

**Status:** Point in time view as at 01/09/2013. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** There are currently no known outstanding effects for the Scrap Metal Dealers Act 2013, Cross Heading: Right to make representations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### FURTHER PROVISION ABOUT LICENCES

PROSPECTIVE

##### *Right to make representations*

- 7 (1) If a local authority proposes—
- (a) to refuse an application made under paragraph 2 or 3, or
  - (b) to revoke or vary a licence under section 4,
- the authority must give the applicant or licensee a notice which sets out what the authority proposes to do and the reasons for it.
- (2) In this paragraph and paragraph 8 the applicant or licensee is referred to as “A”.
- (3) A notice under sub-paragraph (1) must also state that, within the period specified in the notice, A may either—
- (a) make representations about the proposal, or
  - (b) inform the authority that A wishes to do so.
- (4) The period specified in the notice must be not less than 14 days beginning with the date on which the notice is given to A.
- (5) The authority may refuse the application, or revoke or vary the licence under section 4, if—
- (a) within the period specified in the notice, A informs the authority that A does not wish to make representations, or
  - (b) the period specified in the notice expires and A has neither made representations nor informed the authority that A wishes to do so.
- (6) If, within the period specified in the notice, A informs the authority that A wishes to make representations, the authority—
- (a) must allow A a further reasonable period to make representations, and
  - (b) may refuse the application, or revoke or vary the licence under section 4, if A fails to make representations within that period.
- (7) If A makes representations (either within the period specified in the notice under sub-paragraph (1) or within the further period under sub-paragraph (6)), the authority must consider the representations.
- (8) If A informs the authority that A wishes to make oral representations, the authority must give A the opportunity of appearing before, and being heard by, a person appointed by the authority.

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