

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Licensing Sub-Committee

The meeting will be held at **7.00 pm** on **22 March 2023**

Council Chamber, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Gary Collins (Chair), Cathy Kent and Sue Sammons

Agenda

Open to Public and Press

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1. Apologies for Absence	
2. Items of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
3. Declarations of Interests	
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Exclusion of the Public and Press

Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

5. Review Of A Hackney Carriage / Private Hire Driver Licence

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Queries regarding this Agenda or notification of apologies:

Please contact Kenna Victoria Healey, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **14 March 2023**

Information for members of the public and councillors

Access to Information and Meetings

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Following changes to government advice there is no longer a requirement for public attendees to book seats in advance of a committee meeting. All public attendees are expected to comply with the following points when physically attending a committee meeting:

1. If you are feeling ill or have tested positive for Covid and are isolating you should remain at home, the meeting will be webcast and you can attend in that way.
2. You are recommended to wear a face covering (where able) when attending the meeting and moving around the council offices to reduce any chance of infection. Removal of any face covering would be advisable when speaking publically at the meeting.
3. Hand sanitiser will also be available at the entrance for your use.

Whilst the Council encourages all who are eligible to have vaccination and this is important in reducing risks around COVID-19, around 1 in 3 people with COVID-19 do not have any symptoms. This means they could be spreading the virus without knowing it. In line with government guidance testing twice a week increases the chances of detecting COVID-19 when you are infectious but aren't displaying symptoms, helping to make sure you do not spread COVID-19. Rapid lateral flow testing is available for free to anybody. To find out more about testing please visit <https://www.nhs.uk/conditions/coronavirus-covid-19/testing/regular-rapid-coronavirus-tests-if-you-do-not-have-symptoms/>

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Thurrock Council Wi-Fi

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- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

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- Access the modern.gov app
- Enter your username and password

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

22 March 2023	ITEM: 4
Licensing Sub-Committee	
Determination of an Application to Renew a Scrap Metal Dealer Licence	
Wards and communities affected: Ockendon	Key Decision: Non-key
Report of: Elizabeth Cox, Licensing Officer	
Accountable Assistant Director: Leigh Nicolson, Assistant Director Planning and Growth	
Accountable Director: Mark Bradbury, Director of Place	
This report is Public	

Executive Summary

An application has been received for renew a Scrap Metal Dealer Site Licence for European Metal Recycling Ltd at Station Road, East Tilbury, RM18 8QR and 13-19 Berth, Tilbury Dock, RM18 7EH. The applicant has declared that they have received a relevant conviction.

1. Recommendation(s)

1.1 That the Sub-Committee

a) Considers this report and appendices together with any oral submissions at the hearing and determines the application to grant the Scrap Metal Site Licence in line with the options open to the committee under the Scrap Metal Dealers Act 2013.

2. Introduction and Background

2.1 European Metal Recycling Limited have been licensed under the Scrap Metal Dealers Act 2013 since its commencement for sites in East Tilbury and Tilbury Docks.

2.2 On 13 December 2022, an application to renew a scrap metal dealer site licence for Station Road, East Tilbury, RM18 8QR and 13-19 Berth, Tilbury Dock, RM18 7EH, was submitted by European Metal Recycling Limited, Sirius House, Delta Crescent, Warrington, WA5 7NS. A copy of the application form and relevant appendices are attached at **Appendix 1**.

- 2.3 As part of the application, a relevant offence was declared namely an offence of depositing controlled waste in May 2016 which resulted in a conviction under section 33(1)(a) and 33(6) Environmental Protection Act 1990. The case was concluded at Bristol Crown Court 2 July 2021 and resulted in a £400,000 penalty and confiscation order of £32,958.
- 2.4 Following this notification, on 13 January 2023 the Licensing Department issued the Company with a notice of intention to refuse the application to renew the Scrap Metal Dealer Licence. A copy of the notice is attached at **Appendix 2**.
- 2.5 On 13 January 2013, Nancy Gray on behalf of EMR Ltd confirmed that they would be submitting representations against the proposed refusal. This was followed up on 25 January 2023 with written representations by Chris Tinsley. The written representation is attached at **Appendix 3**. EMR Ltd also submitted a letter of support from Port of Tilbury London Ltd which is attached as **Appendix 4**.
- 2.6 As part of the application process, Essex Police and the Environment Agency were consulted on the application and neither submitted any representations.

3. Issues, Options and Analysis of Options

- 3.1 The following options are available to the Licensing Sub-Committee:
- To grant the application as applied for;
 - To refuse the application; or
 - To grant the licence with the inclusion of one or both of the following conditions:
 - That the dealer must not receive scrap metal except between 9am and 5 pm on any day;
 - That all scrap metal received must be kept in the form in which it is received for a specified period, not exceeding 72 hours, beginning with the time it is received.

- 3.2 The Scrap Metal Dealers Act provides that a local authority must not issue or renew a scrap metal licence unless it is satisfied that the applicant is a suitable person to carry on business as a scrap metal dealer.

In determining whether the applicant is a suitable person, 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.

3.3 European Metal Recycling Limited may now not be considered to be a suitable licence holder as they have been convicted of a relevant offence as listed under the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action). A copy of the legislation is attached at **Appendix 5**

4. Reasons for Recommendation

4.1 These are the options available to the Sub-Committee

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 The application has been consulted on in accordance with the requirements in the Scrap Metal Dealers Act 2013.

6. Impact on corporate policies, priorities, performance and community impact

6.1 The Council has a duty under Section 17 of the Crime & Disorder Act 1998 to do all that it reasonably can to prevent:

- (a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment), and;
- (b) the misuse of drugs, alcohol and other substances in its areas.

In considering this duty the Sub-Committee should have due regard to the submissions made by the applicant and interested parties, the Licensing Act 2003, the Guidance issued by the Secretary of State under Section 182 of the Act and the Council's own Statement of Licensing Policy.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Senior Management Accountant

Government Intervention & Section 114

In July 2022, the Council was made aware of concerns around the valuation of specific investments. A review process commenced, and the initial findings highlighted significant concern with three investments and the position was shared informally with the Department of Levelling Up, Housing and Communities (DLUHC).

On the 2 September 2022 DLUHC announced directions to implement an intervention package at the Council.

The Secretary of State exercised his powers under section 15(11) of the Local Government Act 1999 to give a Direction without complying with the requirement at section 15(9) to give Thurrock an opportunity to make representations about the Directions, as he considered the failures of the Council's compliance with its Best Value duty in respect of the functions specified in the Directions sufficiently urgent. This was because of the following:

- the scale of the financial and commercial risks potentially facing the Authority, which were compounded by the Authority's approach to financial management and the seriousness of the allegations that were made by third parties about the processes applied to the operation of the Authority's commercial strategy, and;
- the failure of the Authority to provide assurance to Ministers and the Department on the adequacy of the actions that they were taking to address the issues, taking account of the scale and pace of the response required.

The Secretary of State nominated Essex County Council to the role of Commissioner

On 19 December 2022, the Council's Acting Director of Finance & Section 151 Officer issued a report under Section 114 of the Local Government Finance Act 1988. This advises Councillors that the Council faces 'a financial situation of an extremely serious nature'.

Implications relating to this specific report

There are no direct financial implications arising from this report

7.2 Legal

Implications verified by: **Deirdre Collins, Principal Barrister, Prosecutions, Housing and Litigation**

Simon Scrowther, Lawyer, Litigation and Licencing

Thurrock Council as Licensing Authority under the Scrap Metal Dealers Act 2013 is empowered to determine applications of this nature. If the licensing authority refuses the application, it must provide the applicant with a notice of the decision with reasons. The applicant has 21 days in which to appeal to a magistrate's court.

In determining whether the applicant is a suitable person, 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.

The Accounts and Audit (England) Regulations 2015 section 4 (2) require that:

“The relevant body shall be responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes the arrangements for the management of risk.”

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlan**
Community Engagement and Project Monitoring Officer

The Licensing Sub-Committee is of a quasi-judicial nature and whilst the Licensing Committee should ensure equality of treatment for all groups in the granting of licences, due regard should be given to its responsibility to

promote the licensing objectives and its duties under Section 17 of the Crime and Disorder Act 1998.

7.4 **Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

- The implications of Section 17 Crime and Disorder Act 1998 have been considered at 6.1 above.

