

Status: Point in time view as at 01/09/2013.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: Closure order. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 2

CLOSURE OF UNLICENSED SITES

Closure order

- 5 (1) This paragraph applies if, on hearing a complaint under paragraph 4, the court is satisfied that the closure notice was given under paragraph 2(4) and that—
- (a) the premises continue to be used by a scrap metal dealer in the course of business, or
 - (b) there is a reasonable likelihood that the premises will be so used in the future.
- (2) The court may make such order as it considers appropriate for the closure of the premises (a “closure order”).
- (3) A closure order may, in particular, require—
- (a) that the premises be closed immediately to the public and remain closed until a constable or the local authority makes a certificate under paragraph 6;
 - (b) that the use of the premises by a scrap metal dealer in the course of business be discontinued immediately;
 - (c) that any defendant pay into court such sum as the court determines and that the sum will not be released by the court to that person until the other requirements of the order are met.
- (4) A closure order including a requirement mentioned in sub-paragraph (3)(a) may, in particular, include such conditions as the court considers appropriate relating to—
- (a) the admission of persons onto the premises;
 - (b) the access by persons to another part of any building or other structure of which the premises form part.
- (5) A closure order may include such provision as the court considers appropriate for dealing with the consequences if the order should cease to have effect under paragraph 6.
- (6) As soon as practicable after a closure order is made, the complainant must fix a copy of it in a conspicuous position on the premises in respect of which it was made.
- (7) A sum which has been ordered to be paid into court under a closure order is to be paid to the designated officer for the court.

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