
STATUTORY INSTRUMENTS

1994 No. 1056

The Waste Management Licensing Regulations 1994

Particulars to be entered in public registers

10.—(1) Subject to sections 65 and 66 of the 1990 Act and regulation 11, a register maintained by a waste regulation authority under section 64(1) of the 1990 Act shall contain full particulars of—

- (a) current or recently current waste management licences (“licences”) granted by the authority and any associated working plans;
- (b) current or recently current applications to the authority for licences, or for the transfer or modification of licences, including details of—
 - (i) documents submitted by applicants containing supporting information;
 - (ii) written representations considered by the authority under section 36(4)(b), (6)(b) or (7)(b) or 37(5) of the 1990 Act;
 - (iii) decisions of the Secretary of State under section 36(5), or, in Scotland, section 36(6), of the 1990 Act;
 - (iv) notices by the authority rejecting applications;
 - (v) emergencies resulting in the postponement of references under section 37(5)(a) of the 1990 Act;
- (c) notices issued by the authority under section 37 of the 1990 Act effecting the modification of licences;
- (d) notices issued by the authority under section 38 of the 1990 Act effecting the revocation or suspension of licences or imposing requirements on the holders of licences;
- (e) notices of appeal under section 43 of the 1990 Act relating to decisions of the authority and other documents relating to such appeals served on or sent to the authority under regulation 6(3) or (4) or 9(3);
- (f) convictions of holders of licences granted by the authority for any offence under Part II of the 1990 Act (whether or not in relation to a licence) including the name of the offender, the date of conviction, the penalty imposed and the name of the Court;
- (g) reports produced by the authority in discharge of any functions under section 42 of the 1990 Act, including details of—
 - (i) any correspondence with the National Rivers Authority or river purification authority as a result of section 42(2) of the 1990 Act;
 - (ii) remedial or preventive action taken by the authority under section 42(3) of the 1990 Act;
 - (iii) notices issued by the authority under section 42(5) of the 1990 Act;
- (h) any monitoring information relating to the carrying on of any activity under a licence granted by the authority which was obtained by the authority as a result of its own monitoring or was furnished to the authority in writing by virtue of any condition of the licence or section 71(2) of the 1990 Act;

- (i) directions given by the Secretary of State to the authority under section 35(7), 37(3), 38(7), 42(8), 50(9), 54(11) or (15), 58 or 66(7) of the 1990 Act;
 - (j) any summary prepared by the authority of the amount of special waste produced or disposed of in their area;
 - (k) registers and records provided to the authority under regulation 13(5) or 14(1) of the Control of Pollution (Special Waste) Regulations 1980⁽¹⁾;
 - (l) applications to the authority under section 39 of the 1990 Act for the surrender of licences, including details of—
 - (i) documents submitted by applicants containing supporting information and evidence;
 - (ii) information and evidence obtained under section 39(4) of the 1990 Act;
 - (iii) written representations considered by the authority under section 39(7)(b) or (8)(b) of the 1990 Act;
 - (iv) decisions by the Secretary of State under section 39(7) or (8) of the 1990 Act; and
 - (v) notices of determination and certificates of completion issued under section 39(9) of the 1990 Act;
 - (m) written reports under section 70(3) of the 1990 Act by inspectors appointed by the authority;
 - (n) in Scotland, resolutions made by the authority under section 54 of the 1990 Act, including details of—
 - (i) proposals made in relation to land in the area of the authority by a waste disposal authority under section 54(4) of the 1990 Act;
 - (ii) statements made and written representations considered by the authority under section 54(4) of the 1990 Act;
 - (iii) requests made to, and disagreements with, the authority which are referred to the Secretary of State under section 54(7) of the 1990 Act and his decisions on such references;
 - (iv) emergencies resulting in the postponement of references under section 54(4) of the 1990 Act.
- (2) The register shall also contain the following—
- (a) where an inspector appointed by the authority exercises any power under section 69(3) of the 1990 Act, a record showing when the power was exercised and indicating what information was obtained, and what action was taken, on that occasion;
 - (b) where any information is excluded from the register by virtue of section 66 of the 1990 Act and the information shows whether or not there is compliance with any condition of a waste management licence, a statement based on that information indicating whether or not there is compliance with that condition.
- (3) A register maintained under section 64(4) of the 1990 Act by a waste collection authority in England which is not a waste regulation authority shall contain full particulars of the following information contained in any register maintained under section 64(1) of the 1990 Act, to the extent that it relates to the treatment, keeping or disposal of controlled waste in the area of the authority—
- (a) current or recently current waste management licences;
 - (b) notices issued under section 37 of the 1990 Act effecting the modification of waste management licences;

(1) S.I.1980/1709, to which there are amendments not relevant to these Regulations.

(c) notices issued under section 38 of the 1990 Act effecting the revocation or suspension of waste management licences;

(d) certificates of completion issued under section 39(9) of the 1990 Act.

(4) For the purposes of this regulation, waste management licences are “recently” current for the period of twelve months after they cease to be in force, and applications for waste management licences, or for the transfer or modification of such licences, are “recently” current if they relate to a waste management licence which is current or recently current or, in the case of an application which is rejected, for the period of twelve months beginning with the date on which the waste regulation authority gives notice of rejection or, as the case may be, on which the application is deemed by section 36(9), 37(6) or 40(6) of the 1990 Act to have been rejected.