8. **Background papers used in preparing the report:**

- Scrap Metal Dealers Act 2013
- Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action)

9. **Appendices to the report:**

- Appendix 1 – Application form and accompanying documents
- Appendix 2 – Notice of intention to refuse
- Appendix 3 – Representations from the applicant
- Appendix 4 – letter of support from Port of Tilbury
- Appendix 5 – Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action)

Report Author:

Elizabeth Cox, Licensing Officer

Application for a Scrap Metal Licence

SECTION 1. (for all applicants)
Please indicate the type of licence you are applying for (please tick): A site licence <input checked="" type="checkbox"/> A collector's licence <input type="checkbox"/>
Are you applying as (please tick): An individual <input type="checkbox"/> A company <input checked="" type="checkbox"/> A partnership <input type="checkbox"/>
Please state your trading name: European Metal Recycling Limited
Is this application for a grant of a new licence or a renewal (please tick the relevant box): Grant of a new licence <input type="checkbox"/> Renewal of an existing licence <input checked="" type="checkbox"/>
If 'yes' please provide your existing licence number: Scrap Metal Dealer 2013 Registration held by EMR for site, see Section 3 Site Details sheet for reference number.
SECTION 2. Permits, registrations and licences in force
Please provide details of any relevant environmental permit, exemption or registration (such as a scrap metal dealer or a motor salvage operator) in relation to the applicant: EMR operates over 60 sites in England & Wales, see Appendix 1 (SMDA Registrations and Appendix 2 (Environmental Permits & Exemptions) for details
Type: Identifying number: Date of issue:
Type: Identifying number: Date of issue:
Continue on a separate sheet if necessary
Please provide details, including licence number, of any other scrap metal licence issued by any authority to the applicant within the last 3 years (please use a continuation sheet if necessary): Please see Appendix 1
Are you registered as a waste carrier? (please tick) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If 'yes' please provide your carrier's registration number: CBDU188448
SECTION 3. TO BE COMPLETED IF APPLYING FOR A SITE LICENCE N.B- A site licence authorises the licensee to carry on business at a site in the authority's area. You can apply to licence multiple sites using this form.
Details of prospective licence holder

<p>Title (please tick):</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/></p> <p>(please state): N/A</p>	<p>I am 18 years old or over. Please tick</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Date of Birth: N/A</p>
<p>Surname:</p> <p>European Metal Recycling Limited</p>	<p>Forenames:</p>
<p>Position/Role in the business: N/A</p>	
<p>I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland¹:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A – corporate applicant</p> <p>If you do not provide a disclosure certificate your application may be delayed or rejected.</p>	
<p>Contact details (we will use your business address to correspond with you unless you indicate we should use your home address)</p>	
<p>Business Address:</p> <p>Head office name or house name or number: Sirius House</p> <p>First line of address: Delta Crescent</p> <p>Town/City: Warrington</p> <p>Postcode: WA5 7NS</p>	<p>Telephone numbers:</p> <p>Daytime: 01925 715400</p> <p>Evening:</p> <p>Mobile:</p>
<p>Home address: N/A – corporate applicant</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p>	<p>Email address (if you would prefer us to correspond with you by email):</p> <p>General email: info@emrgroup.com</p> <p>Email for application queries: compliance@emrgroup.com</p> <p>Please note that you must still provide us with a postal address</p>

¹ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.

Partnerships (If you are applying as a partnership, please provide the following details in respect of each partner – where there are more than two partners then please use a continuation sheet)	
Full name: N/A Date of birth: Residential address: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> 2	Full name: N/A Date of birth: Residential address: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>
Companies (If you are applying as a company please provide the details set out below about the company)	
Company name: European Metal Recycling Limited Registration number: 02954623 Address of the registered office: Sirius House, Delta Crescent, Westbrook, Warrington WA5 7NS	
Please provide the following details for each director(s), shadow director(s) and company secretary where these are different from the applicant and site manager(s) – where necessary please use a continuation sheet.	
Role: Please see Appendix 3 for Director's details Name: Date of Birth: House name or number: First line of address: Town/City: Postcode: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/> 3	Role: Name: Date of Birth: House name or number: First line of address: Town/City: Postcode: Basic Disclosure certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>

- 2 If you do not provide a disclosure certificate issued for named persons by Disclosure Scotland issued no more than three months before the date of this application your application may be delayed or rejected.
- 3 If you do not provide a disclosure certificate issued for named persons by Disclosure Scotland issued no more than three months before the date of this application your application may be delayed or rejected.

Please provide details of any site in the area of any other local authority at which the applicant carries on business as a scrap metal dealer or proposes to do so:

Address: **Please see Appendix 1**

Postcode:

Please name the local authority which has licensed this site, or to whom applications have been made if before commencement of the Scrap Metal Dealers Act 2013:

Please see Appendix 1

Please continue on a separate sheet of paper if necessary.

Only applicable to sites established after 1 November 1990

Do you have planning permission (please tick)

Yes No

SECTION 4. TO BE COMPLETED IF APPLYING FOR A COLLECTOR'S LICENCE
N.B- A collector's licence authorises the licensee to carry out business as a mobile collector in the authority's area only.

Details of prospective licence holder

Title (please tick): Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state):	I am 18 years old or over. Please tick Yes <input type="checkbox"/> No <input type="checkbox"/> Date of Birth:
Surname: N/A - Site Licence Application Only	Forenames:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland⁴:

Yes No

If you do not provide a disclosure certificate your application may be delayed or rejected.

Contact details (we will use your business address to correspond with you unless you indicate we should use your home address)

Business Address: House name or number: First line of address:	Telephone numbers: Daytime: Evening: Mobile:
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⁴ Further information about Basic Disclosure Certificates and Disclosure Scotland are set out in the explanatory notes accompanying this form.

Town/City: Postcode:	
Home address: House name or number: First line of address: Town/City: Postcode:	Email address (if you would prefer us to correspond with you by email): Please note that you must still provide us with a postal address
Where will scrap metal that has been purchased be stored before further disposal? House name or number: First line of address: Town/City: Postcode: Will not be stored <input type="checkbox"/>	
SECTION 5. MOTOR SALVAGE (For all applicants)	
Will your business consist of acting as a motor salvage operator? This is defined as a business that: <ul style="list-style-type: none"> • wholly or in part recovers salvageable parts from motor vehicles for re-use or re-sale, and then sells the rest of the vehicle for scrap; • wholly or mainly involves buying written-off vehicles and then repairing and selling them off; and, • wholly or mainly buys or sells motor vehicles for the purpose of salvaging parts from them or repairing them and selling them off. (please tick) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Please see Section 3 Site Details sheet	
SECTION 6. BANK ACCOUNTS THAT WILL BE USED FOR PAYMENTS TO SUPPLIERS (For all applicants)	
Please provide details of the bank account(s) that will be used to make payment to suppliers, in accordance with s12 of the Scrap metal Dealers Act 2013. If more than two bank accounts will be used, please use a continuation sheet.	

Account name: Please see Appendix 4 for bank account details Sort code: Account number:	Account name: Sort code: Account number:
SECTION 7. PAYMENT (For all applicants)	
How do you wish to make payment for your scrap metal dealer's licence? (please tick) Direct Debit (please complete separate direct debit form) <input type="checkbox"/> Cheque <input type="checkbox"/> Preferred method of payment is debit/credit card payment – please advise if this is possible	
SECTION 8. CRIMINAL CONVICTIONS (For all applicants)	
Have you, any listed partners, any listed directors, or any listed site manager(s) in this application ever been convicted of a relevant offence or been the subject of any relevant enforcement action? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If 'yes' you must provide details for each conviction, the date of the conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed: See Appendix 5	
SECTION 9. Tax Check	
Please provide an up to date tax check from the HMRC. Tax code: TC2 AK9 8M6	
SECTION 10. DECLARATION (For all applicants)	
The information contained in this form is true and accurate to the best of my knowledge and belief. I understand that if I make a material statement knowing it to be false, or if I recklessly make a material statement which is false, I will be committing an offence under Schedule 1 Para 5 of the Scrap Metal Dealers Act 2013, for which I may be prosecuted, and if convicted, fined. I understand that the local authority to whom I make my application may consult other agencies about my suitability to be licensed as a scrap metal dealer, as per section 3(7) of the Scrap Metal Dealers Act 2013, and that those other agencies may include other local authorities, the Environment Agency, the Natural Resources Body for Wales, and the police. I understand that the purpose of the sharing of this data is to form a full assessment of my suitability to be licensed as a scrap metal dealer. I also understand that the sharing of information about me may extend to sensitive personal data, such as data about any previous criminal offences. Some details will also be displayed on a national register, as required by the Scrap metal Dealers Act 2013. I hereby expressly consent to this processing of my data and display of relevant information on the public register. Signed: _____ Date: _____	

Site details. Please list the details for each site where you propose to carry on business as a scrap metal dealer in this local authority area. If you operate more than two sites in the area please provide details for each site on a continuation sheet.

Full address of each site you intend to carry out business as a scrap metal dealer:	Site manager(s) details (if different from the applicant)
<p>Local Authority: Thurrock Council</p> <p>Number of sites being applied for: 2</p> <p>Name or number:</p> <p>First line of address: Station Road</p> <p>Town/City: East Tilbury</p> <p>Postcode: RM18 8QR</p> <p>Telephone number: 01375 856902</p> <p>Email address: info@emrgroup.com</p> <p>Website address: uk.emrgroup.com</p> <p>Existing SMDA registration reference number: 1018</p> <p>Will your business be acting as a motor salvage operator?: No</p>	<p>Name: Durandt Wasserman</p> <p>House name or number: 4</p> <p>First line of address: Elmfield Close</p> <p>Town/City: Fleet</p> <p>Postcode: GU52 0EL</p> <p>Date of Birth: 04/01/1977</p> <p><i>Basic Disclosure</i> certificate attached: Yes</p>

Site details. Please list the details for each site where you propose to carry on business as a scrap metal dealer in this local authority area. If you operate more than two sites in the area please provide details for each site on a continuation sheet.

