

Tackling metal theft

A councillor's handbook





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Foreword



Metal theft reached a peak in 2011. Although the number of incidents has fallen over the last year, it is still having a significant impact on communities.

Nine out of ten councils surveyed in early

2012 had been affected and disruptions to rail services, loss of power to homes, interruptions to telecommunications, theft of lead from the roofs of churches, the theft of bus shelters, lightning conductors, street signs, gully and manhole covers, and war and grave memorials have serious implications for communities.

Unless the police and councils continue to take action, many of us will probably continue to suffer the effects of metal theft. As the international economy recovers and metal prices rise again, the rewards of metal theft will increase further.

It is likely that someone will be seriously injured by these thoughtless crimes. Indeed, several of the criminals have already been electrocuted while in pursuit of valuable materials from sub-stations and railway cables.

With our residents and businesses being seriously affected we, as elected members, must do all we can to prevent thefts from happening.

Over the last year the LGA worked tirelessly to support the private members bill taken through parliament by Richard Ottaway MP, and we are delighted that our efforts have met with success. Members can now take robust action to ensure that scrap metal dealers in their area are properly licensed, operating to high standards of transparency, and are altogether an asset to the economy of the area.

This handbook, originally produced in direct response to the resolution on tackling metal theft raised and emphatically passed by members at the 2012 LGA General Assembly, has been updated to help members understand their new powers and responsibilities under the Scrap Metal Dealers Act 2013.

In it, we outline some of the key facts about metal theft and suggest ways in which councillors can make a real difference locally. It complements the practical toolkit that I had the pleasure to launch in March 2012, and which has also been updated; the toolkit contains pro-forma examples and effective practice case studies that will help officers translate your leadership into practical prevention and enforcement activities.

A handwritten signature in black ink that reads "Mehboob Khan". The signature is written in a cursive style with a horizontal line underneath the name.

Councillor Mehboob Khan
Chair of LGA Safer and Stronger
Communities Board, Leader, Kirklees
Council

Introduction

Demand for metals continues to be strong and the metal recycling industry is booming, with a total worth of £5 billion in 2011. This is great news in terms of providing jobs and reducing the UK's environmental footprint, but the poor regulation of the industry and legislation dating back to 1964 means it has been ill-suited to cope with the rise in illegal sales.

In 2011, 15,000 tonnes of metal were stolen, of which 7,500 tonnes came from railways, statues and church roofs. The cost of the thefts to the railways alone amounted to £13 million¹, with many more millions lost as a result of delays to passengers. Overall, the Association of Chief Police Officers (ACPO) estimated that metal theft costs the UK economy £770 million every year, while others put the cost at £1 billion or higher.

The Energy Networks Association, representing utility companies, experienced an average of 20 attacks a day in 2011 at an estimated cost of £60 million. This was in addition to the £12 million already spent by the companies on security measures. While companies seek to absorb much of this expense, there is inevitably a cost implication for consumers, in addition to the disruption caused to supply.

Our heritage sites and national assets are also being targeted with over 23,000 listed buildings and sites being damaged by metal theft in 2011.²

These buildings are often the most costly to repair and leave key tourist sites obscured by scaffolding, much to the dismay of visitors.

Overall, the Home Office estimated that there were between 80,000-100,000 police recorded metal theft offences in England and Wales in 2010-11, amounting to roughly a fifth of the 481,659 'other theft' offences recorded by the police in that year.³

All this is changing as councils and the police respond to the threat with new enforcement tools, shared intelligence and partnerships with responsible local dealers. There have been some immediate successes in tackling the issue, with over 771 offenders arrested and charged in 2012-13, resulting in custodial sentences of up to 27 months and fines up to £170,000. In addition, 759 illegal sites and 190 illegal scrapyards were closed down thanks to the intervention of councils, police and the Environment Agency.

However, it is with the introduction of the new Scrap Metal Dealers Act 2013 and its tougher regulatory regime that we can expect to see the tide turn in favour of the enforcers and responsible metal dealers. This handbook outlines some of the key aspects of the new Act and how they can complement the other tools that councils and their partners have been using.

