

SCHEDULE 3

ACTIVITIES EXEMPT FROM WASTE MANAGEMENT LICENSING

43.—(1) The treatment, keeping or disposal by any person at any premises of waste (including special waste) if—

- (a) he was carrying on the activity in question at those premises before 1st May 1994; and
- (b) before that date no disposal licence was required under Part I of the Control of Pollution Act 1974⁽¹⁾ for that activity.

(2) Subject to sub-paragraph (3) below, the exemption conferred by sub-paragraph (1) above, in relation to an activity carried on by a person at any premises, shall after 30th April 1995 cease to have effect in relation to the carrying on of that activity at those premises unless on or before that date he applies for a waste management licence in relation to the activity in question.

(3) Where a person makes such an application as is mentioned in sub-paragraph (2) above, the exemption conferred by sub-paragraph (1) above shall continue to have effect in relation to the activity in question until the date on which the licence applied for is granted or, if the application is (or is deemed to be) rejected, until the date on which—

- (a) the period for appealing expires without an appeal being made; or
- (b) any appeal is withdrawn or finally determined.

(1) 1974 c. 40; “disposal licence” has the meaning given by section 3(1).