Full address of each site you intend to carry out business as a scrap metal dealer:	Site manager(s) details (if different from the applicant)
<p>Local Authority: Thurrock Council</p> <p>Number of sites being applied for: 2</p> <p>Name or number:</p> <p>First line of address: 13-19 Berth, Tilbury Dock</p> <p>Town/City: Tilbury</p> <p>Postcode: RM18 7EH</p> <p>Telephone number: 01375 855525</p> <p>Email address: info@emrgroup.com</p> <p>Website address: uk.emrgroup.com</p> <p>Existing SMDA registration reference number: 1018</p> <p>Will your business be acting as a motor salvage operator?: No</p>	<p>Name: Simon Masters</p> <p>House name or number: CHINOOK</p> <p>First line of address: COGGESHALL ROAD, EARLS COLNE,</p> <p>Town/City: COLCHESTER,</p> <p>Postcode: CO6 2JX</p> <p>Date of Birth: 11/12/1983</p> <p><i>Basic Disclosure</i> certificate attached: Yes,</p>

Scrap Metal Dealers Act 2013

Application for a Scrap Metal Licence



Appendix 1 - EMR SMDA 2013 Registrations in UK

EMR Site	Local Authority	SMDA 2013 License No.	License Expiry Date	Site first line of address	Site Town/city	Site Postcode
Ashford	Ashford Borough Council	LN/020181743	05.11.2024	Eclipse Business Park,	Ashford	TN23 1EL
Bedford	Bedford Borough Council	LIC/11/1/5	30.11.2022	Cauldwell Walk	Bedford	MK42 9DT
Bellshill		None	31.08.2022	Kirklee Road	Bellshill	ML4 2QW
Birmingham Landor Street	Birmingham City Council	13/099435	02.12.2022	Landor Street, Nechells.	Birmingham	B8 1AE
Blackburn	Blackburn with Darwen Borough Council	LN/000000690	26.09.2023	Gorse Street	Blackburn	BB1 3EU
Blaydon	Gateshead Council	SD0011	30.11.2022	Factory Road	Blaydon on Tyne	NE21 5RZ
Boreham	Chelmsford Borough Council	SL002	30.11.2022	Waltham Road Industrial Estate, Boreham	Chelmsford	CM3 3AW
Bradford	Bradford Metropolitan District Council	19/01010/SCRST	26.10.2022	Planetrees Road, Laisterdyke	Bradford	BD4 8AE
Brentford	London Borough of Hounslow	04/07/2191	26.11.2022	Transport Avenue	Brentford	TW8 9HA
Brentford (Non-Ferrous)	London Borough of Hounslow	SMD/0020/S13	21.11.2022	Transport Avenue	Brentford	TW8 9HF
Burnopfield	Durham County Council	SMD/0020/S13	21.11.2022	Hobson Industrial Estate, Burnopfield	Newcastle	NE16 6EA
Canning Town	London Borough of Newham	SMA/S/0139	04.12.2022	Bidder Street,Canning Town	London	E16 4SZ
Cardiff	Cardiff County Council	LBN/SL/TS190001	30.10.2022	Roath Dock	Cardiff.	CF10 4ED
Chard	South Somerset District Council	SMD0099	28.11.2022	Beeching Close	Chard	TA20 1BB
Coventry	Coventry City Council	SMDS 010	16.12.2022	Stoney Stanton Road	Coventry	CV6 5DJ
Coventry (Longford)	Coventry City Council	LN/219000700	12.11.2022	Three Spires Industrial Estate, Bedworth Road	Coventry	CV6 6JR
Darlaston	Walsall Council	LN/219000700	12.11.2022	Bentley Road South	Darlaston	WS10 8LW
Darlington	Darlington Borough Council	WS/SML-S/0036	03.03.2023	Forge Way, Cleveland Trading Estate	Darlington	DL1 2PB
Dundee	Dundee City Council	DL19/01884/SCRAP	30.11.2022	11 Paterson Street	Dundee	DD3 6QR
East Tilbury	Thurrock Council	EMD28	31.05.2023	Station Road	East Tilbury	RM18 8QR
Eccles	Salford City Council	14/10/1902	21.01.2023	Irwell Park Wharf, Lankro Way	Eccles	M30 0SA
Edmonton	Enfield Council	109286	15.11.2022	Kenninghall Road	London	N18 2PD
Erith	London Borough of Bexley	LN/201900791	05.01.2023	Manor Road	Erith	DA8 2AD
Glasgow	Glasgow City Council	19/04061/SITE	30.12.2022	739 South Street	Lanarkshire	G14 0BX
Gloucester	Gloucester City Council	MD00033	31.07.2022	The Old Airfield	Moreton Valence	GL2 7NG
Great Yarmouth	Great Yarmouth Borough Council	SMM/08	17.02.2023	South Quay	Great Yarmouth.	NR30 3LD
Hartlepool	Hartlepool Borough Council	S107 (R)	15.12.2022	Tomlinson Road, Longhill Industrial Estate	Hartlepool	TS25 1NS
Hyde	Tameside Metropolitan Borough Council	HART/SM/019	26.01.2023	Raglan Street	Hyde	SK14 2DX
Kettering	Kettering Borough Council	SCRAPS19468	09.12.2022	Pytchley Lodge Industrial Estate	Kettering	NN15 6JR
Kilmarnock	East Ayrshire Council	19/03150/EHSMS	30.11.2022	Burnside Street	Kilmarnock	KA1 4EU
Kingsbury	North Warwickshire Borough Council	EA/MD 2	31.08.2022	Trinity Road, Kingsbury	Tamworth	B78 2LB
Leeds Cross Green	Leeds City Council	SL/006	13.11.2022	Knowthorpe Way, Cross Green Ind Est	Leeds	LS9 0SW
Leeds Hunslet	Leeds City Council	LCC/SC/STE/00013/19/01	11.02.2023	Pontefract Road, Hunslet, Leeds	Leeds	LS10 1SP
Lenwade	Broadland District Council	LCC/SC/STE/00013/19/01	11.02.2023	Norwich Road, Lenwade	Norwich	NR9 5SN

Scrap Metal Dealers Act 2013

Application for a Scrap Metal Licence



Appendix 1 - EMR SMDA 2013 Registrations in UK

EMR Site	Local Authority	SMDA 2013 License No.	License Expiry Date	Site first line of address	Site Town/city	Site Postcode
Lincoln Beevor Street	Lincoln City Council	SMDA/SL/002	15.10.2022	Beevor Street	Lincoln	LN6 7AD
Lincoln Great Northern Terrace	Lincoln City Council	SMDA/SL/002	15.10.2022	Great Northern Terrace	Lincoln	LN5 8HJ
Liverpool Alexandra	Sefton Metropolitan Borough Council	22762	04.11.2022	Alexandra Building, Alexandra Dock 1	Bootle	L20 1BX
Liverpool Bankhall	Liverpool City Council	SMD0023	22.09.2023	Bankhall Lane, Bootle	Liverpool	L20 8EW
Liverpool Gladstone	Sefton Metropolitan Borough Council	08/10/2556	16.01.2023	Gladstone S1	Bootle	L20 1BE
Manchester Oldham Road	Manchester City Council	SCR0026	09.12.2022	36 Irlam Street	Manchester	M40 2BP
Marske	Redcar & Cleveland Borough Council	MBRO/SMS003/082934	30.11.2022	Longbeck Trading Estate	Marske By Sea	TS11 6HB
Middlesbrough	Middlesbrough Council	LN/000003259	05.06.2023	Dents Wharf, Depot Road	Middlesborough	TS2 1LE
Mitcham	Merton Borough Council	2019-2667	19.11.2022	23 Ellis Road	Mitcham	CR4 4HX
Neasden	Brent Council	LN/201925916	30.11.2022	Neasden Lane	London	NW10 2UG
Newhaven	Lewes District Council	19/00908/SMDSTE	15.01.2023	North Quay	Newhaven	BN9 0AB
Newmarket	East Cambridgeshire District Council	WK/202010364	16.06.2023	111 Fordham Road, Snailwell	Newmarket	CB8 7ND
Northampton	Northampton Borough Council	19/02997/SMDAS	15.10.2022	Harvey Reeves Rd	Northampton	NN5 5JR
Norwich City	Norwich City Council	472976/S06	08.12.2022	Halfmoon Way, Waterworks Road	Norwich	NR2 4EB
Nottingham	Nottingham City Council	SL08	21.11.2022	Alcester Street, Dunkirk	Nottingham	NG7 2SF
Oldbury	Sandwell Metropolitan Borough Council	13/000090/SMDS	08.06.2023	Union Rd	Oldbury	B69 3EX
Plymouth	Plymouth City Council	SMDS010	17.12.2022	Faraday Road	Plymouth	PL4 0ST
Portsmouth	Portsmouth City Council	19/04183/SMDAS	11.02.2023	Dundas Spur	Portsmouth	PO3 5NX
Rochdale	Rochdale Borough Council	SMD0013	11.11.2022	Uncouth Road, Milnrow	Rochdale	OL16 3DD
Rochester	Medway Council	20/02285/MSMSIT	30.09.2023	Whitewall Road, Medway City Ind Est, Strood	Rochester	ME2 4DZ
Salford	Salford City Council	109286	15.11.2022	West Egerton Street	Salford	M5 4DY
Sharpness	Stroud District Council	19/01365/SMSITE	01.12.2022	The Docks, Sharpness	Berkeley	GL13 9UX
Sheffield Attercliffe	Sheffield City Council	SC037SL	30.09.2022	East Coast Road, Attercliffe	Sheffield	S9 3YD
Sheffield Halfway	Sheffield City Council	SC037SL	30.09.2022	Old Lane, Halfway	Sheffield	S20 3GZ
Shoreham	Adur District Council	LN/201300207	30.11.2022	Kingston Wharf, Brighton Road	Shoreham-By-Sea	BN43 6RN
Smethwick	Sandwell Metropolitan Borough Council	13/000090/SMDS	08.06.2023	Downing Street	Smethwick	B66 2PG
Southampton	Southampton City Council	2019/06057/24SSMS	30.11.2022	Princes Street	Southampton	SO14 5AP
Stoke on Trent		304593	06.11.2022	Victoria Road	Stoke On Trent	ST4 2HS
Sunderland	Sunderland City Council	10/01/1900	30.11.2022	Woodbine Terrace, Europa Works, Pallion	Sunderland	SR4 6TY
Swindon	Swindon Borough Council	19/1661/SCRPSI	14.12.2022	Bridge House, Gypsy Lane	Swindon	SN2 8DZ
Tilbury Dock	Thurrock Council	14/10/1902	21.01.2023	13-19 Berth, Tilbury Dock	Tilbury	RM18 7EH
Tyne Dock	South Tyneside Council	S002	06.01.2023	North West Quay, Tyne Dock	South Shields	NE34 9PL
Wandsworth	Wandsworth Council	LBWands/SMD/S/0031	21.03.2023	Pensbury Place	Wandsworth	SW8 4TR
Warrington	Warrington Borough Council	WBC/SL0016	08.06.2023	Delta Crescent	Warrington	WA5 7NS

