



Waste and Emissions Trading Act 2003

2003 CHAPTER 33

PART 1

WASTE

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WASTE SENT TO LANDFILLS

Strategies for reducing landfilling of biodegradable waste

17 Strategy for England

- (1) The Secretary of State must have a strategy for reducing—
 - (a) the amount of biodegradable waste from England that goes to landfills, and
 - (b) the amount of biodegradable waste from outside England that goes to landfills in England.
- (2) The strategy required by subsection (1) must (in particular) include measures to achieve the targets specified for England under sections 1 and 2.
- (3) The measures mentioned in subsection (2) include (in particular) measures to achieve the targets by recycling, composting, biogas production, materials recovery or energy recovery.
- (4) Before formulating policy for the purposes of subsection (1), the Secretary of State must—
 - (a) consult the Scottish Ministers, the National Assembly for Wales, the Department of the Environment, the Environment Agency and the Mayor of London,
 - (b) consult such bodies or persons appearing to him to be representative of the interests of local government as he considers appropriate,

Status: This is the original version (as it was originally enacted).

- (c) consult such bodies or persons appearing to him to be representative of the interests of industry as he considers appropriate, and
 - (d) carry out such public consultation as he considers appropriate.
- (5) The Secretary of State must set out in a statement any policy formulated for the purposes of subsection (1).
- (6) The Secretary of State must, as soon as a statement is prepared for the purposes of subsection (5), send a copy of it to—
 - (a) the Scottish Ministers,
 - (b) the National Assembly for Wales, and
 - (c) the Department of the Environment.
- (7) Where subsection (1) is satisfied by policies set out in a statement under section 44A of the Environmental Protection Act 1990 (c. 43) (national waste strategy), if the statement was prepared before the coming into force of that subsection it does not matter that the policies were not formulated for the purposes of that subsection.
- (8) In section 353(4) of the Greater London Authority Act 1999 (c. 29) (Mayor’s duty to have regard to national waste strategy, and guidance relating to it, when preparing his municipal waste management strategy)—
 - (a) before the word “and” at the end of paragraph (a) there is inserted—
 - “(aa) the strategy required by section 17 of the Waste and Emissions Trading Act 2003 (landfill strategy for England),”
 - and
 - (b) in paragraph (b), for “that strategy” there is substituted “those strategies (or either of them)”.
- (9) In section 354(2)(b) of that Act (directions about content of Mayor’s municipal waste management strategy given for purposes of implementing policies in national waste strategy), after “(national waste strategy)” there is inserted “or of the policies contained in the strategy required by section 17 of the Waste and Emissions Trading Act 2003 (landfill strategy for England)”.