



# Environmental Protection Act 1990

## 1990 CHAPTER 43

### PART II

#### WASTE ON LAND

##### *Collection, disposal or treatment of controlled waste*

#### **51 Functions of waste disposal authorities.**

- (1) It shall be the duty of each waste disposal authority to arrange—
- for the disposal of the controlled waste collected in its area by the waste collection authorities; and
  - for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited;
- F1** . . . .
- (2) The arrangements made by a waste disposal authority under subsection (1)(b) above shall be such as to secure that—
- each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;
  - each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25th December or 1st January);
  - each place is available for the deposit of waste free of charge by persons resident in the area;
- but the arrangements may restrict the availability of specified places to specified descriptions of waste.
- (3) A waste disposal authority may include in arrangements made under subsection (1)(b) above arrangements for the places provided for its area for the deposit of household waste free of charge by residents in its area to be available for the deposit of household or other controlled waste by other persons on such terms as to payment (if any) as the authority determines.

*Changes to legislation: Environmental Protection Act 1990, Section 51 is up to date with all changes known to be in force on or before 23 April 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) View outstanding changes*

- (4) For the purpose of discharging its duty under subsection (1)(a) above as respects controlled waste collected as mentioned in that paragraph a waste disposal authority—
  - (a) shall give directions to the waste collection authorities within its area as to the persons to whom and places at which such waste is to be delivered;
  - (b) <sup>F2</sup> .....
  - (c) <sup>F2</sup> .....
  - (d) <sup>F2</sup> .....
  - (e) may contribute towards the cost incurred by persons who produce commercial or industrial waste in providing and maintaining plant or equipment intended to deal with such waste before it is collected; and
  - (f) may contribute towards the cost incurred by persons who produce commercial or industrial waste in providing or maintaining pipes or associated works connecting with pipes provided by a waste collection authority within the area of the waste disposal authority.

[<sup>F3</sup>(4A) A waste disposal authority in England which is not also a waste collection authority may in directions under subsection (4)(a) above include requirements about separation that relate to waste as delivered, but may do so only if it considers it necessary for assisting it to comply with any obligation imposed on it by or under any enactment.

(4B) Before exercising its power to include requirements about separation in directions under subsection (4)(a) above, a waste disposal authority shall consult the waste collection authorities within its area.

(4C) In exercising its power to include requirements about separation in directions under subsection (4)(a) above, a waste disposal authority shall have regard to any guidance given by the Secretary of State as to the exercise of that power.

(4D) A waste disposal authority which includes requirements about separation in directions given under subsection (4)(a) above shall notify the waste collection authorities to which the directions are given of its reasons for including the requirements.]

(5) <sup>F2</sup> .....

(6) <sup>F2</sup> .....

(7) Subsection (1) above is subject to section 77.

(8) This section shall not apply to Scotland.

**Textual Amendments**

**F1** Words in s. 51(1) repealed (18.10.2005 for E. and 16.3.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), ss. 107, 108, **Sch. 5 Pt. 4**; S.I. 2005/2896, **art. 3(k)**; S.I. 2006/768, **art. 2(d)**

**F2** S. 51(4)(b)-(d)(5)(6) repealed (18.10.2005 for E. and 16.3.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), ss. 107, 108, **Sch. 5 Pt. 4**; S.I. 2005/2896, **art. 3(k)**; S.I. 2006/768, **art. 2(d)**

**F3** S. 51(4A)-(4D) inserted (1.1.2005) by [Waste and Emissions Trading Act 2003 \(c. 33\)](#), ss. **31(3)**, 40(1); S.I. 2004/3319, **art. 2**

**Commencement Information**

**I1** S. 51 wholly in force at 31.5.1991 see s. 164(3) and [S.I. 1991/1319](#), **art. 2**

**Changes to legislation:**

Environmental Protection Act 1990, Section 51 is up to date with all changes known to be in force on or before 23 April 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)