

STATUTORY INSTRUMENTS

2005 No. 1728

**The Waste Management Licensing (England and Wales)
(Amendment and Related Provisions)(No. 3) Regulations 2005**

Land treatment

10. For paragraph 7 of Schedule 3 substitute—

“**7A.**—(1) The treatment of land used for agriculture with any kind of waste specified from the corresponding source specified in Table 2(A)A where such treatment results in benefit to agriculture or ecological improvement.

(2) The treatment with any of the kinds of wastes listed in Part 1 of Table 2(A)A of—

- (a) operational land of a railway, light railway, water undertaker, internal drainage board, British Waterways Board or the Environment Agency (where in relation to an internal drainage board “operational land” means land which is held for the purpose of carrying out its functions as an internal drainage board); or
- (b) land which is a forest, woodland, park, garden, verge, landscaped area, sports ground, recreation ground, churchyard or cemetery,

where the land in question is not used for agriculture and such treatment results in ecological improvement.

Table 2(A)A

Source of Waste	Kind of Waste
PART 1	
Wastes from forestry, aquaculture, horticulture and fishing	Plant-tissue waste
Wastes from sugar processing	Soil from cleaning and washing beet
Wastes from wood processing and the production of panels and furniture	Waste bark and cork Sawdust shavings, cuttings, wood and particle board
Wastes from pulp, paper and cardboard production and processing	Waste bark and wood, pulp from virgin timber
Soil (excluding excavated soil from contaminated sites), stones and dredging spoil	Soil and stones
Wastes from aerobic treatment of solid wastes	Compost of biodegradable garden and park waste
Garden and park wastes (including cemetery waste)	Biodegradable waste Soil and stones

Source of Waste	Kind of Waste
PART 2	
Wastes from the preparation and processing of meat, fish and other foods of animal origin	Blood and gut contents from abattoirs, poultry preparation plants or fish preparation plants Wash waters and sludges (with or without treatment) from abattoirs, poultry preparation plants or fish preparation plants Shells from shellfish processing
Wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation	All wastes derived from the processing of such materials
Wastes from sugar processing	All wastes derived from the processing of sugar
Wastes from the dairy products industry	Wastes derived from the processing of dairy products
Wastes from the baking and confectionery industry	All wastes derived from the processing of raw materials used in the baking and confectionery industry
Wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)	All wastes derived from the processing of the raw materials used in the production of such beverages
Wastes from pulp, paper and cardboard production and processing	De-inked paper sludge and de-inked paper pulp from paper recycling Lime mud waste
Wastes from the leather and fur industry	Sludges from on-site effluent treatment free of chromium
Wastes from the textile industry	Organic matter from natural products Wastes from finishing other than those containing organic solvents Sludges from on-site effluent treatment Wastes from textile fibres
Wastes from the manufacture of cement, lime and plaster and articles and products made from them	Wastes from calcinations and hydration of lime Gypsum
Wastes from power stations and other combustion plants	Gypsum
Soil (including excavated soil from contaminated sites), stones and dredging spoil	Dredging spoil (other than those containing dangerous substances)
Wastes from aerobic treatment of waste	Compost derived from source segregated biodegradable waste

Source of Waste	Kind of Waste
	Liquor from aerobic treatment of source segregated biodegradable waste
	Digestate from aerobic treatment of source segregated biodegradable waste
Wastes from anaerobic treatment of waste	Compost derived from source segregated biodegradable waste
	Liquor from anaerobic treatment of source segregated biodegradable waste
	Digestate from anaerobic treatment of source segregated biodegradable waste
Wastes from the preparation of water intended for human consumption or water for industrial use	Sludges from water clarification

(3) The secure storage, at the place where it is to be used, of not more than 1250 tonnes of waste intended to be used in reliance upon the exemption conferred by sub-paragraph (1) or (2), if—

- (a) the waste is stored at a distance of not less than—
 - (i) 10 metres from any watercourse;
 - (ii) 50 metres from any spring or well, or from any borehole not used to supply water for domestic or food production purposes; or
 - (iii) 250 metres from any borehole used to supply water for domestic or food production purposes;
- (b) no waste is stored within 0.3 metres of the top of an open storage container or within 0.75 metres of the top of an earthbank tank or lagoon; and
- (c) the waste is stored for no more than twelve months.

(4) Sub-paragraphs (1) and (2) apply only if—

- (a) in relation to—
 - (i) sugar beet soil, no more than 1,500 tonnes,
 - (ii) dredging spoil from inland waters, no more than 5,000 tonnes, or
 - (iii) any other waste, no more than 250 tonnes,
 of waste per hectare is used on the land in any period of twelve months; and
- (b) the activity is carried on in accordance with any requirements imposed by the Animal By-Products Regulations 2003(1).

(5) In this paragraph “agriculture” has the same meaning as in the Agriculture Act 1947(2).

(6) In this paragraph, paragraph 8A and paragraph 8B below “domestic purposes” has the same meaning as in the Water Industry Act 1991(3) and “food production purposes” has the same meaning as in Part 3 of that Act.”

(1) S.I 2003/1482.

(2) 1947 c. 48.

(3) 1991 c. 56.

Status: *This is the original version (as it was originally made).*