¹ British Transport Police, 2011

² Heritage Crime Research: The Size of the Problem <http://www.english-heritage.org.uk/professional/advice/advice-by-topic/heritage-crime/>

³ Metal Theft - prohibit cash payments and higher fines LASPO Act 2012 impact assessment, 22 February 2012 <http://tinyurl.com/iametaltheft>

It is worth reflecting that it is not just copper and lead that is at risk and that changing global markets can mean that other assets become vulnerable. Over the past few years there has been a shift in the materials stolen, expanding the impact from lead on church roofs to encompass such commonplace materials as steel, cast iron and aluminium: metals used in construction of items such as manhole covers, shopping trolleys, phone cables and street signs. In short, all of the traditional materials used in street furniture and public infrastructure are now vulnerable and at risk.

Councils must now take sensible precautions to reduce the opportunity for thieves, whether through the use of alternative materials, more effective enforcement of scrap metal dealers, or developing robust policies to ensure that the council's disposal of its own metal assets is understood.



Case study: Wandsworth Council

In a bid to stop metal thieves causing unnecessary heartache for families, memorial plaques being mounted in Wandsworth cemeteries will now be made using alternative materials.

In June 2012, police officers uncovered about 300 plaques that had been cut up into pieces during a raid on a scrap metal dealer in Croydon. It was subsequently confirmed that some of the broken memorial plaques had been stolen from Putney Vale Cemetery.

Wandsworth Council's cemeteries team have ordered replacement plaques in a material called 'Traffolyte' - a non metallic material suitable for engraving.

The new materials are used to retain quality while ensuring the plaques do not become targets for callous metal thieves, whose actions result in suffering for the families and friends who commissioned the memorials. Any new plaques being mounted in the borough's cemeteries will also be made using Traffolyte.

The council's cabinet member for environment, culture and community safety, Councillor Jonathan Cook, said: "Knowing that a plaque honouring a friend or family member has been stolen is bad enough - but to hear that it's been ruthlessly cut into pieces by criminals whose sole purpose is to line their own pockets must be truly heartbreaking.

I hope that these new-style memorial plaques will bring some peace of mind to the loved ones of those they commemorate."

The council has now also joined a campaign that's been launched to combat crimes and anti-social behaviour that damage Britain's historic buildings. The Alliance to Reduce Crime against Heritage (ARCH) is a nationwide network of agencies that includes English Heritage, the police and the Crown Prosecution Service who have all pledged their commitment to tackling crimes against historic buildings and structures.

By becoming a signatory to the campaign⁴, the council hopes to send out a strong message that anyone who damages historical and architecturally important buildings will be brought to account.

The move has been backed by the Borough's Heritage Champion Cllr Vanessa Graham, who said: "Wandsworth is blessed with many architecturally and historically important buildings."

"There are around 500 designated statutory listed buildings of interest to the nation, a similar number on our list of local heritage assets, 237 war memorials and six registered historic parks and gardens, so we have much to protect and treasure - but also much that could be at risk from criminal behaviour.

"Unfortunately many of the crimes that are committed against historic or listed buildings leave an indelible scar or blemish and deny future generations the chance to enjoy fine architecture or in the case of war memorials, the opportunity to pay homage to the sacrifices of their forefathers."

⁴ <http://tinyurl.com/archmemo>

The role of the LGA and local government in influencing the legislation around scrap metal dealers

The LGA worked hard with other industry stakeholders to first persuade the Government of the need to reform the legislation regulating scrap metal dealers, and then to ensure the Scrap Metal Dealers Act's safe passage through both Houses of Parliament.

As the Act progressed we briefed our Vice Presidents, as well as other interested MPs and Peers, in person and in writing. They then raised our concerns in both Houses and spoke on our behalf. We also used our survey results of local councils to emphasise the seriousness of the situation prior to this legislation, demonstrating that metal theft has affected almost nine in ten councils.

