



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 11

JOINT WASTE AUTHORITIES

205 Proposals for joint waste authorities in England

- (1) A proposal under this section is a proposal to the Secretary of State that an authority be established for a specified area in England to discharge in that area the waste functions specified in the proposal.
- (2) A proposal under this section may be made by (and only by) all the local authorities that are local waste authorities in relation to the area specified in the proposal.
- (3) A local authority is a “local waste authority” in relation to the specified area if—
 - (a) its area forms the whole or part of the specified area; and
 - (b) it currently has one or more of the specified waste functions.
- (4) A proposal under this section may not be made if there is a local authority for the whole of the specified area which currently has all of the specified waste functions.
- (5) The Secretary of State may by regulations make provision as to—
 - (a) matters to be included in a proposal under this section;
 - (b) information that must accompany a proposal.
- (6) Regulations under subsection (5)(a) may in particular provide that a proposal under this section must include proposals—
 - (a) as to the number of members of the proposed authority (as to membership, see section 208);
 - (b) as to the number of members to be appointed by each local authority making the proposal;
 - (c) as to the procedure for appointing a chairman and a vice-chairman;

Status: Point in time view as at 08/05/2008. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 205. (See end of Document for details)

- (d) for the costs of the proposed authority to be met by the local authorities making the proposal, and as to the basis on which the amount payable by each of the local authorities is to be determined.
- (7) In making a proposal under this section the local authorities must have regard to any guidance from the Secretary of State as to—
- (a) what a proposal should seek to achieve;
 - (b) matters that should be taken into account in formulating a proposal.
- (8) In this section—
- “specified” means specified in the proposal;
 - “waste function” means a function conferred on a local authority by or under—
 - (a) Part 2 of the Environmental Protection Act 1990 (c. 43) (waste on land);
 - (b) Part 4 of that Act (litter etc);
 - (c) section 32 of the Waste and Emissions Trading Act 2003 (c. 33) (joint municipal waste management strategies: England).
- (9) In this Part “local authority” means—
- (a) a county council;
 - (b) a district council;
 - (c) a London borough council;
 - (d) the Common Council of the City of London;
 - (e) the sub-treasurer of the Inner Temple;
 - (f) the under treasurer of the Middle Temple;
 - (g) an authority established under section 10 of the Local Government Act 1985 (c. 51) (joint arrangements for waste disposal functions); or
 - (h) a joint waste authority established under section 207.

Commencement Information

II S. 205 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(o)

Status:

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