



London Local Authorities Act 2007

2007 CHAPTER ii

PART 2

PUBLIC HEALTH AND THE ENVIRONMENT

Waste and litter

22 Regulations relating to receptacles for commercial or industrial waste

- (1) A borough council who are a waste collection authority under Part II of the 1990 Act may, if satisfied that doing so would prevent nuisances or detriment to the amenities of their area, make regulations requiring occupiers of premises to place commercial or industrial waste for collection in receptacles of a kind and number specified.
- (2) A council may amend or revoke any regulations made under subsection (1) above.
- (3) Section 47 (3) to (6) of the 1990 Act (receptacles for commercial or industrial waste) shall apply in relation to any requirements contained in regulations made under subsection (1) above, as if those requirements were made under section 47 (1) of that Act.
- (4) Any requirements contained in such regulations which relate to the periods during which receptacles should be placed on the highway shall be unenforceable by the council as respects any side of a road if the requirements are not described in a sign displayed on that side of the road.
- (5) The council shall cause to be published in at least two newspapers circulating in the borough notice—
 - (a) of the making, amendment or revocation of any regulations under subsection (1) above, the date on which the regulations are to come into force, or be amended or revoked, as the case may be, and the general effect of the regulations, the amendment or the revocation; and
 - (b) stating (except in the case of a revocation)—

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- (i) an address at which the regulations can be inspected during reasonable office hours and purchased for a reasonable amount; and
 - (ii) a website address at which the regulations can be viewed.
- (6) The date on which the regulations are to come into force, be amended or be revoked, as the case may be, shall not be earlier than the expiration of one month from the publication of the notice under subsection (5) above.
- (7) Sections 63(1) (waste other than controlled waste), 78 (radioactive substances) and 96 (application of Part II) of the 1990 Act shall apply to the provisions of this section as they apply to the provisions of Part II of that Act.
- (8) In this section—
- “receptacle” has the meaning given to it by section 46 of the 1990 Act;
 - “waste”, “commercial waste” and “industrial waste” have the meanings given to them by section 75 of the 1990 Act.
- (9) In this section and section 47 (3) to (6) of the 1990 Act as applied by subsection (3) above, “specified” means specified in regulations made under subsection (1) above.
- (10) Nothing in this section affects the ability of a borough council to serve notices under section 47 of the 1990 Act (receptacles for commercial or industrial waste).
- (11) Regulations under this section shall not apply to—
- (a) a statutory undertaker in relation to any of its operational land;
 - (b) any other person who is an occupier of—
 - (i) any part of an aerodrome within the meaning of the Aviation Security Act 1982 (c. 36);
 - (ii) harbour premises within the meaning of Part III of the 1990 Act; or
 - (iii) other land comprised in a port facility within the meaning of article 2 of Regulation (EC) No. 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security;
 - (c) any other person who has been given an instruction by the Secretary of State under section 119 of the Railways Act 1993 (c. 43) (security: power of Secretary of State to give instructions) for so long as that instruction remains in effect; or
 - (d) any other person who is subject to a direction for the time being in force under article 16 of the Channel Tunnel Security Order 1994 (S.I. 1994 no. 570) or any similar provision replacing that article and that is contained in an order made under section 11 of the Channel Tunnel Act 1987 (c. 53) (regulation of the tunnel system: application and enforcement at law, etc.).
- (12) In subsection (11) above—
- “operational land” has the same meaning as in the Planning Act; and
 - “statutory undertaker” has the same meaning as in section 262(1) of that Act.