We raised issues within the committee stage debate in the House of Commons around local licensing conditions and fees; whilst reinforcing at each stage the strong cross party support within the LGA for the legislation.

The Act looked likely to fail during Commons committee stage but our support and hard work, alongside that of other stakeholders, ensured its progression and eventual Royal Assent.

The LGA has since worked closely with the Home Office and Environment Agency/ Natural Resource Wales (NRW) to establish the parameters for implementing the 2013 Scrap Metal Dealers Act, including the establishment of the new national register of licences.

We have also produced a number of tools and guides, including this handbook, to help our members adapt to the new system and take rapid action to establish a regulated scrap metal industry in their area. In addition to this handbook, members may wish to refer to our practical toolkit, fees calculator and implementation guide.⁵

Identifying the problem

Metal theft has now affected 90 per cent of all councils, so it is likely that there will have been an impact on your community. However, it is important to understand whether this is a significant problem, a one-off incident, or a problem that may increase or decrease over time.

It makes more sense to spend time and resources on identifying and tackling a long-term problem than on one that may have only lasted for a couple of weeks. Similarly, if there are steps that can be taken now to prevent a problem in the future then it is sensible to consider them. Current trends in market value for metals show no sign of reducing and it can be expected that theft of metal will continue to be financially attractive for both opportunists and persistent offenders.

There are a number of ways in which you can find out about the nature of the problem in your area and, as a result, identify any priority actions that you may need to take.

For instance:

- examination of police data may show a percentage rise in calls reporting metal theft
- rail operating companies may show a rise in delays due to metal theft
- consultation with communities and businesses may highlight anecdotal (non-reported) increases in incidents of low-level metal theft (lead from roofs, etc).

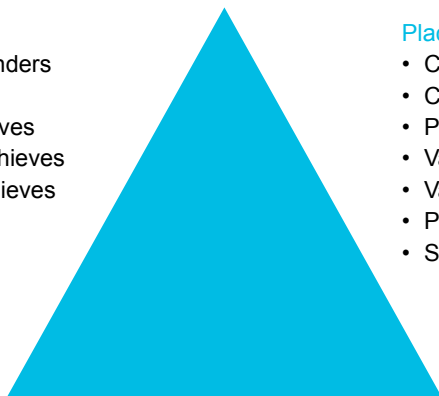
Following on from this analysis of the current picture, you may wish to develop a plan for assessing the risk of further problems. This could include developing a risk register of public property or protected buildings, sites and monuments in the area, or undertaking a public awareness campaign to reduce the window of opportunity for theft. You will also want to liaise with neighbouring authorities and key partners to identify what work they may be doing to tackle the problem.

Where metal theft is a serious and recurring issue, one way of thinking about how to address it is through the problem analysis triangle often used in community safety to deal with crime and disorder problems. This relies on the idea that crime results when offenders and suitable targets come together in the same place. An example of this for metal theft is given in the diagram below, and using this approach can help identify the most appropriate means of addressing particular offences.

⁵ www.local.gov.uk/publications

Offender

- Motivated offenders
- Scrap dealers
- Organised thieves
- Opportunistic thieves
- Drug related thieves



Place

- Construction sites
- Churches/public buildings
- Pubs and restaurants
- Vacant/void housing
- Vacant/void commercial premises
- Playgrounds
- Scrap metal/metal stores

Target

- Manhole covers
- Plumbing fixtures (pipes and boilers)
- Copper wiring and power transmission cables
- Rail tracks
- Vehicles and pedal cycles
- Beer kegs
- Gas canisters
- Fencing and railings
- Metal roofing sheets
- Bronze plaques and statues

Centre for Problem-Oriented Policing – Guide No. 58 (2010)



Case study: London Borough of Lambeth

Lambeth is a historic borough and has over 2,500 listed buildings, 10 major war memorials and many other significant monuments. It is particularly vulnerable due to its extensive rail network and numerous listed buildings and monuments, with recent thefts including: a war memorial, lead and copper stolen from West Norwood Library which led to its closure, park benches stolen from Streatham Common, signs, gutters, grave memorials, and even front gates belonging to residents.

