

SCHEDULE 1

Waste prevention programmes and waste management plans

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)—
 - (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.