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Appendix 1 - EMR SMDA 2013 Registrations in UK

EMR Site	Local Authority	SMDA 2013 License No.	License Expiry Date	Site first line of address	Site Town/city	Site Postcode
Willesden	London Borough of Hammersmith and Fulham	2013/01792/SCSITE	30.12.2022	106 Scrubs Lane, Willesden	London	NW10 6QY
Wolverhampton	City of Wolverhampton Council	SMS2	23.02.2023	Parkfield Works, Bilston Road	Wolverhampton	WV2 2HU
Worksop	Bassetlaw District Council	SMD0010	01.12.2022	Sandy Lane	Worksop	S80 3ET

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Scrap Metal Dealers Act 2013

Application for a Scrap Metal Licence



Appendix 2 - EMR site environmental permits & exemptions in UK

Site	WML/Permit or Exemption no.	Address Line 1 *	Address Line 2 *	Address Line 3	Address Line 4	Postcode
Ashford	EPR:FB3907XZ	Eclipse Business Park,	Brunswick Road	Ashford	Kent	TN23 1EL
Bedford	EPR: LP3290NA	Caudwell Walk		Bedford	Bedfordshire	MK42 9DT
Bellshill	WML/W/00193	Kirklee Road		Bellshill	Lanarkshire	ML4 2QW
Birmingham (Landor St.)	EPR: CB3402ML	Landor Street	Nechells	Birmingham	West Midlands	B8 1AE
Birmingham (Duddeston Mill)	EPR: FP3299VN & EPR: CP3691EH	Duddeston Mill Road	Nechells	Birmingham	West Midlands	B8 1AR
Blackburn	EPR: NP3291CF	Greenbank Works	Gorse Street	Blackburn	Lancashire	BB1 3EU
Blaydon	EPR: WP3497ZF	Tynedale Works	Factory Road	Blaydon-on-Tyne	Tyne and Wear	NE21 5RZ
Boreham	EPR/AB3903KF	Waltham Rd Ind. Estate	Boreham	Nr Chelmsford	Essex	CM3 3AW
Bradford	EPR: BP3499ZA	Plantrees Road	Laisterdyke	Bradford	Yorkshire	BD4 8AE
Brentford	EPR: YP3091NU	Transport Avenue		Brentford	Middlesex	TW8 9HA
Brentford Holloway	EPR: SE5758YN	Transport Avenue		Brentford	Middlesex	TW8 9HF
Burnopfield	EPR: VP3991ZK	Hobson Industrial Estate	Burnopfield	Newcastle Upon Tyne	Tyne and Wear	NE16 6EA
Canning Town	EPR: QP3796NY	Bidder Street	Canning Town	London	Greater London	E16 4SZ
Cardiff	EPR: FP3094VP & EPR: ZP3795FD	Dowlais Wharf	Roath Dock	Cardiff	South Glamorgan	CF10 4ED
Chard	EPR: HP3590FC	Beeching Close	Chard	Somerset	Somerset	TA20 1BB
Coventry	EPR: QP3195CD	Websters Sidings	Stoney Stanton Road	Coventry	West Midlands	CV6 5DL
Darlaston	EPR: LP3492FA & EPR: GP3292FT	Bentley Road South	Darlaston		West Midlands	WS10 8LW
Darlington	EPR: JP3694EQ	Forge Way	Cleveland Ind. Estate	Darlington	Durham	DL1 2PB
Dundee	WML/E/242	Paterson Street		Dundee	Dundee	DD3 6QR
East Tilbury	EPR: KP3899NQ	Station Road	East Tilbury		Essex	RM18 8QR
Edmonton	EPR: EP3091NT	Albert Works	Kenninghall Road	Edmonton	London	N18 2PD
Erith	EPR: FB3509MJ	Manor Road		Erith	Kent	DA8 2AD
Glasgow	WML/L/1018833	Barclay Curle Complex	739 South Street	Glasgow	Lanarkshire	G14 0BX
Glasgow KGV	WML/L/1197173	King George V Docks	80 Kings Inch Drive	Glasgow	Lanarkshire	G51 4FB
Gloucester	EPR: JB3901US	The Old Airfield		Moreton Valence	Gloucestershire	GL2 7NG
Great Yarmouth	EPR: AP3999NE	South Quay		Great Yarmouth	Norfolk	NR30 3LD
Hartlepool	EPR: MP3090ZL	Thomlinson Road	Longhill Ind. Estate	Hartlepool	Cleveland	TS25 1NS
Hyde	EPR: AB3104UG	Raglan Street	Hyde	Stockport	Cheshire	SK14 2DX
Kettering	EPR: KP3092NW & EPR: RE5187UJ	UNIT 14 Pytchley Lodge Ind. Estate		Kettering	Northants	NN15 6JN
Kilmarnock	WML/W/0226	Burnside Street	Riccarton	Kilmarnock	Ayrshire	KA1 4EU
Kingsbury	EPR: BP3497FA	Trinity Road	Kingsbury	Tamworth	Staffordshire	B78 2LB
Leeds	EPR: RP3594ZS	25 Knowsthorpe Way	Cross Green Ind. Estate	Leeds	Yorkshire	LS9 0SW
Leeds (Pontefract)	WEX250055	53 Pontefract Road	Hunslet	Leeds	Yorkshire	LS10 1SP
Lenwade	EPR/AB3905FH	Atlas Works, Norwich Road	Lenwade	Norwich	Norfolk	NR9 5SN

