |
|  |  |  |  |
| **2.7** Name of the Partnership |
|  |
| Registered address of Partnership (including postcode)  |
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| Contact Telephone No: | Email address |
| Home/Office:-Mobile:-  |  |
| You **must** enclose a copy of the formal partnership agreement | Copy enclosed Yes 🞏 No 🞏 |
| **2.8** Please state full name, home address, date of birth, place of birth and email address of all partners (continue on a separate sheet if necessary |
| Full Name | Home Address | Date of Birth | Place of Birth | Email address |
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| **2.9** Please state full name, address, date of birth and place of birth of the person who will be responsible for the day-to-day management of the premises (i.e. the manager) |
| Full Name | Address | Date of Birth | Place of Birth |
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| **SECTION 3: LICENCE DETAILS**  |
| State metal in which it is proposed to deal |  |
| State the address of the premises in or from which the activity of metal dealing is to be carried out |  |
| Are metals to be disposed of in the same condition in which they are received? |  |
| Trading name of business |  |
| Indicate the nature of and the place at which any process or processes are to be carried out in relation to metals received |  |

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| **SECTION 4: DAYS/HOURS OF OPERATION**  |
| **Day** | **Opening Time** | **Closing Time** |
| Monday |  |  |
| Tuesday |  |  |
| Wednesday |  |  |
| Thursday |  |  |
| Friday |  |  |
| Saturday |  |  |
| Sunday |  |  |

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| **SECTION 5: CRIMINAL CONVICTIONS**  |
| Have you or any other person named in this application ever been convicted of any crime or offence (subject to the terms of the Rehabilitation of Offenders Act 1974)? | Yes 🞏(please detail any convictions below – continue on a separate sheet if necessary)  | No 🞏 |
| Failure to disclose these matters is a criminal offence. If you are unsure of your convictions, a certified copy may be applied for from Police Scotland, Police Station, Loreburn Street, Dumfries (a fee may apply). |
| Date | Court | Offence | Sentence |
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| **SECTION 6: HMRC TAX CHECK**  |
| From 2 October 2023, the UK Government introduced mandatory tax checks for certain licences in Scotland including taxi driver licences and private hire driver licences. (**see the attached Guidance Notes.**Please select the statement that applies to you. |
| **Statement A** | 🞏 | I am submitting a new licence application and have not held the same licence within the last 12 months.  |
| You must read the HMRC Tax Guidance (link below), then sign the following declaration <https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence> |
| I have read and understood the HMRC Tax Responsibilities and am aware of my tax obligations. I acknowledge that I will have to provide an online tax check code on any subsequent renewal applications.  |
| **Signed** | **Dated** |
|  |
| **Statement B** | 🞏 | I am submitting a new licence application and have held the same licence within the last 12 months.  |
| Please follow the instructions below to generate a ‘Tax Check Code’a) Use your Government Gateway User ID and Password to access the HMRC Tax Check Service. If you do not have one go to GOV.UK and create a Government Gateway User ID - <https://www.gov.uk/log-in-register-hmrc-online-services> b) Complete an HMRC Tax Check, and create a 9 character Tax Check Code <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>c) Enter your 9 character Tax check code in the boxes below: |
|  |  |  |  |  |  |  |  |  |  |  |
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| **Statement C** | 🞏 | I am not a first time applicant (renewal application)  |
| Please follow the instructions below to generate a ‘Tax Check Code’a) Use your Government Gateway User ID and Password to access the HMRC Tax Check Service. If you do not have one go to GOV.UK and create a Government Gateway User ID - <https://www.gov.uk/log-in-register-hmrc-online-services> b) Complete an HMRC Tax Check, and create a 9 character Tax Check Code <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>c) Enter your 9 character Tax check code in the boxes below: |
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| **SECTION 7: CHECKLIST AND ENCLOSURES**  |
| I confirm that I have enclosed the following: (please tick)  |
| * The relevant application fee
* £426 for the grant or renewal of a Metal Dealer’s Licence
* £128 for consent to a material change

(please note this fee is non-refundable) | 🞏 |
| I have read and agree to the privacy notice found at [www.dumgal.gov.uk/privacy](http://www.dumgal.gov.uk/privacy) | 🞏 |

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| **SECTION 8: DECLARATION AND SIGNATURES**  |
| I declare that * the particulars given by me on this application form are true;
* I authorise Dumfries and Galloway Council to make such enquiries with Police Scotland, Scottish Fire and Rescue Service, Environmental Health, Trading Standards, Roads Service and other agencies as the Council considers appropriate.

