



LICENSING SUB-COMMITTEE

REPORT

29 March 2016

Subject heading:

**MD Spares
Unit 5 Salamons Way,
Rainham, RM13 9UL
Scrap Metal Dealers Act – Site Licence
Paul Campbell, Licensing Officer
5th floor Mercury House
x 2766**

Report author and contact details:

This application for a Site Licence is made by MD Spares Limited under section 1 of the Scrap Metal Dealers Act 2013. The application was received by Havering's Licensing Authority on 10th February 2016.

Geographical description of the area and description of the building

Salamons Way is an industrial area of Rainham situated at the very south of the Borough of Havering, it is off Ferry Lane near the junction with Coldharbour lane.

Unit 5 is the area shaded on the map attached to my report this is on the south side of Salamons Way, Unit 5a is part of this full unit, I am not sure at the time of writing this report which part is classed as Unit 5a.

Unit 5 Salamons Way is a site licensed under the Scrap Metal Dealers Act 2013 to Car Breakers (Int) Ltd (licence number 016474)

On 3rd February 2016 I was involved in a joint authority inspections of premises in Salamons Way

I entered Unit 5 with a view to speak with the Site Manager of Car Breakers (int) Ltd Mr Maimouna Balde,

I noticed that the office area had changed from my previous visit. I spoke to Mr Michalis Nazm who told me that his business MD Spares was now operating at the premises he said was 5a Salamons Way.

It was quickly established that MD Spares was operating without a licence under the Scrap Metal Dealers Act and I served a Closure Notice on the premises.

The Environment Agency also spoke to Mr Nazm about not having the correct waste disposal certificates in place for the site. (this is now in place)

My actions of serving a Closure Notice on the 3rd February prompted Mr Michalis to apply for the Site Licence for his premises on the 10th

On the application form Mr Nazm puts himself down as the sole director of MD Spares Limited and as the Site Manager

Also on the form it states

“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?”

The “No” box was ticked

“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”

This area was left blank

A Basic Disclosure from Disclosure Scotland was included with the application which recorded no convictions

A copy of the application form and disclosure are attached to my report.

When an application is received by the licensing section various checks are made one of these is with the Metropolitan Police, on 23rd February PC Oisin Daly the police licensing officer made a representation against the application stating that they consider Mr Nazm not to be a suitable person under the Scrap Metal Dealers Act 2013.

Section 3(1) of the Scrap Metal Dealers Act 2013 states

“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”

Other parts of section 3 indicate what is relevant when determining an application.

Section 3 of the guidance deals with the application process and section 6 of the refusal of a scrap metal dealers licence.

To this end because of the police representation a letter was sent to Mr Nazm by e-mail and post on 29th February of my proposed decision to refuse the application giving until midnight on 15th March for him to make a representation against my proposal (the e-mail and letter included the police representation)

A copy of my letter is attached to my report

On 14th February a representation and supporting documents were received from Mr Nazm by e-mail.