A report by Lambeth Police to the council stated “The cost benefit analysis of this crime in the eyes of the criminal is now so attractive that metal theft may become more widespread in Lambeth than most other forms of acquisitive crime unless we do something to counteract this”.

As a result, Lambeth established a scrutiny investigation to explore the range of excellent work that is being undertaken by different public and private agencies under an out-of-date legislative framework. With the welcome enactment of the Scrap Metal Dealers Act 2013 that framework is set to change.

However, the investigation found that the new legislation alone will not be a panacea and proposed a partnership action plan to tackle the full range of issues that contribute to the prevalence of metal theft, from enforcement activity to establishing an Urban Heritage Watch. Lambeth also became the first London Borough to sign up to ARCH, shortly followed by Wandsworth.

What was quite clear to the commission was that any steps that Lambeth could take are unlikely to have a significant impact unless they are replicated by their neighbours.

They felt their most important recommendation therefore was that the council work with their partners and neighbours to develop and enforce a voluntary code of conduct for the scrap metal trade with a view to this being adopted pan-London once its sub-regional success can be demonstrated.

The full scrutiny report can be found at <http://tinyurl.com/lambethmetal>

Understanding the chain

Any item stolen in large quantities must have a retail outlet; that is, somewhere where the good can be converted into cash or some other asset.

In the UK, the most accessible and immediate option for converting metal into cash is through a scrap metal dealer, either legally or illegally operating. This is not to say that other means of disposing of large quantities of stolen metal are not used, such as shipping it abroad in containers, and we touch on the implications of this later.

There are approximately 3,500 registered scrap metal dealers in the UK. The British Transport Police estimates that in addition to this there are also illegal sites and itinerant dealers that bring the total number of businesses operating in this sector to over 4,000. The BMRA have told us that the illegal sites that are known to authorities represent only “the tip of the iceberg” and suggested that “the size of the illegal trade, in terms of numbers of sites, is possibly as large as the legal trade”.

Itinerant collectors, in particular, have been more loosely regulated and hard to monitor due to their lack of a fixed premise site; however, they will now be registered with each local authority under the Scrap Metal Dealers Act 2013 and be registered with the Environment Agency/NRW as a waste carrier. The latter should provide some degree of traceability.

Councillors will want to make sure that their officers are fully up-to-date with changes to the legislation and actively checking them with the dealers in their area. You will also want to make sure that your officers have

established a good working relationship with the Environment Agency/NRW to share intelligence and inform each other if the dealer is missing either an Environment Agency/NRW permit or council licence.

The Scrap Metal Dealers Act 2013

This Act repeals the Scrap Metal Dealers Act 1964 and Part 1 of Vehicles (Crime) Act 2001 and brings forward a revised regulatory regime for the scrap metal dealing and vehicle dismantling industries.

The Act maintains local authorities as the principal regulator of these industries. It gives local authorities the power to better regulate these industries by providing a power to refuse to grant a licence and revoke licences if the dealer is considered ‘unsuitable’.

Unsuitability will be based on a number of factors including any relevant criminal convictions. The Act will also provide local authorities and police officers with suitable powers of entry and inspection.

Unfortunately, it is unlikely that even the provisions of the Act will completely prevent metal theft. An increasing percentage of metal is shipped abroad in containers, and councils with ports in their areas may wish to work closely with customs and excise to tackle these unorthodox points of exit.

✓ What you can do

- licence all dealers in your area, whether they are mobile collectors or operate from a yard
- refuse applications for a licence where the applicant is considered unsuitable
- impose conditions on a licence where the dealer is convicted of a relevant offence
- inspect premises and records to ensure they are complying with the law
- revoke a licence where you are satisfied the dealer is no longer trading or is no longer a suitable person
- recover all your costs of issuing the licence and enforcing the requirements
- close unlicensed premises.

