

SCHEDULE 1

Regulations 5, 8 and 11

Waste prevention programmes and waste management plans

PART 1

Objectives

Overall objective

1. To protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use.

Application of the waste hierarchy

2.—(1) To apply the following waste hierarchy as a priority order in waste prevention and management policy—

- (a) prevention;
- (b) preparing for re-use;
- (c) recycling;
- (d) other recovery (for example energy recovery);
- (e) disposal.

(2) When applying the waste hierarchy in sub-paragraph (1), the appropriate authority must ensure that it—

- (a) encourages the options that deliver the best overall environmental outcome, which may require specific waste streams to depart from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste;
- (b) takes into account—
 - (i) the general environmental protection principles of precaution and sustainability,
 - (ii) technical feasibility and economic viability,
 - (iii) protection of resources, and
 - (iv) the overall environmental, human health, economic and social impacts.

Protection of human health and the environment

3. To ensure that waste management is carried out without endangering human health, without harming the environment and, in particular—

- (a) without risk to water, air, soil, plants or animals;
- (b) without causing a nuisance through noise or odours; and
- (c) without adversely affecting the countryside or places of special interest.

Principles of self-sufficiency and proximity

4.—(1) To establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including,

Status: Point in time view as at 01/10/2012.

Changes to legislation: The Waste (England and Wales) Regulations 2011, SCHEDULE 1 is up to date with all changes known to be in force on or before 24 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)

where such collection also covers such waste from other producers, taking into account best available techniques.

(2) The network must be designed to enable the European Union as a whole to become self-sufficient in waste disposal and in the recovery of mixed municipal waste collected from private households, and to enable the United Kingdom to move towards that aim taking into account geographical circumstances or the need for specialised installations for certain types of waste.

(3) The network must enable waste to be disposed of and mixed municipal waste collected from private households to be recovered in one of the nearest appropriate installations, by means of the most appropriate technologies, in order to ensure a high level of protection for the environment and human health.

(4) This paragraph does not require that the full range of final recovery facilities be located in England or in Wales or in England and Wales together.

PART 2

Matters which must be included in waste management plans

Analysis of the current waste management situation etc.

5. An analysis of the current waste management situation in England or Wales, as the case may be, the measures to be taken to improve environmentally sound preparing for re-use, recycling, recovery and disposal of waste and an evaluation of how the plan will support the implementation of the objectives and provisions of the Waste Framework Directive.

General policies in relation to waste

6. As appropriate and taking into account the geographical level and geographical area to which the plan relates, provisions relating to—

- (a) the type, quantity and source of waste generated within the territory, the waste likely to be shipped from or to the United Kingdom, and an evaluation of the development of waste streams in the future;
- (b) existing waste collection schemes and major disposal and recovery installations, including any special arrangements for waste oils, hazardous waste or waste streams addressed by specific European Union legislation;
- (c) an assessment of the need for new collection schemes, the closure of existing waste installations, additional waste installation infrastructure (in accordance with the objective in paragraph 4), and, if necessary the related investments;
- (d) sufficient information on the location criteria for site identification and on the capacity of future disposal or major recovery installations, if necessary;
- (e) general waste management policies, including planned waste management technologies and methods, or policies for waste posing specific management problems.

Policies in relation to packaging waste

7. In pursuance of the objectives and measures in Directive [94/62/EC](#) of the European Parliament and of the Council on packaging and packaging waste^{MI}, a chapter on the management of packaging and packaging waste, including measures taken pursuant to Articles 4 and 5 of that Directive.

Changes to legislation: The Waste (England and Wales) Regulations 2011, SCHEDULE 1 is up to date with all changes known to be in force on or before 24 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)

Marginal Citations

M1 OJ No L 365, 31.12.1994, p10, as last amended by Regulation (EC) No 219/2009, OJ No L 87, 31.3.2009, p109.

Policies in relation to separate collection of waste

8. Measures to promote high quality recycling including the setting up of separate collections of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors.

Policies in relation to bio-waste

9. As appropriate, measures to encourage the separate collection of bio-waste with a view to the composting and digestion of bio-waste.

Policies in relation to re-use

10. As appropriate, measures to be taken to promote the re-use of products and preparing for re-use activities, in particular—

- (a) measures to encourage the establishment and support of re-use and repair networks;
- (b) the use of economic instruments;
- (c) the use of procurement criteria;
- (d) the setting of quantitative objectives.

Preparing for re-use, recovery and recycling targets

11.—(1) Measures to be taken to ensure that, by 2020, at least 50% by weight of waste from households is prepared for re-use or recycled.

