

METAL DEALERS LICENCE CONDITIONS

1. The licence-holder shall exhibit his licence, on demand, to any person. The licence must not be altered, erased or defaced in any way and must be kept clean and legible and not lent to or used by any other persons.
2. The licence-holder shall keep records in relation to his business specifying the information required by the provisions of the Civic Government (Scotland) Act 1982, in particular, but without prejudice to that generality, Section 33C thereof, giving the necessary information on the acquisition and disposal of metal. The records must be kept in such form as is prescribed by section 33D of the Civic Government (Scotland) Act 1982 and retained by the licence-holder for at least 2 years.
3. Where the licence-holder has more than one place of business, he shall keep separate records of the required information for each place of business and for any metal acquired, processed or disposed of otherwise than at such a place of business. Where the licence-holder records the required information in books, he shall not at any time at a place of business use more than one book for recording the required information about metal required and one book for recording the required information about metal processed or disposed of.
4. The licence-holder shall at all reasonable times exhibit and produce on demand to the Chief Constable or any Constable acting under him, all books, records and receipts in his possession in which the description of any articles is or should have been entered and if required, shall also produce said books, receipts, invoices, etc. in court or to any trading standards officer duly authorised under the Trades Description Act 1968 and the Consumer Credit Act, 1974.
5. The licence holder must, where metal is acquired from another person, verify that person's identity in accordance with the provisions of the Civic Government (Scotland) Act 1982 (Metal Dealers and Itinerant Metal Dealers) (Verification of Name and Address) Regulations 2016.
6. The licence-holder must not dispose of metal to a person who is or appears to be under the age of 16 or acquire metal from such a person even if that person is acting on behalf of someone else.

7. The licence-holder shall only accept payment by cheque or bank transfer, such payment being in accordance with the provisions of sections 33A and 33B of the Civic Government (Scotland) Act 1982.
8. If any goods or articles regarding which written or printed information is given by any constable to the licence-holder as having been stolen, embezzled or fraudulently obtained, should thereafter come into the possession of the licence-holder, he must inform the police forthwith. The licence-holder must also state the name and address given by the person from whom the same were received, and assist the police with any description of the offerer.
9. The licence-holder shall comply with all the statutory obligations incumbent upon him in relation to the activity carried on and without prejudice to that generality he shall comply with all legal requirements, conditions, obligations or others imposed by the Health and Safety at Work, Etc. Act 1974, the Environmental Protection Act, 1990, the Noise and Statutory Nuisance Act, 1993, and the Clean Air Act, 1993 and any subsequent amendments. In particular the licence-holder:-
 - (a) shall not create dense or dark smoke by burning tyres, cables, etc;
 - (b) shall keep his premises in a reasonably tidy condition ensuring that entrances and exits are kept clear and shall have regard for the health and safety of any employee and all members of the public;
 - (c) shall store the metal acquired and held by him in an appropriate compound area or part of the premises all to the satisfaction of Aberdeen City Council and shall comply with any obligations or conditions regarding screening, landscaping or similar works imposed by the City Council;
 - (d) shall do such things as are reasonably necessary to prevent children or any members of the public from gaining unauthorised access to any site under the control of the licence-holder used for the purposes for which the licence is held;
 - (e) shall ensure that any vehicle to be used in connection with the business is road worthy, licensed and insured in accordance with the Road Traffic Acts.

Without prejudice to the foregoing, the licence-holder shall comply with all statutory obligations, and with all conditions, requirements and orders imposed by Aberdeen City Council. The grant of a licence shall not supersede, replace or relieve the licence-holder of his obligations to comply with other statutory and common law obligations distinct from the relevant licensing provisions of the Civic Government (Scotland) Act, 1982.

10. An authorised officer of Aberdeen City Council as licensing authority, or a police constable shall be permitted free access to inspect the premises in pursuance of their duties at any reasonable time or inspect any vehicles on premises used or to be used for an activity in relation to which a licence is in force or has been applied for and that in terms of the Civic Government (Scotland) Act, 1982.

11. The licence-holder shall not cause to be made or permit to be made any material change in the premises specified in the licence without the prior consent of Aberdeen City Council. The licence-holder shall notify the **Licensing Team**, Legal and Democratic Services, Aberdeen City Council, Town House, Broad Street, Aberdeen, of any material change of circumstances as soon as is reasonably practicable in accordance with paragraph 9(1) of Schedule 1 to the Civic Government (Scotland) Act, 1982.