✗ What you can't do

- impose local conditions in the same way that you can for alcohol or gambling licences
- recover enforcement costs against **unlicensed** premises through the fee system, although you can consider using the Proceeds of Crime Act 2002 to deprive them of any financial gain from illegal operations.

What your council needs to do

Councils will have to put in place appropriate procedures for considering applications and deciding whether an applicant is a suitable person to carry on business as a scrap metal dealer.

No method of deciding licensing applications is set out in the Act, so councils will have to decide which applications (if any) should be considered by their licensing committee(s).

Given the rights to make representations where a licence application is going to be refused, revoked or varied, it would be appropriate for applications where officers recommend refusal, as well as cases where revocation or variation of the licence is being considered, to be heard by members.

Councils will also need to have a process for calculating their costs and setting appropriate fee levels. This will be an executive function and can be delegated to committees or heads of service.

Ensuring that your council has the right delegations in place to set fees, make decisions, and hear appeals will be essential if the council is to avoid legal challenge.

Other relevant legislation

Scrap metal dealers are also required to have planning permission to operate a site and are required to have permits or exemptions from the Environment Agency/NRW to operate a scrap metal site under the Environmental Protection Act 1990. Failure to have the correct permits can lead to a fixed penalty notice or fines of up to £50,000 or 5 years imprisonment.

Those transporting metal to a scrap metal site for profit are required to be registered as a 'waste carrier'. Waste carriers must comply with the waste duty of care. Breach of the duty of care is a criminal offence that can lead to large fines under the Environmental Protection Act 1990. Specific requirements of the duty of care include that waste carriers must:



- ensure the waste goes to a properly licensed or exempt waste site
- complete a waste transfer note (WTN) - this must include a description of the waste and be signed by the carrier and the person that they give/sell the waste to
- keep the WTN for a minimum of two years.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 introduced changes to the 1964 Scrap Metal Dealers Act, which will be superseded by the provisions in the 2013 Act when that comes into effect. These changes:

- created a new offence of buying scrap metal for cash (the “cashless offence”), so that a “scrap metal dealer must not pay for scrap metal except... by a cheque... or... by an electronic transfer of funds”

- provided new powers for the police (on production of a warrant issued by a justice of the peace) to enter regulated scrap yards where there were reasonable grounds for believing that scrap metal paid for in cash was being (or had been) received or kept there.

It is particularly important that council officers are aware of the criminal offence of buying scrap metal for cash under section 147 of the Legal Aid, Sentencing and Punishment of Offenders Act. The Home Office has provided advice to help officers enforce the new requirements, including details around acceptable forms of payment and the revised record keeping requirements.

Up until the commencement of the Scrap Metal Dealers Act 2013, itinerant, or house to house, collectors continue to be able to receive cash payments provided that they have registered as a scrap metal dealer under s1 of the 1964 Act and that they have also been granted an order by their licensing authority under section 3(1) of the Scrap Metal Dealers Act 1964. The new Scrap Metal Dealers Act 2013 removes the distinction between itinerant collectors and fixed location dealers, prohibiting both from dealing in cash transactions.

Civil recovery

If a theft has been committed then prosecution through the criminal courts is not the only action a council can take. The civil law allows a business, council, or individual to seek to recover not only the value of the metal which has been stolen, but any other consequential losses.

For metal thefts, this includes the cost of associated repairs, the cost of any down time



Heritage crime

Heritage crime is defined as ‘any offence which harms the value of England’s heritage assets and their settings to this and future generations.’ Although it is broader than just metal theft, a great many listed buildings or protected landmarks are victims of metal theft, and may indicate future trends in resource theft.

Councils are often responsible for maintaining or caring for historic buildings, and in any case have a vested interest through the tourist offer associated with these buildings and monuments. Any work to tackle metal theft should also therefore consider whether there is any application to preventing heritage crime in the area, or any insight to be gained from existing work to tackle heritage crime.