These documents are attached to my report

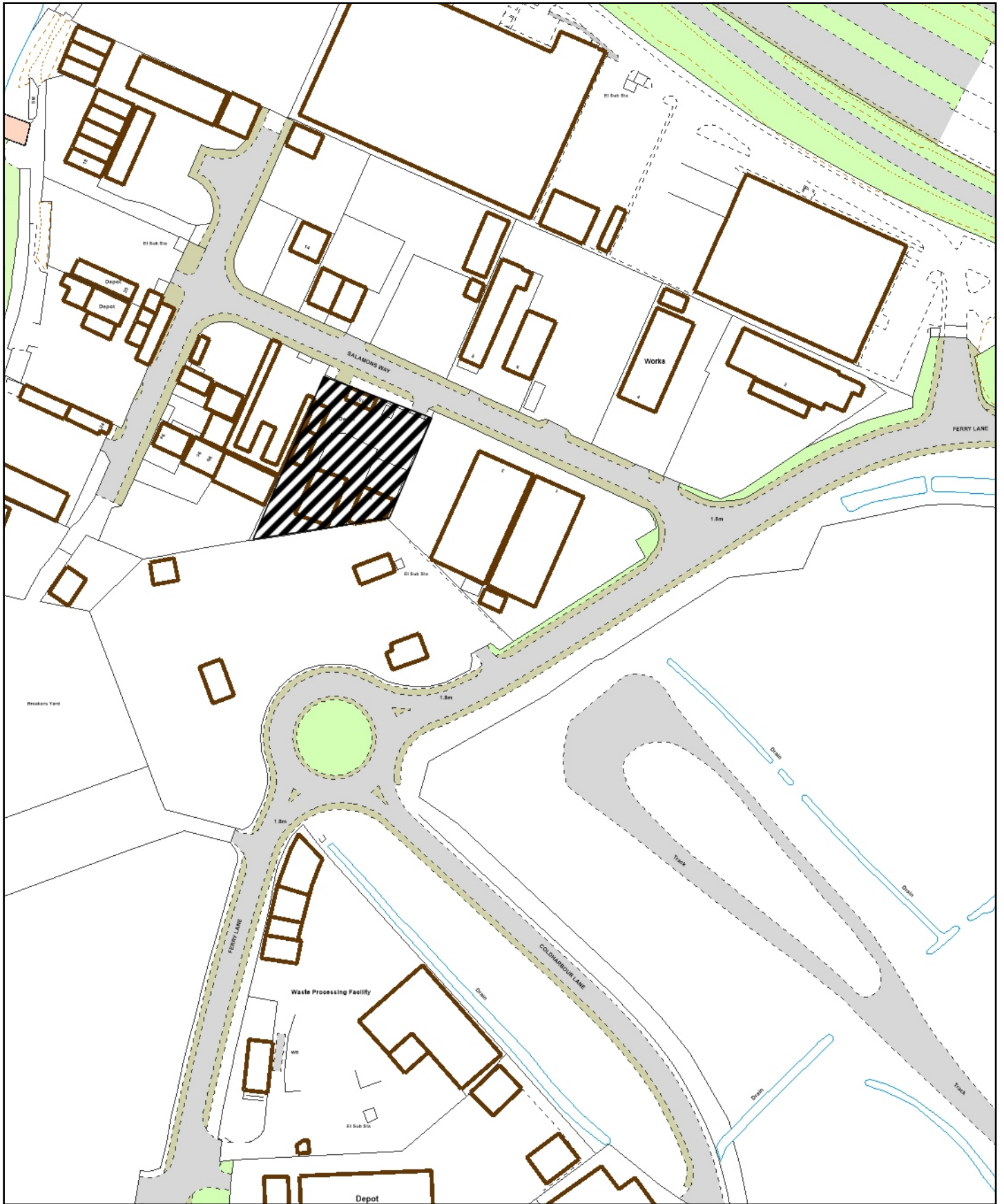
The “Scrap Metal Dealers Act 2013 Determining suitability to hold a scrap metal dealers licence”

Outlines what information may you have regard to?

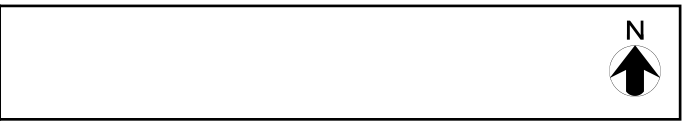
And

The regard and circumstance that local authorities should deal with convictions that are held as “Spent”

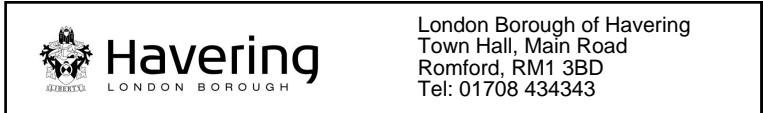
It also mentions the circumstances and conditions that can be imposed on a licence.