Scrap Metal Dealers Act 2013

Application for a Scrap Metal Licence



Appendix 2 - EMR site environmental permits & exemptions in UK

Site	WML/Permit or Exemption no.	Address Line 1 *	Address Line 2 *	Address Line 3	Address Line 4	Postcode
Lincoln	EPR: HP3592NP	Beevor Street		Lincoln	Lincolnshire	LN6 7AD
Lincoln Sidings	WEX250055	Great Northern Terrace		Lincoln	Lincolnshire	LN65 8HJ
Liverpool (Alex)	EPR: RP3794CG	Alexandra Building, Alexandra Dock 1	Bootle	Liverpool	Merseyside	L20 1BX
Liverpool (Bankhall)	EPR: CB3107UE	Bankhall Lane	Bootle	Liverpool	Merseyside	L20 8EW
Liverpool (Gladstone)	EPR: JB3501MH	Gladstone S1	Seaforth	Liverpool	Merseyside	L20 1BE
Manchester (Eccles)	EPR: HP3094CG	Irwell Park Wharf, Lankro Way	Eccles	Manchester	Greater Manchester	M30 0SA
Manchester (Oldham Road)	EPR: FP3194CG	Oldham Road		Manchester	Greater Manchester	M40 2BP
Marske	EPR: WP3896ZW & EPR: GP3690ZT	The Drive, Longbeck Ind. Estate	Marske by the sea		Redcar	TS11 6HB
Middlesbrough	EPR: VP3196ZS & WEX250055	Dents Wharf	Depot Road	Middlesbrough	Cleveland	TS2 1LE
Mitcham	EPR: DB3608FZ	3 Ellis Road		Mitcham	Surrey	CR4 4HX
Neasden	EPR: HB3602LF	Mitre Works	Neasden Lane	London		NW10 2UG
Newhaven	EPR: KP3594HB	Southerham Wharf	North Quay Road	Newhaven	East Sussex	BN9 0AB
Newmarket	EPR: EP3490NE & WEX250055 & EPR: TE5587UK	111 Fordham Avenue	Snailwell	Newmarket	Suffolk	CB8 7ND
Northampton	EPR: MP3495NT	Harvey Reeves Road		Northampton	Northants	NN5 5JR
Norwich City	EPR: AB3903XP	Halfmoon Way, Waterworks Road		Norwich	Norfolk	NR2 4EB
Nottingham	EPR: AB3239RR & EPR: CP3899VQ	Mountstar House, Alcester Street	Dunkirk	Nottingham	Nottinghamshire	NG7 2SF
Oldbury	EPR: TP3938ZN & EPR: GP3739VR	Union Road		Oldbury	West Midlands	B69 3EL
Plymouth	EPR: BP3996HM	Faraday Road		Plymouth	Devon	PL4 0ST
Portsmouth	EPR: EP3292HT	Dundas Spur	Dundas Lane	Portsmouth	Hampshire	PO3 5NX
Rochdale	EPR: XP3692CG	Uncouth Road	Milnrow	Rochdale	Lancashire	OL16 3DD
Rochester	EPR: NP3395HS & EPR: DE5587UV	Whitehall Road, Medway City Ind. Estate	Strood	Rochester	Kent	ME2 4DZ
Salford	EPR: EP3198CN	West Egerton Street	Salford	Manchester	Greater Manchester	M5 4DY
Sharpness	EPR: JP3891EY	The Docks	Sharpness	Berkeley	Gloucestershire	GL13 9UX
Sheffield	EPR: UP3392ZY	East Coast Road	Attercliffe	Sheffield	Yorkshire	S9 3YD
Sheffield Holbrook	EPR: AB3903FX	Holbrook Industrial Estate,	Old Lane, Halfway	Sheffield	Yorkshire	S20 3GZ
Shoreham	EPR: NP3094HA	Kingston Wharf	Brighton Road	Shoreham-by-Sea	West Sussex	BN43 6RN
Smethwick	EPR: AB3503FJ & WEX250055 & EPR: LP3597FX	Hill Works, Downing Street	Smethwick		West Midlands	B66 2PG
Southampton	EPR: TP3992HN	Princes Street		Southampton	Hampshire	SO14 5AP
Stoke On Trent	EPR: BB3905XU	Victoria Road	Fenton	Stoke On Trent	Staffordshire	ST4 2HS
Sunderland	EPR: GP3396LB	Europa Works, Woodbine Terrace	Pallion	Sunderland	Tyne and Wear	SR4 6TY
Swindon	EPR: LP3895EG	Bridge House, Gipsy Lane		Swindon	Wiltshire	SN2 8DZ
Tilbury Dock	EPR: VP3094NK	13-19 Berth, Tilbury Dock	Tilbury Dock		Essex	RM18 7EH
Tyne Dock	EPR: GB3008XJ	West Quay	Tyne Dock	South Shields	Tyne & Wear	NE34 9PL
Walsall	EPR: HB3700UA	Jute Works	Bridgeman Street	Walsall	West Midlands	WS2 9PG

Scrap Metal Dealers Act 2013
Application for a Scrap Metal Licence



Appendix 2 - EMR site environmental permits & exemptions in UK

Site	WML/Permit or Exemption no.	Address Line 1 *	Address Line 2 *	Address Line 3	Address Line 4	Postcode
Wandsworth	EPR: RP3890EL	Private Sidings, Pensbury Place	Wandsworth	London	Greater London	SW8 4TR
Willesden	EPR: FB3205MK	106 Scrubs Lane	Willesden	London	Greater London	NW10 6QY
Worksop	EPR: AB3134AN	Sandy Lane	Worksop	Nottingham	Nottinghamshire	S80 3ET

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Appendix 5 – Relevant Conviction

SITE	LEGISLATION	OFFENCE	DATE	DETAILS	Court	Penalty
Tilbury Dock	Section 33 (1) (a) and 33(6) EPA 1990	Depositing Controlled Waste	May 2016	Submitted ASR to Stowey Quarry, Somerset where the site operator deposited it otherwise than in accordance with an environmental permit.	Bristol Crown Court (concluded 2 July 2021)	A £400,000 penalty and Confiscation Order of £32,958 was imposed.

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Recycling to create **Resource**

AN INTRODUCTION TO **EMR**

Recycling

Everyone recycles, but it's only when you see the big picture that you realise what **a difference it's making.**

Recycling is becoming more and more of a focus. More people and businesses want to recycle and legislation is more stringent. More products can be recycled and the argument for why they should be is very compelling.

Not only does it prevent waste going to landfill, it's far more efficient to process recycled materials than it is to use virgin resources. It significantly cuts down CO₂ emissions, air pollution (80%), water pollution (76%) and water use (40%).*

EMR recycles 10 million tonnes of metal each year, which saves 15 million tonnes of CO₂ compared to using virgin ores; equivalent to the CO₂ generated by 4.5 million average households.**

Environmental impact is a key concern globally but there are other, more pragmatic reasons for increasing the amount we recycle. Our virgin resources won't last forever, landfilling is unsustainable, the cost of waste disposal is rising and legislation is imposing increasingly challenging recycling rates. This all requires an ever more attentive attitude from industry.

When you know the facts, you realise that recycling matters, and what matters most of all is who you choose to work with.

*Source: BMRA. Figures based on recycling steel.
**Source: BMRA.



use



Recycle



EMR make sure that what's best for your company is also what's best for the environment.



ycle

Essentially, what we do is take other people's waste metals and recycle every scrap possible.

EMR turns waste into resources. We're able to offer best prices to our suppliers, because we turn their waste metals into top grade recycled commodities to sell on to our customers.

We buy from a wide range of sources, from industry and local government service providers to the general public, from several thousand tonnes to small individual deliveries, from production and demolition waste to end of life consumer goods.

One of our core strengths is logistics; collecting and delivering material to the right location for processing. We continually invest in our sites to provide you with a fast and efficient service. We operate a fleet of dedicated vehicles and offer a vast range of containers for any type of collection. We can service 24 x 7 x 365 Just In Time production lines and move large volumes of waste metals at short notice.

Because we realise every situation is different, we can work around you. We can provide total waste management services, where we manage everything for you and help you operate to current legislation, as well as environmental planning services to help you cut emissions and meet future objectives.

Once we've collected your waste metals, or you've delivered them, the recycling process begins. We invest in the latest recycling technologies and insist on using and developing best practices to ensure safety, operational efficiency and environmental compliance.

We also have specialist sites that handle the de-pollution and safe disposal of End of Life Vehicles, fridges and Waste Electrical and Electronic Equipment (WEEE).

Our level of service will make it feel like you're dealing with a local independent, but with the experience, resources, specialist services and unshakeable reliability of a large corporate.

That said, all you really need to know is that with EMR, your life will be made easier and you'll get the best price from people you'll enjoy dealing with.

ReSo

Through our experience and technology, we transform as much material as possible into **top grade resources.**

Once we've acquired the waste metal, we set about processing it and preparing it for our customers. Our aim is to reclaim and reuse as much material as we can through our innovative techniques and equipment. We send as little to landfill as possible and we're currently helping develop ways of turning what cannot be recycled into energy, to become a true zero waste company.

Our business was built on recycling ferrous and non-ferrous metal, including precious metal and high grade alloys. We produce top grade products in whatever form you need them. We can also produce different grades to order in any quantity, and our global presence and strong logistics mean we deliver what you need, when you need it, anywhere in the world.

For our suppliers we're a local specialist, based just around the corner. For our customers, we're a global player who always comes up with the goods.

While we focus on resources, we're ever more resourceful, ensuring our service, products and operating ethics are unsurpassed.

urce



Quality is something we take very seriously; reflected in our products, services and behaviour.

Reso



Our commitment to the environment is only exceeded by our **commitment to you.**

ect

Choosing EMR demonstrates your commitment to corporate responsibility.

We know the primary reasons for choosing EMR are commercial. However, it's worth knowing that we're as focused on our corporate and social responsibilities as we are on price, service and quality.

Our employees

Without commitment from our employees, we wouldn't be able to offer the levels of service that you expect. So, we continually invest in our people and infrastructure, not only to ensure their health, safety and welfare, but also to create a positive and motivated working environment.

Local communities

Because we feel so strongly about recycling, we work with local communities on related projects, providing financial support through our Reload Fund, launched in 2003. As we grow we'll continue to provide 'green' jobs for local communities, sometimes directly, sometimes indirectly, by drawing on services from local businesses and suppliers.

Supply chain ethics

You'd expect our recycling and international logistics activities to conform to the requisite regulatory standards. However we think you also deserve the peace of mind of knowing that all materials and recycled commodities are handled and sold in accordance with robust ethical standards too.

Managing our environmental impact

We are continually investing in our sites, plant and vehicles to ensure our equipment is up to date, uses the best available technologies and operates to the highest environmental standards.

Minimising carbon emissions and waste

Recycling is all about reducing waste, conserving resources and minimising CO₂ emissions compared to using virgin resources. For example, the CO₂ savings from 10 million tonnes of recycled metals is equivalent to 4.5 million average household carbon emissions.

We also work hard to minimise our own carbon emissions by operating the latest, most energy efficient plant and machinery and by keeping vehicles off the road by using rail and water wherever we can. This also reduces the traffic impact on the communities around our sites.