English Heritage commissioned research by Newcastle University, Loughborough University and the Council of British Archaeology into the scale of the threat from heritage crime in England.

Key highlights included:

- An estimated 18.7 per cent of all listed buildings were physically affected by crime last year. That is over 70,000 listed buildings.
- For almost 30,000 listed buildings the impact was substantial.
- The biggest single threat is metal theft and the most threatened type of building is a church. About three in eight churches or other religious buildings were damaged by crime last year.

Following the research, English Heritage has produced a guide to the range of

in the service (such as a school or library having to be closed), the cost of diversion of staff’s time and all of the administrative costs. The consequential losses can in some instances, far outweigh the value of the metal stolen, and they are not elements which will usually be ordered as compensation in criminal proceedings.

It is not a question of either/or in prosecutions and civil recovery, and there can be a criminal action and a civil action. Nor is one dependent upon the other. It is also possible for a council to pass this information on to the victim of the crime, to allow them to take action.

This approach is common practice among retailers seeking redress from shoplifting. It has proven to be particularly effective at deterring repeat offenders as they dislike paying back the cost of what was stolen, but dislike even more paying back the consequential costs as well.

interventions available to those agencies responsible for the enforcement of heritage crime. It looks in general terms at the possible interventions from prosecution through to the many types of alternative disposal options, both formal and voluntary, including consideration of the restorative justice process.⁶



Who in the council can take action?

In practice, a number of departments within the council will be able to directly or indirectly contribute to tackling metal theft. Councils are responsible for licensing scrap metal dealers and, along with the police and Environment Agency/NRW, ensuring that they meet the requirements for trading.

Councils are also commissioners of all street furniture, as well as maintenance of the public realm, although actual responsibilities vary between districts, unitaries and counties. In

⁶ <http://www.english-heritage.org.uk/professional/advice/advice-by-topic/heritage-crime/>

that role, there are opportunities to test new materials, introduce new protective measures and raise awareness of how council-owned metal is legitimately disposed.

A number of councils are taking steps to tackle the problem by using non-metallic alternatives and by using anti-theft measures such as CCTV and the use of smart water marking, and many of these formerly untested products have now proven their effectiveness.

This work will span a number of teams within the council and your role as a councillor is to ensure that they are all working together as effectively as possible. Please note that there will be different responsibilities between district, unitary and county councils.

Licensing

Your licensing team will be responsible for reviewing applications and issuing a licence. The new licensing regime will become a major tool in regulating the licensed trader.

Environmental health and environmental crime

Your environmental health and crime officers will be responsible for much of the day-to-day enforcement of inspecting existing scrap metal dealers, and spotting illegal operators. They will act as your eyes and ears on the ground and will need to work closely with partners such as the police, Environment Agency/NRW and utility companies like BT to ensure they share information and joint enforcement activities where appropriate.

They can also have an important role in establishing protocols with local dealers to drive up standards and improve local practice. Our toolkit contains exemplar protocols from Forest of Dean Council, which

have engaged scrap metal dealers and promoted the adoption of stringent measures to vet the legitimacy of scrap metal.

Highways and planning teams

Your highways and planning teams will be responsible for commissioning much of the street furniture and signage that is vulnerable to theft. Simple steps like exploring alternative materials can not only reduce thefts but many are actually more durable than regular metals. Some composite manhole covers come with a 15 year guarantee, provide better grip for cars and motorcycles, and cannot be melted down and reused.

Stoke-on-Trent Council has begun replacing all manhole covers with rubber ones, following the theft of 500 metal covers worth £73,000 over the past two years alone.

This team should also be considering making effective use of water-marking, anti-climb paint and other detection methods when replacing or ordering new street furniture and signage.

Waste

Councils are collectively the third largest provider of scrap metal after the main utility companies. It therefore behoves them to make sure that they dispose of it in a consistent, transparent and cost-efficient way.

