



Greater London Authority Act 2007

2007 CHAPTER 24

PART 8

ENVIRONMENTAL FUNCTIONS

Waste

37 Duties of waste collection authorities etc

- (1) Section 355 of the GLA Act 1999 (duty of waste collection or disposal authorities in Greater London to have regard to the municipal waste management strategy in exercising functions under Part 2 of the Environmental Protection Act 1990) is amended as follows.
- (2) At the beginning insert “ (1) ”.
- (3) For “have regard to” substitute “ act in general conformity with ”.
- (4) At the end insert—
 - “(2) Subsection (1) above has effect only to the extent that compliance by an authority with the requirements of that subsection does not impose excessive additional costs on the authority.”.
- (5) After subsection (2) insert—
 - “(3) For the purposes of this section, the Secretary of State may issue guidance for determining what is to be regarded as—
 - (a) acting in general conformity with the municipal waste management strategy, or
 - (b) imposing excessive additional costs on an authority.
 - (4) In discharging the duties imposed upon it by subsection (1) above (as read with subsection (2) above), an authority must act in accordance with any guidance issued under subsection (3) above.

Changes to legislation: There are currently no known outstanding effects for the Greater London Authority Act 2007, Section 37. (See end of Document for details)

- (5) Any guidance issued under subsection (3) above shall be published by the Secretary of State in such manner as he considers appropriate.
- (6) Nothing in this section, or in any guidance issued under it, requires an authority—
 - (a) to terminate a waste contract before the expiry of the term of the contract, or
 - (b) to do anything which would result in a breach of any term of a waste contract.
- (7) In any case where—
 - (a) an authority is required to comply with the public procurement regulations in the awarding of a waste contract,
 - (b) in compliance with those regulations the authority sends the second information notice relating to the awarding of that contract to the Official Journal of the European Union, and
 - (c) after the authority sends that notice, the Mayor revises the municipal waste management strategy,
 this section, and any guidance issued under it, are to have effect in relation to the awarding of that contract as if the revision of the strategy had not been made.”.
- (6) An authority is not required by virtue of any of the amendments made by this section to exercise a function in relation to the awarding of a waste contract if—
 - (a) the authority is required to comply with the public procurement regulations in awarding the contract, and
 - (b) before subsection (3) comes into force, the authority in compliance with those regulations has sent the second information notice relating to the awarding of that contract to the Official Journal of the European Union.

Commencement Information

II [S. 37](#) in force at 21.1.2008 by [S.I. 2008/113](#), [art. 2\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Greater London Authority Act 2007, Section 37.