Thank you for responding to the Local Government and Regeneration Committee's Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee's scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee's Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

**1. Please supply your name and contact details:**

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<tr>
<th>Name:</th>
<th>Paul Blacklock</th>
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<tr>
<td>Organisation:</td>
<td>Calor Scotland</td>
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* 2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

☑ Yes

* 3 Please confirm whether you are content for your name to be published with your submission:

☑ Yes

☐ No

* 4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

☐ Personal

☐ Professional

☑ Commercial

* 5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

☑ Yes

☐ No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☐ Yes
☐ No

7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill
☐ Equalities, climate change and other Scottish Government objectives
☐ Air Weapons
☐ General licensing issues
☐ Alcohol licensing
☐ Civic licensing – taxi/private hire car licensing
☐ Civic licensing – scrap metal dealers
☐ Civic licensing – theatre licensing
☐ Civic licensing – sexual entertainment venues
6. Scrap Metal Dealer Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

40. Taking the proposals in sections 63 to 66 of the Bill together, how will they have the desired effect of strengthening the metal dealers' licensing regime to the extent that metal theft and related criminal activity is reduced?
Over the years Calor has placed more than 10 million cylinders on to the British market with a replacement value of over £300 million. Each year Calor invests between £10m and £11m putting new cylinders into circulation and maintaining the existing fleet. This is a significant investment.

Scrap metal has a value of c£250/tonne, but the cost to the LPG industry in replacement cylinders is significantly higher than this. Calor recovers 100,000 cylinders a year via a legitimate third party internal recovery scheme at a cost of £300k. These cylinders are mostly recovered from the Civic Amenity sites, but also from scrap yards, though entry to the latter can be exceptionally fraught. The percentage we successfully manage to recover is unknown, but best estimates would be:

- We probably recover half of what is out there meaning that a further 100,000 cylinders are permanently lost to the scrap metal recycling industry. At an average tare weight of 30kgs a cylinder at least £0.75m is generated by the scrapping of the remaining 100,000 cylinders.
- The replacement value is, as already stated, much higher - with cylinders costing between £25 and £60 apiece. At this rate, just to maintain stock levels, it costs Calor at least £4.5m a year.
- No assessment for the brass valves have been made though they equally have a value.

It should be noted that Calor is just half of the LPG industry so the figures above should be doubled for industry cost purposes i.e. 200,000 cylinders are scrapped each year with a scrap value of £1.5m but a much higher replacement value of c£6m.

Calor recognises that the Scottish Government takes the rising trend of metal theft seriously. We have been working in partnership with Metal Theft Scotland on the issue, and have provided case studies to the group. Our overall message will echo those who have been pushing for a tougher regulatory regime for the scrap metal industry across the UK; namely, that whenever possible, Scottish legislation should seek to meet the standards already set out in the Scrap Metal Dealers Act 2013 for England and Wales.

Calor therefore welcomes the latest proposals contained within the proposed Air Weapons and Licensing (Scotland) Bill, which should help to ensure that legislation is consistent with what is in place elsewhere in the UK. By tightening up the record keeping expected by metal dealers, there should be a more consistent paper trail. Calor cylinders have been found across the world, in many places where we don’t do business, suggesting that there is an international trade taking place. Better licensing and removing all cash payments would make illegal trading much more difficult for those criminal elements seeking to sell on our products.

We welcome the move to bring itinerant scrap metal dealers into the legislation and be subject to the same licensing conditions as fixed premises dealers.
41. In your view, could the Bill be further strengthened in any way, for example, by including an accreditation scheme for metal dealers?

Calor was interested to learn in the explanatory notes to the Bill that there are around 280 licenses for metal dealers, but that only half of them (142) are actually in use, with 130 believed to have ceased trading or not actively dealing in scrap metal. Calor would be interested to know what work is undertaken to ensure that licenses are checked regularly to ensure that their status doesn't change between license renewals.

The draft legislation states that metal dealers which do not comply with the proposals will be subject to a fine. Calor would welcome further detail on the range of actions which can be taken to metal dealers trading in illegal goods, up to closing unlicensed premises. This is a power which is contained within the Scrap Metal Dealers Act 2013, and we would argue Police Scotland should have the same powers as those in England and Wales.

While the legislation makes it clear that dealers in precious metals will be affected by the changes in the Bill, we would appreciate confirmation that car breakers or motor salvage operators are classified within these proposals as they are in the Scrap Metal Dealers Act 2013.

With regard to accreditation, Calor recognises the value of having a scheme to improve overall standards in the scrap dealer industry but this should not be implemented in lieu of a stronger regulatory regime. We would recommend that any such scheme be administered centrally to ensure that the information can be easily accessed.

42. Removal of exemption warrant - do you wish to comment on the proposal to remove the exemption warrant system?

Calor welcomes the removal of the exemption warrant as it ensures that all metal dealers are operating under the same regime. This should simplify monitoring and enforcement.

43. Removal of requirement to retain metal on-site - what impact will the proposal to remove the retention of metal requirement have on the enforcement of the licensing regime and prevention of criminal
activities?

If law enforcement agencies in Scotland are happy for the 48 hour metal retention requirement to be rescinded we have no objection.

44. Forms of payment - what is your view on the proposal to go 'cashless' and is there merit in considering whether metal dealers could be allowed to operate using cash for only very small transactions, which could be limited to a certain number per month?

Calor Gas supports moving to cashless payments across the entirety of the UK, and would want to see a consistent approach taken in Scotland. Calor cylinders could potentially come under the definition of “small transactions”. A cash ban on all transactions will make legislation consistent with the Scrap Metal Dealers Act 2013, and would put an end to the current loophole used by itinerant dealers. This would also remove the potential threat of criminal elements wishing to take advantage of a weaker regime North of the border.

45. Forms of identification and record keeping:

In line with the Scrap Metal Dealers Act 2013, the Bill adds additional record keeping requirements to a metal dealer’s licence including recording the means by which a seller’s name and address was verified and retaining a copy of the document, and the method of payment and a copy of the payment document. The Bill will also require a metal dealer to record information in books with serially numbered pages or by means of an electronic device, and to keep separate records at each place of business. Such information and documents are to be kept for three rather than the current two years.

How important is it that the record keeping requirements reflect those in the Scrap Metal Dealers Act 2013, and do you agree with the Scottish Government that the proposed record keeping requirements are not unduly burdensome?
As a company which does business across the United Kingdom, Calor believes it is vital that legislation in Scotland is consistent with the Scrap Metal Dealers Act 2013.

While we would not wish to make the process of record keeping burdensome, ensuring that record keeping can be easily matched up to those kept elsewhere in the UK is key if we are to reduce incidents of cross border crime.

46. Mandatory and discretionary licensing requirements:

The Scottish Ministers can impose mandatory licensing requirements, such as those included in the Bill relating to record keeping and the identification of customers. In addition, local authorities can also attach discretionary requirements to licences in their areas.

Does the Bill get the balance right between mandatory and discretionary licensing requirements? Should the Bill include other mandatory conditions for obtaining a metal dealer’s licence, such as installing CCTV at metal dealers’ premises or in relation to labelling of metal and ‘forensic coding’?

All mandatory conditions should be consistent with those contained within the Scrap Metal Dealers Act 2013.