

SCHEDULE 2

Regulation 2(b)

Information to accompany a proposal

Local authorities

1. For each of the local authorities making the proposal, details of—
 - (a) each authority's area; and
 - (b) the waste functions conferred on each authority.

Exclusion of waste functions

- 2.—(1) This paragraph applies in any area with both a county council and district councils.
- (2) If a proposal to establish a joint waste authority for any such area is made by two or more of the district councils but not the county council, the following information—
 - (a) written reasons for the decision to exclude the waste functions of the county council, together with—
 - (i) the business case to support that decision (including details of any anticipated benefits from excluding those waste functions from the proposal); and
 - (ii) any anticipated negative consequences of that decision and details of how these will be managed; and
 - (b) details of any consultation or engagement with that county council in relation to the proposal, including details of any issues identified during that consultation or engagement and an explanation of how those issues have been or will be addressed.

Letter of approval

- 3.—(1) For every local authority making the proposal, a letter from the head of their paid service, confirming that the local authority has approved the making of the proposal.
- (2) In this paragraph—
 - (a) “head of their paid service” has the meaning given by section 4 of the Local Government and Housing Act 1989⁽¹⁾;
 - (b) “local authority” means a county council, a district council, a London borough council or the Common Council of the City of London.

Consultation

4. A summary of the consultation undertaken on a draft of the proposal under section 206 of the Act, including—
 - (a) the steps taken by each local authority making the proposal to consult the relevant electors and any interested person in its area;
 - (b) the issues raised in the responses to the consultation; and
 - (c) details of how those issues have been addressed.

(1) 1989 c. 42.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Joint Waste Authorities (Proposals) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Other joint working arrangements

5. Details of any other joint working arrangement that each local authority making the proposal has entered into for the purposes of waste management, including—

- (a) a description of the nature of that arrangement;
- (b) the activity undertaken through that arrangement; and
- (c) the duration of that arrangement.

Contracts

6. The following details of any contract for street cleansing and the collection, recycling, treatment or disposal of waste to which each local authority making the proposal is, or expects to be at the time at which the proposed joint waste authority would be established, a party—

- (a) the names of the parties to the contract;
- (b) the date or expected date of the termination of the contract;
- (c) where the parties intend to continue the contract should the proposed joint waste authority be established, the arrangements which the parties propose to make for the continuation of that contract; and
- (d) where the parties do not intend to continue the contract should the proposed joint waste authority be established, the reasons why they do not so intend.

Landfill obligations

7.—(1) If the proposed joint waste authority has the function of disposing of biodegradable municipal waste, the arrangements to ensure the fulfilment of its duties as a waste disposal authority for the purposes of the Waste and Emissions Trading Act 2003⁽²⁾.

(2) In this paragraph, “biodegradable municipal waste” has the meaning given by section 21 of that Act.

8.—(1) A copy of any agreement between the local authorities making the proposal concerning the arrangements for the payment of any penalty incurred by the proposed joint waste authority under section 9 of the Waste and Emissions Trading Act 2003⁽³⁾, or, where such an agreement has not yet been made, confirmation that such an agreement is being prepared and details of its proposed content.

(2) Where such an agreement has not yet been made, details of the timetable for finalising the agreement.

Private finance initiative credits

9. Details of any private finance initiative credits (“PFI credits”) relating to waste management that have been awarded to each of the local authorities making the proposal, including—

- (a) the date the PFI credits were awarded;
- (b) the local authorities that may share the benefit of the PFI credits;
- (c) any conditions attached to the award of the PFI credits;
- (d) whether any of the PFI credits are to be phased and, if so, the level of credit for each phase and when support for each phase will start.

(2) 2003 c. 33.

(3) 2003 c.33.

10. Details of any proposed arrangements for the transfer of the PFI credits to the proposed joint waste authority.

Costs savings

11. Details of any anticipated costs savings as a consequence of the establishment of the proposed joint waste authority.

Environmental benefits

12. Details of any anticipated benefits to the environment as a consequence of the establishment of the proposed joint waste authority.

Waste management services

13.—(1) Details of the strategy for the maintenance or improvement of the current standard of waste management services for controlled waste in the area of the proposed joint waste authority.

(2) In this paragraph “controlled waste” has the meaning given by section 75(4) of the Environmental Protection Act 1990⁽⁴⁾.

Communications strategy

14. Details of the strategy for communicating the establishment of the proposed joint waste authority to—

- (a) local residents;
- (b) local businesses; and
- (c) any interested local authority.

(4) 1990 c. 43.

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Changes and effects yet to be applied to :

- Sch. 2 para. 8 revoked by [S.I. 2013/141 reg. 7](#)
- Sch. 2 para. 7 substituted by [S.I. 2011/2499 reg. 14](#)