(2) Measures to be taken to ensure that, by 2020, at least 70% by weight of the waste mentioned in paragraph (3) is subjected to material recovery.

(3) That waste is construction and demolition waste excluding—

- (a) hazardous waste;
- (b) naturally occurring material falling within code 17 05 04 in Schedule 1 to—
 - (i) the List of Wastes (England) Regulations 2005 ^{M2}, or
 - (ii) the List of Wastes (Wales) Regulations 2005 ^{M3}.

Marginal Citations

M2 S.I. 2005/895, to which there are amendments not relevant to these Regulations.

M3 S.I. 2005/1820 (W. 148).

Status: Point in time view as at 01/10/2012.

Changes to legislation: The Waste (England and Wales) Regulations 2011, SCHEDULE 1 is up to date with all changes known to be in force on or before 24 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)

PART 3

Matters which may be included in waste management plans

Matters which may be included in a waste management plan

12. Taking into account the geographical level and geographical area to which the plan relates—
- (a) organisational aspects related to waste management including a description of the allocation of responsibilities between public and private actors carrying out waste management;
 - (b) an evaluation of the usefulness and suitability of the use of economic and other instruments in tackling various waste problems, taking into account the need to maintain the smooth functioning of the internal market;
 - (c) the use of awareness campaigns and information provision directed at the general public or at a specific set of consumers;
 - (d) historical contaminated waste disposal sites and measures for their rehabilitation.

PART 4

Public participation in the preparation or modification of a waste prevention programme or national waste management plan

Interpretation

13. In this Part—

“consultation bodies” means—

- (a) in relation to a waste prevention programme or national waste management plan relating to England—
 - (i) Natural England, and
 - (ii) the Historic Buildings and Monuments Commission for England (English Heritage);
- (b) in relation to a waste prevention programme or national waste management plan relating to Wales, the Countryside Council for Wales;

“public consultees” means the persons to whose attention proposals for a programme or plan are brought by the appropriate authority pursuant to paragraph 14(1)(b).

Public participation procedures

14.—(1) As soon as reasonably practicable after preparing proposals for a waste prevention programme or national waste management plan or for the modification of such a programme or plan, the appropriate authority must—

- (a) send a copy of the proposals to the consultation bodies;
- (b) take such steps as it considers appropriate to bring the proposals to the attention of the persons who in the authority's opinion—
 - (i) are, or are likely to be, affected by the programme or plan, or
 - (ii) have an interest in the programme or plan;
- (c) inform the public consultees of the address (which may include a website)—

Status: Point in time view as at 01/10/2012.

Changes to legislation: The Waste (England and Wales) Regulations 2011, SCHEDULE 1 is up to date with all changes known to be in force on or before 24 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)

- (i) at which a copy of the proposals may be viewed, and
 - (ii) from which a copy of the proposals may be obtained;
 - (d) invite the consultation bodies and public consultees to express their opinion on the proposals, specifying the address to which, and the period within which, opinions must be sent.
- (2) The period referred to in paragraph (1)(d) must be of such length as will ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the proposals.
- (3) The appropriate authority must keep a copy of the proposals at its principal office for inspection by the public at all reasonable times free of charge.
- (4) Nothing in paragraph (1)(c) requires the appropriate authority to provide copies free of charge, but where a charge is made it must be reasonable.

Procedures following public participation

- 15.—**(1) Before decisions on a waste prevention programme or national waste management plan are made, the appropriate authority must take account of any opinion expressed by a consultation body or public consultee.
- (2) As soon as reasonably practicable after making decisions on a waste prevention programme or national waste management plan, the appropriate authority must—
- (a) inform the consultation bodies and the public consultees of the matters in paragraph (3);
 - (b) take such steps as it considers appropriate to bring those matters to the attention of the public; and
 - (c) if it has adopted the programme or plan, make a copy available at its principal office for inspection by the public at all reasonable times free of charge.
- (3) The matters are—
- (a) the decisions made by the appropriate authority on the programme or plan;
 - (b) the reasons and considerations on which those decisions are based; and
 - (c) information about the public participation procedure.
- (4) Nothing in paragraph (2)(c) requires the appropriate authority to provide copies free of charge, but where a charge is made it must be reasonable.

Status:

Point in time view as at 01/10/2012.

Changes to legislation:

The Waste (England and Wales) Regulations 2011, SCHEDULE 1 is up to date with all changes known to be in force on or before 24 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.