What's more, by working with world class technology companies we're pushing the boundaries of recycling. By developing plastics recycling and gasification of residual wastes to produce energy, we should soon be able to increase recycling rates to 99% and produce significantly more 'green energy' from our operations than we actually use.

TO SUM UP

Read





Call, email or visit our website. We're ready when you are.

While the current company was founded in 1994, EMR's recycling heritage actually dates back to the 1940s. We have always been, and will always remain, dedicated to pushing the boundaries of recycling.

We're a privately owned company, which gives us local focus. We're professionally run, which gives us a global perspective. We combine innovation with good old fashioned service, based on honour, integrity and trust, whether you're selling to us or buying from us.

Recycling:

- Specialists in all metals
- Authorised facilities to handle:
 - End of Life Vehicles (ELV)
 - CFC fridges
 - Waste Electrical and Electronic Equipment (WEEE)
- Total waste management service
- Containers and material collection
- Compliance advice
- Competitive pricing
- Responsive logistics
- Accurate paperwork
- Open and honest culture

Resources:

- Consistent high quality recycled commodities
- Specialists in all metals
- Bespoke standards and specialist materials to order
- Reusable and re-rollable materials
- Unparalleled international and domestic logistics
- Bulk shipping from barge and coaster to Panamax
- Bulk volumes via standard containers
- Belief in building long term, valued relationships
- Local contact through representative offices
- Large material volume availability
- Dependable and responsive
- Ethical and responsible

Whatever you need, contact EMR today.

Call:

Europe/International: +44 1925 715 400

USA:

+1 646 839 6960

Email: ukinfo@emrgroup.com

Visit: uk.emrgroup.com



European Metal Recycling

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Web: usa.emrgroup.com





Notice in respect of application for Scrap Metal Dealers Site Licence

SCRAP METAL DEALERS ACT 2013 - Section 3

To: EUROPEAN METAL RECYCLING LIMITED

Of: Sirius House, Delta Crescent, Warrington, WA5 7NS

Thurrock Council being the Licensing Authority under the Scrap Metal Dealers Act 2013, on the 13 December 2022 received an application for a site licence in respect of the following site(s):

- **European Metal Recycling, Berths 13 to 20, Tilbury Freeport, Tilbury, Essex, RM18 7NU**
- **European Metal Recycling, Station Road, East Tilbury, RM18 8QR**

Between 13 December 2022 and 9 January 2023, the Licensing Authority has been assessing your application and has consulted with Essex Police and the Environment Agency. As part of the application, a relevant conviction under section 33 Environmental Protection Act 1990 was declared relating to a site within Thurrock. The Licensing Authority therefore **proposes to refuse** the application for a site licence.

The Licensing Authority now **gives you notice** that should you wish to make representations against the proposed refusal of the licence, you must submit a notice of your intention to do so to the Licensing Service on or before **28 January 2023**

If, by **28 January 2023**, you have informed the Licensing Authority of your intention to make a representation, you must then submit a formal representation, in writing to the Licensing Authority on or before **11 February 2023**

Should you wish to make oral representations, you will then also be given an opportunity to appear before the Licensing Sub Committee.

You should complete the enclosed form confirming your intention to make representations and return it to Licensing Authority, Thurrock Council on or before 28 January 2023.

Dated: 13 January 2023 Signed:

Designation: Licensing Officer

Please address any communications to:

licensing@thurrock.gov.uk or;

Licensing, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

To: Thurrock Council, The Licensing Authority under the Scrap Metal Dealers Act 2013

Application for a Scrap Metal Dealers Site Licence

- **European Metal Recycling, Berths 13 to 20, Tilbury Freeport, Tilbury, Essex, RM18 7NU**
- **European Metal Recycling, Station Road, East Tilbury, RM18 8QR**

INTENTION

It is/is not* my intention to make formal written representations against the proposed refusal of the Scrap Metal Dealers Site Licence for [ADDRESS OF SITE].

If it is my intention to make formal written representations I have attached/included them with this form.

It is/is not* my intention to make written representations before 28 January 2023.

It is my intention to make oral* representations before 28 January 2023 and I am aware that I will be notified of a date when I will be required to appear before the Licensing Sub-Committee

Signed (Name):

Print (Name):

Date:

***Delete as appropriate.**

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Licensing Team
Thurrock Council
Civic Offices
New Road
Grays
RM17 6SL

25th January 2023

Dear Sir/Madam,

Application for the Grant of a Metal Dealer Licence
Applicant: European Metal Recycling Limited
Sites: Berths 13 to 20, Tilbury Freeport, Tilbury. Essex RM18 7NU
& Station Road, East Tilbury, RM18 8QR

Thank you for your email dated 13 January 2023 inviting us to make representations in respect of the proposed refusal of the above application which is being considered by the Licensing Authority Committee. I have set out below some representations on behalf of EMR (European Metal Recycling). Representatives of EMR would welcome the opportunity to meet with the Licensing Sub Committee (the "Committee") in order to answer any questions which Committee members may have in respect of EMR's application and these representations.



To assist members of the Committee, I have set out below a brief summary of the circumstances which led to the conviction under section 33 Environmental Protection Act 1990 referred to in the notice from the Committee to EMR dated 13 January 2023, together with some additional submissions in support of the application on behalf of EMR.

A summary of the points covered by this letter is set out below:

- The Stowey Quarry conviction arose due to a mistake and was not deliberate.
- EMR has an otherwise excellent compliance record.
- EMR is a significant employer in the area, upskilling the community through investing in training and development.
- As a major site for the export of recycled steel, the Tilbury Docks site is of strategic importance to the nation's drive to increase recycling and reduce carbon emissions.
- EMR is implementing a £9 million investment plan at Tilbury Docks to expand its ability to export recycled, low carbon metals.
- EMR recycles over 10 million tonnes of metal and plastics each year, saving 12 million tonnes of Co2 compared to virgin ore, which is equivalent to 3,776,224 acres of Amazon rainforest.
- EMR has shown its commitment to its local communities, through its charitable donations and initiatives.

European Metal Recycling Ltd.

Sirius House,
Delta Crescent, Westbrook,
Warrington, WA5 7NS
United Kingdom

 +44 1925 715 400
 ukinfo@emrgroup.com

- EMR has shown a strong commitment to biodiversity which is predicted to result in a net gain of over 200%, as measured by the Natural England biodiversity metric.
- 99% of EMR's profits are re-invested into the business to fund innovation into new, low-carbon and nature-positive advanced technology and creating innovative products that are less carbon intensive, protecting our planet.
- EMR has demonstrated a commitment to leading business initiatives across the industry and beyond to deliver change that will move our sector and the UK towards net-zero carbon emissions.

These points are covered in greater detail below.

Background to Stowey Quarry

The Prosecution

In early 2016 EMR had been lawfully storing at EMR's Tilbury Docks site 1,962 tonnes of processed shredder residue waste. This waste was being stored with the consent of the Environment Agency and was intended to be used as feedstock for a waste to energy plant which EMR had at that time been constructing in Oldbury, West Midlands. Due to unexpected delays in the commissioning of the waste to energy plant, the Environment Agency asked EMR to dispose of the waste from the Tilbury Docks site and EMR agreed to do so.

Accordingly, EMR engaged the services of a specialist waste broker to find a suitable site for the lawful disposal of the waste and the broker recommended a site known as Stowey Quarry, near Bristol. At the time, EMR believed that the waste permit held by the owners of this site was such that the site was permitted to receive this type of waste material, when in fact it was not. This was a technical oversight by the EMR employee who had checked the permit and undertook a due diligence site visit. EMR acknowledges that its due diligence processes ought to have identified that the site was not permitted to receive the waste which EMR subsequently deposited there.

As a consequence of this mistake, in July 2021 EMR pleaded guilty to charges alleging a failure to fulfil its duty of care in sending this waste to Stowey Quarry in 2016. No offence was committed at Tilbury Docks.

EMR's response to the Stowey Quarry conviction

Notwithstanding its otherwise excellent compliance record, EMR deeply regrets and has apologised for the failures which resulted in the Stowey Quarry prosecution. EMR has, since this incident, undertaken a comprehensive review of its policies and procedures to ensure that the risk of a similar incident happening again has been reduced to the lowest possible level. These steps include the following:

- EMR's duty of care audit process relating to waste and the facilities to which those wastes are transferred has been revised and now includes a peer review step to minimise the chances of an error being made.
- EMR revised its waste policy and guidance, which is supported by a programme of internal compliance audits. EMR's environmental management system has been certified to ISO14001, now covering all UK operations.
- A specialist Waste & By-Products Manager has been employed by EMR to manage transfers of all waste between EMR sites to external facilities. The duties of this Manager include the monitoring of all outgoing waste movements. Waste cannot be despatched without checks, approval and guidance

from the Waste and By-Products Manager, the UK Environmental & Regulatory Manager or the SHE (Safety, Health, and Environment) Technical Manager.

(d) A programme of waste characterisation and classification was introduced (and is now well established) to ensure that all wastes are appropriately assigned the correct waste description and EWC code once assessed and/or analysed to determine the most suitable and compliant treatment, recycling, or disposal outlet.

(e) Two additional professionals have been appointed to the SHEQ and Waste and By-products teams, respectively.