BT, the largest provider of scrap metal, experienced a significant reduction in metal theft when it decided to make clear that it disposed of its scrap metal only through a restricted list of scrap metal dealers. Once this was published, the responsible scrap metal dealers not on the list were fully aware that any BT branded material they handled was stolen. The market for BT scrap metal immediately became more restricted and less attractive as a result.

Councils operate individually and many councils themselves use a number of different contractors to dispose of their scrap metal. Establishing and publishing a list of dealers that you use, perhaps in partnership with neighbouring authorities, will not only make it harder for thieves to sell



on your metal items, but could also get you preferential rates.

The Environment Agency has been working with partners to encourage business models that allow for the safe and secure transfer of waste. A recent example is the South East Waste Exchange⁷, which allows councils and businesses to trade waste through a secure online platform.

Community safety teams

It is not just councils who lose their property, but residents, businesses and charities as well. Many of these groups are unaware of the basic measures they can take to protect their metal and deter opportunistic thieves. Your community safety teams, and the wider community safety partnerships, will be fundamental in informing and alerting people to what they can do.

These teams can also play an important role in alerting residents to things they should look out for, including vans that are accessing cables through manholes. Residents should be encouraged to take part in the fight against crime.

Who else is working on this?

Metal theft has had a significant impact on a wide range of the community, with the result that a great many organisations are working to stop it.

Your **neighbouring authorities** will almost certainly be experiencing similar problems and, with rogue dealers and thieves operating across council borders, you will want to build on your existing links to tackle this issue. Many councils have come up with innovative ways of improving their enforcement protocols. The Forest of Dean, Birmingham and Kirklees councils have kindly shared their template policies and documents in the LGA's 'Tackling metal theft toolkit'⁸ and these provide a good start for working with the industry itself using existing powers.

The police, coordinated by **British Transport Police**, have launched a number of initiatives to tackle the issue, working with local councils to crack down on illegal handling of metal. Many forces now have their own packages of advice which they are happy to share with councils and residents and there are usually dedicated enforcement officers who will be working closely with council enforcement teams. More information on some of the innovative work that the police are leading can be found at: http://www.btp.police.uk/about_us/latest_news/operation_tornado.aspx

Police and Crime Commissioners (PCCs) may also have an interest in this work and opportunities should be taken to ensure they are briefed on the subject and able to identify opportunities to work jointly with the police. The PCCs for Cheshire and Lincolnshire

⁷ www.wpesoutheast.co.uk/

⁸ <http://www.local.gov.uk/publications>

have both included it in their police and crime plans following high profile local incidences of metal theft and heritage crime.

In Scotland, the Scottish Commercial Crime group has taken the lead and has produced some good films to highlight the real impact it has on individuals. You can view these films at: <http://www.metaltheftscotland.org.uk/>



Case study: Kent councils and Kent Police

Kent Police in conjunction with local councils have been attempting to educate the scrap metal industry on crime prevention and legislation. In 2012, Kent rolled out Operation Tornado, a set of national identification measures drawn up by the Association of Chief Police Officers (ACPO), The Home Office, British Metals Recycling Association (BMRA) and British Transport Police (BTP), to tackle metal theft by making it easier to trace sellers of stolen metal, and thus assist in deterrence and detection of crime.

As a result of all the multi-agency activity in Kent, they saw a 33 per cent reduction in metal theft in 2012-13 compared to the previous year. This is particularly positive, given that metal theft commodity prices continue to rise.

Partnership working is key, because this allows agencies to share intelligence, increases the powers available and hence improve the opportunities for detecting offences. For example, offenders selling metal to a scrap metal dealer, may be claiming benefits when they are actually earning, or they may have no tax or insurance for their vehicle so the relevant agency can deal with them there and then. In particular, metal theft 'days of action' have proven to be good opportunities to detect, deter and publicise what the force is doing to tackle these crimes.



BT have established a team to work directly with scrap metal dealers and are happy to either carry out joint-information work with councils or to share information about which dealers have been visited. This will allow councils to build up a risk register of places that they should concentrate on, enabling the most to be made of the limited resources councils have. Many councils will already have established contacts with BT.