MD Spares



Scale: 1:2000
Date: 15 March 2016



London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343

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 Ordnance Survey 100024327



Application for a Scrap Metal Licence

Please indicate the type of licence you are applying for (please tick):

A site licence A collector's licence

Are you applying as (please tick):

An individual A company A partnership

Please state your trading name:

M D spares

Is this application for a grant of a new licence or a renewal (please tick the relevant box):

Grant of a new licence Renewal of an existing licence

If 'yes' please provide your existing licence number:

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:

Type: waste carrier Identifying number: CBD486405 Date of issue: 3.02.16

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):

NONE

Are you registered as a waste carrier? (please tick)

Yes ~~NO~~

If 'yes' please provide your carrier's registration number: CBD486405

Details of prospective licence holder	
Title (please tick): Mr <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> Date of Birth: 07.09.1967
Surname: MICHALIS	Forenames: NAZM
Position/Role in the business: Director	
I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland 1: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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: 5 Head office name or house name or number: First line of address: SALAMONS way Rainham Town/City: Postcode: RM13 9UL	Telephone numbers: 07 886997411 Daytime: 01708 253412 Evening: Mobile:
Home Address: 1 Deni avenue House name or number: Rainham First line of address: Essex Town/City: Postcode: RM13 9LX	Email address (if you would prefer us to correspond with you by email):: M-DIMITROVA@Hot mail.com Please note that you must still provide us with a postal address.

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

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. [N.B- If the applicant operates multiple sites within a licensing authority area, provision should be made for more than one site manager]

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>Site 1</p> <p>Name or number: UNIT 5</p> <p>First line of address: SALAMONS WAY</p> <p>Town/City: RAINHAM, ESSEX</p> <p>Postcode: RM13 9UL</p> <p>Telephone number: 01708253412 07886997411</p> <p>Email address: M. DIMITROVA@HOTMAIL.COM</p> <p>Website address: noa</p>	<p>Name: MICHALIS NAZM</p> <p>House name or number: 1</p> <p>First line of address: DEPT AVENUE</p> <p>Town/City: RAINHAM, ESSEX</p> <p>Postcode: RM13 9LX</p> <p>Date of Birth: 07/09/1967</p> <p>Basic Disclosure certificate attached:</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 2</p>
<p>Site 2</p> <p>Name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Telephone number:</p> <p>Email address:</p> <p>Website address:</p>	<p>Name:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Date of Birth:</p> <p>Basic Disclosure certificate attached:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

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 may be delayed or rejected.

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:

Date of birth:

Residential address:

Basic Disclosure certificate attached:

Yes No 3

Full name:

Date of birth:

Residential address:

Basic Disclosure certificate attached:

Yes No

Companies (If you are applying as a company please provide the details set out below about the company)

Company name: MD SPARES LIMITED

Registration number: 9387172

Address of the registered office: Companies House, Cardiff

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: director

Name: MICHALIS NAZM

Date of Birth: 07-09-1967

House name or number: 1

First line of address: DERI AVENUE

Town/City: RAINHAM, ESSEX

Postcode: RM13 9LX

Basic Disclosure certificate attached:

Yes No 4

Role:

Name:

Date of Birth:

House name or number:

First line of address:

Town/City:

Postcode:

Basic Disclosure certificate attached:

Yes No

- 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.
- 4 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:

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 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

Details of prospective licence holder

Title (please tick):

Mr Mrs Miss Ms Other

(please state):

I am 18 years old or over. Please tick

Yes No

Date of Birth:

Surname:

Forenames:

I attach a Basic Disclosure Certificate issued for the applicant by Disclosure Scotland 5:

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).