EMR's compliance record on environmental matters

EMR has a strong compliance history and works closely with the Environment Agency on improving standards across the industry, investing heavily into research and development to extend the life of materials, converting as much waste into valuable resources as possible. Despite this investment, each year EMR still has to lawfully dispose of approximately 300,000 tonnes of shredder waste to landfill at a cost of approximately £30 million per annum.

EMR recognises the importance of maintaining the highest environmental standards and works hard to create industry leading recycling processes to achieve this goal. Prior to this incident, EMR had not received a single conviction for any environmental offence in the preceding 15 years and nor has it received one since. Given the scale of EMR's operations, the volume of materials it handles and the length of time it has traded, EMR's excellent environmental record is not a matter of luck. EMR is both a responsible and compliant organisation and the events leading up to the deposit of waste at Stowey Quarry in 2016 were a departure from EMR's otherwise high standards.

In sentencing EMR for the Stowey Quarry offence, the judge (Mr Justice Johnson QC) accepted that in this case, whilst EMR had made a mistake, it had not committed offences deliberately. He commented as follows:

"EMR is a very substantial company dating back, as I have said, to the 1940s. It processes a huge amount of waste each year. It has not committed any criminal offences in the last 15 years. That tends to indicate that it does generally have policies and procedures in place that have genuinely been sufficient to ensure compliance with the regulatory regime. Although in one sense it had a motive to take a short cut and take advantage of favourable terms to deposit waste at Stowey Quarry, the benefit it stood to gain was wholly insignificant compared to its resources. Its turnover was in the billions. The benefit was around £33,000.

Between 2017 and 2020 EMR sent an average of 377,000 tonnes of waste to landfill each year, at an annual cost of £30 million in landfill tax alone. I do not believe that EMR would have put its reputation at risk for the sake of £33,000. I do not consider that it is likely that it deliberately or even recklessly committed these offences."

EMR's Commitment to Thurrock

EMR's operations in Thurrock

EMR operates two sites in the Tilbury area: a site at Tilbury Docks which is our principal deep-sea export terminal in the South of England; and a site at East Tilbury which is our main shredder site in the Southeast.

Tilbury Docks directly employs 37 colleagues, 30 of whom are from the local area, and exports approximately 1m tonnes of recycled metal per annum, originating from our own network of 22

feeder sites in the Southeast (employing over 115 colleagues) and from a wide range of third party suppliers, including other metal recycling merchants. EMR's Tilbury Docks site is therefore a critical export outlet for metal recyclers in the UK.

EMR's East Tilbury site, which employs a further 18 colleagues, is responsible for recycling a large percentage of the materials exported by EMR from Tilbury Docks. Its proximity to Tilbury Docks means that EMR can transport recycled metal with minimal carbon impact and congestion on the roads.

EMR also employs 15 commercial colleagues across the Southeast and numerous other support staff. Their jobs are also dependent upon the continued operation of EMR's Tilbury Docks and East Tilbury sites. In addition to this, EMR has a substantial supply chain, including many local contractors supporting our operational and maintenance needs, plus a large network of third-party hauliers who transport the recycled material alongside our own fleet, all of whom would be significantly impacted should EMR not secure the renewal of its licence to operate from Tilbury Docks and East Tilbury.

Contribution to the nation's future infrastructure

All of the recycled ferrous metal processed through Tilbury Docks are supplied to steel makers operating electric-arc furnaces which, by using renewable power, reduce global carbon emissions by at least 1800Kg CO₂eq when compared to current UK blast furnace steel production.

If, like steel producers in the European Union, the UK steel industry transitions fully to electric-arc furnace production, the UK is likely to become a net importer of recycled steel from other parts of the world. So whether EMR is exporting recycled steel for the next few years or importing it in the longer term, EMR's Tilbury Docks facility will remain a vital part of strategic infrastructure for the nation.

EMR's investment at Tilbury

EMR's sites within the Thurrock region operate within committed long term leases, which reflect the strategic nature of the sites within our UK portfolio. Property related overheads run at an annual cost of approximately £3,000,000 per year.

In addition to this, EMR continues to invest heavily in East Tilbury and the port facility within Tilbury Docks. Investment into plant and infrastructure averages around £2,500,000 per annum.

EMR is in the process of completing a £9 million investment plan at Tilbury Docks entitled "Future Docks". This will expand our ability to export recycled metals and align the site with EMR's sustainability strategy. We purchased two new electric ship loading cranes, to partner with our fully electric gantry cranes, for further carbon reduction.

The investment also allowed us to enhance our environmental credentials with improved dust suppression and improved ground and drainage conditions, future-proofing the site as a low carbon recycled metal exporter for years to come.

EMR's contribution to the local community

We make it our mission to utilise our considerable knowledge and influence within the metal recycling industry for the greater good. Whether it is empowering local communities, inspiring the next generation, or encouraging environmental change, our corporate giving programme aims to make a positive and lasting contribution through engagement, collaboration, and measurable action.

EMR's Young Futures Reimagined initiative was launched in 2020. It aims to help young people across the UK to build bright futures. The initiative sees each of EMR's UK sites partner with a local charity to help them to give young people opportunities that may otherwise not be available to them.

Since 2019 EMR has supported One Community, a local charity in Tilbury, that inspires and supports local people to work together to achieve the best for themselves and the community. EMR has donated over £26,000, supporting 16 young people between the ages of 18 -25 to access One Community's Volunteer Investment Programme (VIP). This gives those struggling to find employment, access to voluntary experience whilst supporting them with CV writing and job applications.

EMR also partnered with One Community to give Tilbury Town Station a horticultural facelift. Working with a horticultural mentor, volunteers regenerated the station with fresh flowers and trees, which is one of the first things visitors to the town see when they arrive by train.

EMR is also a regular sponsor of Tilbury Picnic in the Park, an annual free event organised by Tilbury Riverside Project.

In 2018 EMR entered a ten-year sponsorship deal with Tilbury FC having sponsored the Tilbury FC Youth Team.

EMR's Commitment to sustainability

Sustainability through innovation

EMR's purpose is to create a future where the materials we use do not need to be extracted from the planet. We recycle over 10 million tonnes of metal and plastics each year - anything from a can to an aircraft carrier. This saves 12 million tonnes of Co2 compared to virgin ore, which is equivalent to 3,776,224 acres of Amazon rainforest.

To help the world use its precious resources more sustainably, we have committed to become a fully net-zero business by 2040 and have aligned our climate commitments with science to fight against climate change.

As a family-owned business, 99% of our profits are re-invested back into the business, committing significant investment into new, low-carbon and nature-positive advanced technology and creating innovative products that are less carbon intensive than conventional equivalents. This is achieved through our dedicated R&D facility, home to 25 research and development engineers and an extensive laboratory.

Our "reusable steel" products help the construction industry to save 98% of its carbon emissions. Our "green steel" products, which are derived from our unique partnership with Tata Steel, aim to replace virgin materials, reducing carbon impact and protecting our finite resources. And our "recycled polymer plastic" products offer a high-quality, low-carbon plastic, reducing carbon emissions by 86% compared to virgin plastics.

Our dedication to drive forward the recycling industry, both regarding efficiency and sustainability, puts innovation at the forefront of what we do.

EMR's innovative partnerships

We work with key businesses and industries across the globe to promote circularity and minimise waste to landfill through innovation. Examples of this are:

RECOVAS: Is a consortium established to develop the UK's first commercial scale recycling facility for automotive battery packs. The project aims to provide a standardised and reliable route for recycling and re-purposing lithium-ion car batteries.

RECTIFI: 'Reducing Embedded Carbon Through Transformation of Foundation Industries' brings together the steel, cement, and recycling industries, to explore how the use of recycled materials can create a radical shift for the UK's foundation industries on the path for net-zero.

Leading the sustainability agenda

Through our Board memberships with the Environmental Services Association (trade body for the UK's major waste processors) and the British Metal Recycling Association, EMR is leading business initiatives to deliver change that will move our sector and the UK towards net-zero carbon emissions.

Our CEO, Chris Sheppard, is an active member of DEFRA's Council for Sustainable Business and the related advisory panel for Get Nature Positive, which is driving leading businesses across the UK to increase biodiversity in their operations.

Three EMR staff are active members of the ESA's biodiversity working group, which in 2022 developed the ESA's Biodiversity Best Practice Guide. This has been distributed to all ESA members.

Sustainability and governance

It is EMR's aspiration to attain B-Corp status which celebrates companies that meet the exacting standards of social and environmental performance, transparency, and accountability. As part of this process, we have published our first group-wide sustainability report, disclosing our performance in safety, carbon emissions and energy use.

To manage continuous improvement across EMR's operations, all our sites including East Tilbury and Tilbury Dock, are certified to ISO9001, ISO14001 and ISO45001.

We are transitioning to renewable power supplies with 86% of our energy now from renewable sources, including our own purpose built solar panel energy generation at various sites across the UK.

Biodiversity and water conservation

In 2022 we conducted surveys of all our 65 UK sites and developed a tailored nature positive plan for each one. Once fully implemented, this plan is forecast to deliver a biodiversity net gain of over 200% across our full estate, as measured by the Natural England biodiversity metric.

During 2023 we will start to implement these plans.