The Institute of Materials, Minerals and Mining is exploring new ways in which to introduce disruption to the crime supply chain. This includes looking at chemical markers, tracking devices, alternative materials and unique marking methods. Their website contains all the latest information on preventative research www.materialsktn.net

All of the main energy utility companies have been badly affected and their representative organisation, the **Energy Networks Association**, has been undertaking work to examine more effective prevention techniques. They are very keen to build links with local government as the frontline enforcers, and are willing to share ideas and help enforcement officers to identify metal that has come from illegal sources. More information and advice can be found at www.energynetworks.org

The Environment Agency/Natural Resources Wales are the principal enforcement agencies and are responsible for permitting sites, ensuring environmental compliance, registering waste carriers, monitoring international waste shipments, and tackling illegal sites. All of this is clearly complementary but distinct from council and police licensing and enforcement work.

It is quite possible for a site to have a scrap metal dealers licence without the necessary environmental permits and vice versa. Close working links with the Agency and NRW are therefore vital and should be incorporated into any inspection plans. Councils can get in touch directly with the Agency through the dedicated email address national.intelligence@environment-agency.gov.uk. The Agency and NRW will also be responsible for hosting the two national registers of scrap metal dealers, using information collected from councils.

English Heritage is the Government's statutory adviser on the historic environment. It leads on the National Heritage Protection Plan (NHPP), which is a major strategy that identifies those parts of England's Heritage that matter most to people and are at greatest risk – and then concentrates efforts on saving them.

They are coordinating training across the country which brings together many different professions from within conservation and crime enforcement.

A number of assessment and prevention tools can be found on their website and will be invaluable for any council seeking to protect its historic assets. It is also important to remember that English Heritage has enforcement powers and can provide impact statements to assist with prosecutions. <http://www.english-heritage.org.uk/professional/advice/advice-by-topic/heritage-crime/>

It is important to not lose sight of the vital economic contribution that legitimate dealers make. Indeed, dealers themselves suffer large numbers of thefts from their premises. The **British Metal Recycling Association** works with the larger members of the industry to secure their premises and to ensure that they do not inadvertently handle stolen material. All members also sign up to a code of practice, produced jointly with the Association of Chief Police Officers, to reduce metal-related crime.

The code, along with further details of how the industry is tackling metal-theft, can be found at www.recyclemetals.org.

Case study: Gwent and North Wales police and councils

Gwent and North Wales police identified that mobile traders, those registered as itinerant traders under the 1964 Act, were experiencing difficulties in providing appropriate identification.

This was particularly acute when they were stopped in the course of their collections. As a result, the police have worked with their councils to implement a process whereby the councils provide photo ID's to itinerant collectors and record keeping books.

The ID's are more practical than asking itinerants to supply passports or driving licenses, coupled with recent utility bills when selling metal to yards. The record books are tailored for itinerants and are similar to books that yards keep. Otherwise itinerants tended to keep no records or partial ones which did not comply with full requirements.

The cost of issuing photo ID's and record books is low. Some local authorities charge itinerants for the books to cover costs, and will continue to be able to do so under the locally-set fees system, and the legitimate itinerants are happy to have the books to fill in.

Caerphilly Council pioneered the scheme of 'NO ID NO CASH' in 2011 when they calculated that they were losing £129,000 a year to metal theft. The low costs associated with issuing ID were therefore easily justified. As a result of the scheme, the authority achieved a 65 per cent reduction in metal thefts.

Resources and materials

The LGA will be continuing to update its toolkit with the latest information and examples.

We will also continue to work with and lobby central government on this issue, and to establish better links with other organisations affected, to better allocate limited resources and develop an intelligence-led management system. Members wishing to keep up-to-date with any developments can sign up to receive the Community safety e-bulletin on www.local.gov.uk/ebulletins or follow [@LGALicensing](https://twitter.com/LGALicensing) on Twitter.



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