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

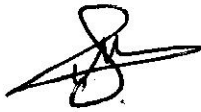
<p>Business Address:</p> <p>Head office name or house name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p>	<p>Telephone numbers:</p> <p>Daytime:</p> <p>Evening:</p> <p>Mobile:</p>
<p>Home address:</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p>	<p>Email address (if you would prefer us to correspond with you by email):</p> <p>Please note that you must still provide us with a postal address</p>
<p>Where will scrap metal that has been purchased be stored before further disposal?</p> <p>House name or number:</p> <p>First line of address:</p> <p>Town/City:</p> <p>Postcode:</p> <p>Will not be stored <input type="checkbox"/></p>	
<div style="background-color: black; height: 30px; width: 100%;"></div>	
<p>Will your business consist of acting as a motor salvage operator? This is defined as a business that:</p> <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. <p>(please tick)</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	

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: 05.02.16

[Back \(https://www.wastecarriersregistration.service.gov.uk/registrations/finish?locale=en\)](https://www.wastecarriersregistration.service.gov.uk/registrations/finish?locale=en)

Certificate of Registration under the Waste (England and Wales) Regulations 2011

Regulation authority

Name



Address

National Customer Service Centre
99 Parkway Avenue
Sheffield
S9 4WF

Telephone number

03708 506506

The Environment Agency certify that the following information is entered in the register which they maintain under regulation 28 of the Waste (England and Wales) Regulations 2011.

Carriers details

Name of registered carrier

MD Spares Limited

Registered as

an upper tier waste carrier

Registration number

CBDU86405

Address of place of business

MD Spares Limited
Unit 5
Salamons Way
Rainham
Essex
RM13 9UL

Telephone number

07886997411

Date of registration

Wednesday 3rd February 2016

Expiry date of registration (unless revoked)

Sunday 3rd February 2019

Making changes to your registration

Your registration will last 3 years and will need to be renewed after this period. If any of your details change, you must notify us within 28 days of the change.



Havering
LONDON BOROUGH

Public Protection

London Borough of Havering
Toen Hall
Main Road
Romford RM1 3BB

Mr Michalis Nazm
1 Deri Avenue
Rainham
RM13 9LX

t 01708 432777
e licensing@havering.gov.uk
text relay 18001 01708 432777
Date 29 February 2016

www.havering.gov.uk

Your Reference:
My Reference: PPC//SR 017657

Dear Mr Michalis Nazm

Scrap Metal Dealer – Site Licence
MD Spares, Unit 5, Salamons Way, Rainham, RM13 9UL

With regards to your application under the Scrap Metal Dealers Act 2013 for a site licence, which was submitted on the 9th February 2016.

I have received an objection to the application by the Metropolitan Police. Their objection is considered valid. Therefore I am proposing to refuse your application.

If a local council proposes to refuse an application, it must give the applicant notice of the proposed decision. The applicant then has 14 days in which to make representations.

Therefore you have **until the 15th March 2016** to submit a representation on why you consider that you should be granted a licence despite the objection by the Metropolitan Police. A copy of which is enclosed in this letter.

Should you submit a representation, then the application will be submitted for consideration by the Council. Following that consideration, you will be informed of the final decision with reasons.

If you do not make a representation, then the application will be refused.

Further information regarding the process can be found in the Scrap Metal Dealers Act 2013 and the Scrap Metal Dealers Act Guidance.

Cont....

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Yours faithfully



Paul Campbell

Public Protection Bringing together Environmental Health & Trading Standards

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From: Paul Campbell
Sent: 29 February 2016 11:46
To: 'maria dimitrova (m_dimitrova@hotmail.com)'
Subject: Important Notice Proposed Refusal of Application
Attachments: Proposed refusal.pdf; Police objection.doc

Dear Sir

It is proposed to refuse your application under the Scrap Metal Dealers Act 2013, please see the attached letter and Police objection.

It is important that if you are going to make a representation against the proposed decision that it reaches our office by post, or e-mail to licensing@havering.gov.uk by midnight on 15/03/2016

Paul Campbell | Licensing Specialist
London Borough of Havering | Public Protection
Town Hall, Main Road, Romford, RM1 3BB

e: paul.campbell@havering.gov.uk

t:01708 432777

text relay: 18001 01708 433585

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