

**JOINT WASTE DISPOSAL BOARD – Joint Waste Authorities**  
**18 MARCH 2009**

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**JOINT WASTE AUTHORITY - THE REGULATIONS**

- 1 The Joint Waste Authorities (proposals) Regulations 2009 come into force on 18 February 2009. They are made under the provisions contained in the Local Government and Public Involvement in Health act 2007.
- 2 The Regulations provide for the submission of proposals under Section 205 of the Act provided they address laid down criteria. That criteria includes for addressing the following:
  - 1 Name of the proposed JWA
  - 2 Date of proposed establishment
  - 3 Area of proposed authority
  - 4 Functions to be transferred to the JWA by each party to the agreement
  - 5 Details of membership
  - 6 Date of first proposed meeting
  - 7 Voting procedures
  - 8 Staffing arrangements, terms and conditions, etc
  - 9 Details of cost apportionment arrangements for setting up/running of the JWA
  - 10 First years funding need and proposals for partner contribution
  - 11 Transfer of assets and liabilities
- 3 As can be seen from the above list there is little that re<sup>3</sup> does not already provide for that would make such an application difficult, either to make or consider favourably. This confirms that we are effectively almost operating as a Joint Waste Disposal Authority.
- 4 The Regulations go on in Schedule 2 to outline the detail of what information is expected to accompany a proposal. This detail includes the following additional detail:
  - (1) A letter from the Chief Executive confirming that the local authority has approved the making of the proposal.
  - (2) Details of the consultation undertaken on the draft of the proposal in relation to the electors and any interested persons in its area, the issues raised and how they have been addressed.
  - (3) Details of any other joint waste arrangements.
  - (4) Details of relevant contracts at the time of the proposed JWA.
  - (5) Landfill obligations - compliance with.

- (6) Details of any agreement proposed in respect of the settlement of any penalty incurred by the JWA under Section 9 of the Waste and Emissions Trading Act 2003.
  - (7) Details of any PFI credits and how they are to be transferred to the JWA.
  - (8) Potential cost savings.
  - (9) Potential environment benefits.
  - (10) Strategy for the maintenance or improvement of the current standard of service for controlled waste.
  - (11) Details of the communication strategy.
- 5 From the detail outlined in Para 4 above it is clearer as to what additional work/information is required in order to progress any further application.

#### Background Papers

The Joint Waste Authorities (Proposals) Regulations 2009