
STATUTORY INSTRUMENTS

2011 No. 988

The Waste (England and Wales) Regulations 2011

PART 4

Waste prevention programmes and waste management plans: general provision

Directions to the Environment Agency

- 9.—(1) The appropriate authority may give directions to the Environment Agency requiring it—
- (a) to advise the authority on the measures or policies which are to be included in a waste prevention programme or waste management plan;
 - (b) to carry out a survey or investigation into any other matter in connection with the preparation of such a programme or plan or any modification of it, and report its findings to the authority.
- (2) A direction given under paragraph (1)(b)—
- (a) must specify or describe the matters which are to be the subject of the survey or investigation;
 - (b) may specify bodies or persons to be consulted before carrying out the survey or investigation; and
 - (c) may make provision in relation to the manner in which—
 - (i) the survey or investigation is to be carried out; or
 - (ii) the findings are to be reported and made available.
- (3) The Environment Agency must comply with a direction given under paragraph (1).
- (4) Where a direction is given under paragraph (1)(b), the Environment Agency must also consult any body or person that it considers appropriate but is not specified in the direction.
- (5) The Environment Agency must make its findings available to the bodies and persons it consults.

Review and modification of programmes and plans

- 10.—(1) The appropriate authority—
- (a) must review each waste prevention programme and national waste management plan at least every sixth year;
 - (b) may from time to time modify a programme or plan.
- (2) The appropriate authority must ensure that the Environment Agency and the bodies or persons mentioned in paragraph (3) are consulted during the preparation of—
- (a) proposals for a waste prevention programme or national waste management plan; or
 - (b) proposals to modify such a programme or plan.
- (3) They are such bodies or persons appearing to be representative of—

Status: Point in time view as at 28/03/2011.

Changes to legislation: The Waste (England and Wales) Regulations 2011, PART 4 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the interests of local government; and
- (b) the interests of industry,

as the authority considers appropriate.

(4) This regulation does not apply to a national waste management plan containing only provision relating to paragraph 8, 9, 10 or 11 of Schedule 1.

(5) Steps taken before the coming into force of these Regulations in relation to a waste prevention programme or national waste management plan may be steps for the purposes of this regulation.

Public participation in programmes and plans

11.—(1) Part 4 of Schedule 1 (public participation in the preparation or modification of a waste prevention programme or national waste management plan) has effect, but does not apply to a programme or plan—

- (a) designed for the sole purpose of serving national defence or taken in case of civil emergencies;
- (b) for which a public participation procedure is carried out under—
 - (i) Part 3 of the Environmental Assessment of Plans and Programmes Regulations 2004^{M1}, or
 - (ii) Part 3 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004^{M2}; or
- (c) containing only provision relating to paragraph 8, 9, 10 or 11 of Schedule 1.

(2) The appropriate authority must ensure that waste prevention programmes and national waste management plans are available on a publicly available website.

(3) Steps taken before the coming into force of these Regulations in relation to a waste prevention programme or national waste management plan may be steps for the purposes of Part 4 of Schedule 1.

Marginal Citations

M1 [S.I. 2004/1633](#).

M2 [S.I. 2004/1656](#) (W. 170).

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