

2003 No. 864

LOCAL GOVERNMENT, ENGLAND

**The Local Government (Best Value) Performance
Indicators and Performance Standards (Amendment)
(England) Order 2003**

<i>Made</i> - - - - -	<i>25th March 2003</i>
<i>Laid before Parliament</i>	<i>26th March 2003</i>
<i>Coming into force</i> - -	<i>1st April 2003</i>

The Secretary of State, in exercise of the powers conferred upon her by sections 4(1) and (2) of the Local Government Act 1999(a), and having consulted, in accordance with section 4(3) of that Act, persons appearing to her to represent best value authorities concerned and such other persons as she thought fit, hereby makes the following Order:

Citation, commencement and territorial application

1.—(1) This Order may be cited as the Local Government (Best Value) Performance Indicators and Performance Standards (Amendment) (England) Order 2003 and shall come into force on 1st April 2003.

(2) This Order applies to England only.

Government (Best Value) Performance Indicators and Performance Standards Order 2003

2.—(1) The Local Government (Best Value) Performance Indicators and Performance Standards Order 2003(b) is amended as follows.

(2) For article 10, substitute—

“Performance standards for waste authorities

10.—(1) A waste authority (other than a waste authority to which paragraph (3) or (4) applies) which achieved, in the financial year beginning with 1st April 1998—

- (a) a recycling and composting rate specified in column (1) of Part I of Schedule 8 to this Order shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2003 the standard specified in the corresponding entry in column (2) of that Part;
- (b) a recycling and composting rate specified in column (1) of Part 2 of that Schedule shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2005 the standard specified in the corresponding entry in column (2) of that Part.

(a) 1999 c. 27. For the application of the Act to Wales, *see* section 29.

(b) S.I. 2003/530. That Order applies to Wales, but the best value authorities affected by this Order are all in England.

(2) For the purposes of paragraph (1), the recycling and composting rate for an authority is that which is set out for the waste authority in the document published by the DETR entitled “Guidance on Municipal Waste Management Strategies”(a); (published on 1st March 2001); and a waste authority which is stated in that document to have failed to supply to the DETR adequate details of the recycling and composting rates is treated for the purposes of—

- (a) paragraph (1)(a) of this article and Part I of Schedule 8 to this Order as having a recycling and composting rate of 16% or more; and
- (b) paragraph (1)(b) of this article and Part II of that Schedule as having a recycling and composting rate of 19% or more.

(3) Those waste authorities specified in column 1 of Part 1 of Schedule 8A to this Order shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2003 the standard specified in the corresponding entry in column (2) of that Part.

(4) Those waste authorities specified in column 1 of Part 2 of Schedule 8A to this Order shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2005 the standard specified in the corresponding entry in column (2) of that Part.

(5) For the purposes of this article “waste authority” means a waste collection authority or a waste disposal authority.”

(3) After Schedule 8, insert—

“SCHEDULE 8A

Article 10

WASTE PERFORMANCE STANDARDS FOR POOLED AUTHORITIES

Part 1

Financial Year 2003/2004

Column (1) Name of Waste Authority	Column (2) Authority’s 2003/2004 standard (percentage of the total tonnage of household waste arisings to be sent by the authority for recycling or composting)
<i>Somerset</i>	
Mendip District Council	14%
Sedgemoor District Council	13%
South Somerset District Council	15%
Taunton Dean Borough Council	18%
West Somerset District Council	14%
<i>Oxfordshire</i>	
Oxfordshire County Council	22%
Oxford City Council	12%
South Oxfordshire District Council	22%
West Oxfordshire District Council	12%
Vale of White Horse District Council	15%
<i>Nottinghamshire</i>	
Nottinghamshire County Council	17%
Ashfield District Council	8%
Bassetlaw Borough Council	8%
Broxtowe Borough Council	8%
Mansfield District Council	8%
Newark & Sherwood District Council	8%
Nottingham City Council	8%

(a) “Municipal Waste Management Strategies” was published by the DETR on 1st March 2001. The document is available at www.defra.gov.uk/environment/waste/management/guidance/mwms/01.htm.

Column (1) Name of Waste Authority	Column (2) Authority's 2003/2004 standard (percentage of the total tonnage of household waste arisings to be sent by the authority for recycling or composting)
<i>Wiltshire</i>	
Kennet District Council	11%
Salisbury District Council	16%
West Wiltshire District Council	10%
<i>Merseyside</i>	
Merseyside Waste Disposal Authority	12%
Knowsley Metropolitan Borough Council	8%
Liverpool City Council	8%
Sefton Metropolitan Borough Council	14%
St Helens Metropolitan Borough Council	8%
Wirral Metropolitan Borough Council	12%
<i>Manchester</i>	
Greater Manchester Waste Disposal Authority	11.5%
Bolton Metropolitan Borough Council	8%
Bury Metropolitan Borough Council	8%
Manchester City Council	7%
Oldham Metropolitan Borough Council	8%
Rochdale Metropolitan Borough Council	7%
City of Salford Metropolitan Borough Council	8%
Stockport Metropolitan Borough Council	20%
Tameside Metropolitan Borough Council	8%
Trafford Metropolitan Borough Council	8%

Part 2

Financial Year 2005/2006

Column (1) Name of Waste Authority	Column (2) Authority's 2005/2006 standard (percentage of the total tonnage of household waste arisings to be sent by the authority for recycling or composting)
<i>Somerset</i>	
Mendip District Council	25%
Sedgemoor District Council	19%
South Somerset District Council	28%
Taunton Dean Borough Council	30%
West Somerset District Council	25%
<i>Oxfordshire</i>	
Oxford City Council	18%
South Oxfordshire District Council	29%
Vale of White Horse District Council	29%
<i>Wiltshire</i>	
Wiltshire County Council	33%
Kennet District Council	25%
Salisbury District Council	31%

Column (1) Name of Waste Authority	Column (2) Authority's 2005/2006 standard (percentage of the total tonnage of household waste arisings to be sent by the authority for recycling or composting)
<i>Merseyside</i> Merseyside Waste Disposal Authority Knowsley Metropolitan Borough Council Liverpool City Council Sefton Metropolitan Borough Council St Helens Metropolitan Borough Council Wirral Metropolitan Borough Council	22% 15% 15% 21% 15% 18%

Signed on behalf of the Secretary of State

Michael Meacher
Minister of State,

25th March 2003

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

Article 10 of and Schedule 8 to the Local Government (Best Value) Performance Indicators and Performance Standards Order 2003 (“the 2003 Order”) sets statutory waste performance standards for all best value waste collection authorities and waste disposal authorities in England. These standards relate to the recycling and composting rates that authorities must achieve for the two financial years beginning with 1st April 2003 and 1st April 2005. The standards are based on the rate achieved during the financial year beginning with 1st April 1998.

This amending Order excepts certain authorities from these general standards and instead specifies specific standards. This reflects pooling arrangements between groups of authorities whereby the collective target remains the same or is increased, whilst the individual target for each authority may vary from that originally set under the general standards specified in the 2003 Order. This arrangement does not affect the duty on each authority to meet its own individual standard pursuant to section 4(5) of the Local Government Act 1999 (c.27).

The document “Municipal Waste Management Strategies”, which is referred to in article 10(2), was published by the DETR on 1st March 2001. It is available at www.defra.gov.uk/environment/waste/management/guidance/mwms/01.htm.

£1.75

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under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E0541 4/2003 130541 19585

ISBN 0-11-045747-1



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