Summary

The concern which the Committee has raised in relation to the conviction which EMR received in 2021 under the Environmental Protection Act 1990 is understandable. However, I hope that the contents of this letter will reassure the Committee that EMR is a responsible organisation which takes its environmental responsibilities very seriously and leads the industry in the UK in driving forward environmental improvements.

It is also worth noting that EMR holds waste permits to operate at Tilbury Docks and East Tilbury. These permits were issued by the EA, which monitors and regulates EMR's activities at these sites and elsewhere in the UK. Under the terms of its Enforcement and Sanctions Policy, had the EA considered, following the 2021 prosecution, that EMR was not a fit and proper organisation, it had the power to suspend or revoke EMR's waste permits¹. The EA has not done so. In fact since the 2021 prosecution, the Environment Agency has made positive determinations in eighteen applications made by EMR for new environmental permits or to vary or transfer existing permits. Thirteen of these applications were submitted following EMR's conviction. The EA would not have granted such applications unless it considered EMR to be a competent and responsible operator.

I have also enclosed a letter of support from Port of Tilbury London Limited which owns and operates the Port of Tilbury.

Yours faithfully,



Christopher Tinsley Company Secretary

T: +44 1925 715 450

M: +44 7970 082 802

E: chris.tinsley@emrgroup.com

A: European Metal Recycling Ltd, Sirius House, Delta Crescent, Warrington, WA5 7NS

uk.emrgroup.com

ⁱ See para 7.4.6 [Environment Agency enforcement and sanctions policy - GOV.UK \(www.gov.uk\)](http://www.gov.uk)



PORT OF
TILBURY
LONDON

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Licensing Team
Thurrock Council
Civic Offices
New Road
Grays
RM17 6SL

24 January 2023

Dear Sir/Madam,

**APPLICATION FOR THE GRANT OF A METAL DEALER LICENCE
APPLICANT: EUROPEAN METAL RECYCLING LIMITED ("EMR")
SITES: BERTHS 13 TO 20, TILBURY FREEPORT, TILBURY. ESSEX RM18 7NU & STATION ROAD, EAST
TILBURY, RM18 8QR**

We are writing in support of the above application by EMR.

EMR has been as tenant of Port of Tilbury for over 40 years and in that period we have always found EMR to be a responsible and competent operator.

We fully support EMR's application for the renewal of its licence under the Scrap Metal Dealers Act in respect of the site at the Port of Tilbury.

Yours faithfully,



Peter Ward
Commercial Director
Port of Tilbury London Limited



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STATUTORY INSTRUMENTS

2013 No. 2258

CRIMINAL LAW
SCRAP METAL DEALERS

The Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013

<i>Made</i>	- - - -	<i>6th September 2013</i>
<i>Laid before Parliament</i>		<i>10th September 2013</i>
<i>Coming into force</i>	- -	<i>1st October 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 3(3)(b) and (c) and 20(4) of the Scrap Metal Dealers Act 2013⁽¹⁾ makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013 and shall come into force on 1st October 2013.

(2) In these Regulations—

“environment-related offence” means an offence which relates to the transportation, shipment or transfer of waste, or to the prevention, minimisation or control of pollution of the air, water or land which may give rise to any harm;

“harm” means:

- (a) harm to the health of human beings or other living organisms;
- (b) harm to the quality of the environment;
- (c) offence to the senses of human beings;
- (d) damage to property; or
- (e) impairment of, or interference with, amenities or other legitimate uses of the environment.

(1) 2013 c.10.

Relevant offences

2. For the purposes of section 3(3)(b) of the Scrap Metal Dealers Act 2013, “relevant offence” means any offence specified in the Schedule to these Regulations, and includes an offence of—

- (a) attempting or conspiring to commit any offence falling within the Schedule;
- (b) inciting or aiding, abetting, counselling or procuring the commission of any offence falling within the Schedule, and
- (c) an offence under Part 2 of the Serious Crime Act 2007⁽²⁾ (encouraging or assisting crime) committed in relation to any offence falling within the Schedule.

Relevant enforcement action

3. For the purposes of section 3(3)(c) of the Scrap Metal Dealers Act 2013, a person is the subject of “relevant enforcement action” if—

- (a) the person has been charged with an offence specified in the Schedule to these Regulations, and criminal proceedings in respect of that offence have not yet concluded; or
- (b) an environmental permit granted in respect of the person under the Environmental Permitting (England and Wales) Regulations 2010 ⁽³⁾ has been revoked in whole, or partially revoked, to the extent that the permit no longer authorises the recovery of metal.

Home Office
6th September 2013

Damian Green
Minister of State

(2) 2007 c.27.

(3) S.I. 2010/675. Environmental permits can be granted under regulation 13, and revoked under regulation 22.

SCHEDULE

Regulation 2

PART 1

Primary Legislation

- (a) An offence under section 1, 5, or 7 of the Control of Pollution (Amendment) Act 1989**(4)**
- (b) An offence under section 170 or 170B of the Customs and Excise Management Act 1979**(5)**, where the specific offence concerned relates to scrap metal
- (c) An offence under section 110 of the Environment Act 1995**(6)**
- (d) An offence under sections 33, 34 or 34B of the Environmental Protection Act 1990**(7)**
- (e) An offence under section 9 of the Food and Environment Protection Act 1985**(8)**
- (f) An offence under section 1 of the Fraud Act 2006**(9)**, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (g) An offence under section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012**(10)**
- (h) An offence under sections 327, 328 or 330 to 332 of the Proceeds of Crime Act 2002**(11)**
- (i) Any offence under the Scrap Metal Dealers Act 1964**(12)**
- (j) Any offence under the Scrap Metal Dealers Act 2013
- (k) An offence under sections 1, 8,9,10, 11, 17, 18, 22 or 25 of the Theft Act 1968**(13)**, where the specific offence concerned relates to scrap metal, or is an environment-related offence
- (l) Any offence under Part 1 of the Vehicles (Crime) Act 2001**(14)**
- (m) An offence under sections 85, 202, or 206 of the Water Resources Act 1991**(15)**.

PART 2

Secondary Legislation

- (a) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007**(16)**
- (b) An offence under regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010**(17)**

(4) 1989 c.14.

(5) 1979 c.2. Section 170B was inserted by the Finance (No 2) Act 1992 (c.48), section 3, Schedule 2, paragraph 8.

(6) 1995 c.25.

(7) 1990 c.43. Section 34B was inserted, in relation to England and Wales, by the Clean Neighbourhood and Environment Act 2005(c.16), section 46.

(8) 1985 c.48.

(9) 2006 c.35.

(10) 2012 c.10. Section 146 is to be repealed by section 19(1)(f) of the Scrap Metal Dealers Act 2013, which has not yet been commenced.

(11) 2002 c.29.

(12) 1964 c.69. This Act is to be repealed by section 19(1)(a) of the Scrap Metal Dealers Act 2013, which has not yet been commenced.

(13) 1968 c.60.

(14) 2001 c.3. Part 1 of this Act is to be repealed by section 19(1)(d)(i) of the Scrap Metal Dealers Act 2013, which has not yet been commenced.

(15) 1991 c.57. Section 85 was repealed by S.I. 2010/675 regulation 107 and Schedule 26, Part 1 paragraph 8(2)(a).

(16) S.I. 2007/3538. Regulation 38 was revoked by S.I. 2010/675, regulation 108(1) and Schedule 27.

(17) S.I. 2010/675.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) Any offence under the Hazardous Waste (England and Wales) Regulations 2005(18)
 - (d) Any offence under the Hazardous Waste (Wales) Regulations 2005(19)
 - (e) An offence under regulation 17(1) of the Landfill (England and Wales) Regulations 2002(20)
 - (f) Any offence under the Pollution Prevention and Control (England and Wales) Regulations 2000(21)
 - (g) Any offence under the Producer Responsibility (Packaging Waste) Regulations 2007(22)
 - (h) Any offence under the Transfrontier Shipment of Waste Regulations 1994(23)
 - (i) Any offence under the Transfrontier Shipment of Waste Regulations 2007(24)
 - (j) Any offence under the Waste (Electrical and Electronic Equipment) Regulations 2006(25)
 - (k) An offence under regulation 42 of the Waste (England and Wales) Regulations 2011(26).
-

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe relevant offences and relevant enforcement action for the purposes of section 3(3)(b) and (c) of the Scrap Metal Dealers Act 2013. Pursuant to section 3(2) of that Act, where a local authority is processing an application for a scrap metal licence and is evaluating whether the applicant is a suitable person to carry on business as a scrap metal dealer, the local authority may have regard to whether the applicant or any site manager has been convicted of a relevant offence, or has been the subject of any relevant enforcement action.

(18) [S.I. 2005/894](#).

(19) [S.I.2005/1806](#).

(20) [S.I.2002/1559](#). These Regulations were revoked by [S.I. 2007/3538](#), regulation 74(1) and Schedule 22.

(21) [S.I. 2000/1973](#). These Regulations were revoked by [S.I. 2007/3538](#), regulation 74(1) and Schedule 22.

(22) [S.I. 2007/871](#)

(23) [S.I. 1994/1137](#). These Regulations were revoked by [S.I. 2007/1711](#), regulation 60(1)(a) and (2).

(24) [S.I. 2007/1711](#).

(25) [S.I. 2006/3289](#).

(26) [S.I. 2011/988](#).

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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