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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<th>Name:</th>
<th>Robert Shuttleworth</th>
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<td>Organisation:</td>
<td>UKLPG</td>
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**SUBMISSION ID NUMBER** 104
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?

UKLPG represents the LPG industry throughout the UK. LPG (Liquefied Petroleum Gas – also known as propane and butane) is sold in portable cylinders, most being made of steel with brass fittings. As such many are misappropriated. In recent years the LPG industry has replaced 400,000 cylinders per annum, whilst only scrapping 200,000 suggesting that 200,000 are misappropriated each year, finding their way into metal scrap yards or illegally exported.

LPG cylinders in almost all cases in the UK belong to the gas supplying company who provide the cylinder to the users under contractual arrangements, in most cases involving a payment of a deposit. Handling of cylinders therefore by SMDs or others who seek to misappropriate them has been of growing concern to the industry. As such it has worked closely with police forces throughout the UK, assisting direct action and sharing intelligence. UKLPG sits on the Association of Chief Police Officers Metal theft Working Group.

Since the introduction of cashless trading in England and Wales, and the further requirements of the Scrap Metal Dealers Act 2013, police report fewer incidents of cylinders found in scrap metal sites suggesting the combined provisions are working. UKLPG would suggest that provisions in Scotland reflect those now introduced in England and Wales.

UKLPG therefore welcomes the provisions proposed for Scotland, in particular the introduction of cashless trading, the repeal of the exemption warrants and the requirement for improved record keeping for both fixed SMDs and itinerant dealers.

41. In your view, could the Bill be further strengthened in any way, for example, by including an accreditation scheme for metal dealers?
So long as an accreditation scheme is not used to circumvent the improved legal provisions, then any action that improves the way in which Scrap Metal Dealers operate within the sphere of public interest would be welcomed. It may be that accreditation, based on quality and best practice, is for the industry itself rather than the authorities.

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

UKLPG welcomes the removal of exemption warrant system, as we believe this both simplifies and strengthens monitoring and enforcement leaving no doubt that all SMDs operate under the same conditions.

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?

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?
We support a fully cashless regime and believe that opening the door via “very small transactions” could quickly lead to abuse and would be tougher to police. Questions arise in what constitutes a “very small transaction” and how would thresholds be set (metal weight/amount of cash)? Without any requirement to keep the metal on site how could anyone prove that, say, 5 small transactions were not actually one larger transaction for which cash was paid?

Gas cylinders can illicitly change hands for a small rounded cash consideration (equal to bank note denominations) and so allowing cash transactions in any form may make gas cylinders even more appealing to those trading in illicit goods. We urge the Committee to stand firm and ban all cash trading so ensuring similar conditions throughout the UK and reduce any risk of trade moving from England to Scotland to exploit this potential loophole.

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?
UKLPG believes it is important that record keeping requirements reflect those in the Scrap Metal Dealers Act of 2013. Gas cylinders are sold and returned throughout the UK, and with a number of member companies trading both in Scotland and England, consistency in legislative requirements in the case of SMDs would be supported.

Stolen gas cylinders, because of their portability, can be illicitly traded anywhere in the UK so requiring consistent record keeping would help any UK wide investigation by police or joint authorities.

We do not believe the record keeping proposed is unduly onerous – we have not heard of any comment that it has been un-manageable in England and Wales, and evidence suggest that the Act has resulted in fewer metal thefts.

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’?