

## SCHEDULES

### SCHEDULE 2

#### CLOSURE OF UNLICENSED SITES

##### *Closure notice*

- 2 (1) This paragraph applies if a constable or the local authority is satisfied—
- (a) that premises are being used by a scrap metal dealer in the course of business, and
  - (b) that the premises are not a licensed site.
- (2) But this paragraph does not apply if the premises are residential premises.
- (3) The constable or authority may issue a notice (a “closure notice”) which—
- (a) states that the constable or authority is satisfied as mentioned in sub-paragraph (1),
  - (b) gives the reasons for that,
  - (c) states that the constable or authority may apply to the court for a closure order (see paragraphs 4 and 5), and
  - (d) specifies the steps which may be taken to ensure that the alleged use of the premises ceases.
- (4) The constable or authority must give the closure notice to—
- (a) the person who appears to the constable or authority to be the site manager of the premises, and
  - (b) any person (other than the person in paragraph (a)) who appears to the constable or authority to be a director, manager or other officer of the business in question.
- (5) The constable or authority may also give the notice to any person who has an interest in the premises.
- (6) Sub-paragraph (7) applies where—
- (a) a person occupies another part of any building or structure of which the premises form part, and
  - (b) the constable or authority reasonably believes, at the time of giving the notice under sub-paragraph (4), that the person’s access to that other part would be impeded if a closure order were made in respect of the premises.
- (7) The constable or authority must give the notice to that person.