In respect of your application, you must display a site notice at or nearby the premises so that it can be conveniently read by the public beginning on the date your application is submitted and received as completed. That notice will contain such information as is required by paragraph 2(3) of Schedule 1 to the Civic Government (Scotland) Act 1982 or you must confirm that you are unable to display the notice and provide reasons below (a). As soon as possible after the notice has been displayed for the required dates, you must confirm that the notice has been displayed in accordance with the statutory requirements. There is a section within the site Notice that allows you to confirm the statutory display. FOR THE AVOIDANCE OF DOUBT, THE NOTICE DOES NOT ACCOMPANY THIS APPLICTION FORM – IT WILL BE FORWARDED TO YOU BY THE LICENSING SERVICEa) I am/we are unable to display a notice of this application at or near the premises because:-This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <https://www.dumgal.gov.uk/fairprocessing> |
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| Signature of applicant or agent. If signing on behalf of the applicant, please state in what capacity |
| Signature |  |
| Date |  |
| Capacity |  |
| Contact Telephone number |  |
| Email |  |

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| **SECTION 9: NOTES** |
| Completed application forms should be returned to licensing@dumgal.gov.uk |
| Payment can be made by debit or credit card. You will be contacted for payment once your application has been checked and accepted as final. Please provide the most appropriate telephone number for the payment:-  |

**Guidance Notes - HMRC Check**

From 2 October 2023, the UK Government  introduced mandatory tax checks for certain licences in Scotland as follows:

* Taxi Driver licence;
* Private Hire Car Driver licence
* Booking Office licence
* Metal Dealer
* Itinerant Metal Dealer

The new law applies to anyone in Scotland (an individual, a Company, a Partnership) applying for a licence and the law differs between those who are First Time Applicants and those who are not First Time Applicants.

1. **You are not a First Time Applicant:   you must undertake a Tax Check.  That is, you are:**
* Applying for Renewal of your licence
* Applying for the same type of licence already held by another Licensing Authority
* Applying for the same type of licence you previously held that stopped being valid less than a year ago.

In terms of the law, the Licensing Authority cannot consider an application unless it has—

* requested confirmation from HMRC that the applicant has, within the required period (i.e last 120 days), completed a tax check in relation to the authorised activity in question, and
* obtained that confirmation from HMRC.

Applicants must do the tax check themselves and will receive a 9-character code which must be given to the Licensing team along with a fully completed application. The tax check should only take a few minutes to complete and there is guidance on <https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence> to help you complete the check. Anyone who needs extra support will be able to complete the tax check by phone through HMRC’s customer helpline.

HMRC have produced a tax check factsheet <https://www.gov.uk/government/publications/licence-application-tax-check-communications-resources/tax-check-factsheet> which will help you understand what is required for new or renewal applications.

For the avoidance of doubt, Dumfries and Galloway Council will not receive any of your tax information. It will only receive confirmation that you have undertaken the relevant tax check.

**2. You are a First Time Applicant:  you do NOT need to undertake a Tax Check but you must confirm that you are aware of the HMRC Guidance about your Tax Obligations.**

An application is a First Time Application if the applicant:

* Has not previously been granted a licence or
* has previously been granted a licence but no licence has been in effect in relation to the person for a year preceding the date the application is made (i.e you have been out of the ‘trade’ for more than a year).

In terms of the law, the Licensing Authority cannot consider an application until it has—

* drawn to the applicant’s attention the HMRC Guidance;
* obtained confirmation from the applicant that the applicant is aware of the contents of that Guidance and
* drawn to the applicant’s attention to the powers of officers of HMRC to obtain information from the licensing authority about the applicant arising under—

(i)  [Schedule 36](https://uk.westlaw.com/Document/ID9247B30592D11DD8DD58982B0E2B32E/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) to [FA 2008](https://uk.westlaw.com/Document/I409219E0592D11DDA88CAD5C485467FE/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) (information and inspection powers), and

(ii)  [Schedule 23](https://uk.westlaw.com/Document/I631ECA43B35111E080D4A193602F9A9F/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) to [FA 2011](https://uk.westlaw.com/Document/IEB614190B35011E095DC9CC62C22CDD6/View/FullText.html?originationContext=document&transitionType=DocumentItem&vr=3.0&rs=PLUK1.0&contextData=(sc.DocLink)) (data-gathering powers).

In this regard, Schedule 23 to Finance Act 2011 (Data Gathering Powers) and Schedule 36 to Finance Act 2008 (Information and Inspection Powers), grant HMRC powers to obtain relevant information from third parties. This includes licensing bodies being required to provide information about licence

applicants.

You must confirm as part of your application, that you are registering for tax, have read and understood the HMRC Tax Responsibilities

<https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence> and are aware of your tax obligations. The links below provide more Information about your tax registration obligations:

* [www.gov.uk/register-for-self-assessment](http://www.gov.uk/register-for-self-assessment)
* [www.gov.uk/corporation-tax](https://www.gov.uk/corporation-tax)
* [www.gov.uk/income-tax/how-you-pay-income-tax](https://www.gov.uk/income-tax/how-you-pay-income-tax)