

Waste Management (Jersey) Law 2005 (the ‘Law’)
Application for a Waste Management Licence

It is a legal requirement under Article 23 of the Law that persons carrying out waste management activities hold a Waste Management Licence, unless otherwise exempt.

Please note that all applications are subject to a consultation process (see guidance note 12)

Please read the guidance notes in section J

In what capacity are you registering? Please tick the appropriate box

- | | | |
|---|--|---|
| <input type="checkbox"/> Individual / Sole trader
Complete section A and D to I | <input type="checkbox"/> Company
Complete section B and D to I | <input type="checkbox"/> Government of Jersey Dept.
Complete section C and D to I |
| <input type="checkbox"/> Partnership
Complete section A and D to I | <input type="checkbox"/> Other
Complete section B and D to I | |

Section A – Applicant details: Individual / Sole Trader / Partnership

Full name and title of individual /sole trader / partner:
 Full name and title of additional partners (continue on a separate sheet if necessary)
 Trading Name (if applicable):
 Correspondence address including post code:
 Primary contact name:
 Contact number:
 Secondary contact name (if applicable):
 Contact number:

Full name and title of individual /sole trader / partner:		
Full name and title of additional partners (continue on a separate sheet if necessary)		
Trading Name (if applicable):		
Correspondence address including post code:		
Primary contact name:		
Contact number:	Email:	
Secondary contact name (if applicable):		
Contact number:	Email:	

The partners must provide evidence of the partnership’s status under the Partnership (Jersey) Law 1994 or provide other evidence, for example, a copy of the partnership deed or agreement.

Section B – Applicant details: Company / Organisation

Please note that the company must be incorporated under the Companies (Jersey) Law 1991 (or an equivalent law in another jurisdiction).

Company / Organisation Name:		
Trading name: (if applicable)		
Company Incorporation number:		
Registered office address including post code:		
Full names and positions of company officers (eg Company Directors / Company Secretary *)		
Description of the type of organisation (e.g. charitable organisation)		
Correspondence address including post code: (if different to above)		
Primary contact name:	Position:	
Contact number:	Email:	
Secondary contact name:	Position:	
Contact number:	Email:	

* Please complete the details of the company officers on a separate sheet if necessary or provide a copy of the register(s) of officers.

Section C – Government of Jersey Department

Department name:		Ministerial Title:	
Contact name:			
Contact number:		Email:	
Correspondence address including post code:			

Section D – Site details

Please provide details below regarding your site.

A site plan outlining the land area in red must be submitted with your application. This plan should be completed by a surveyor, architect or engineer. (see guidance note 2)

Site name: (if applicable)	
Full site address inc post code:	
What is the site currently used for	

Are you the owner of the land detailed above?

Yes No

If **Yes**, please provide evidence regarding the ownership of the land with your application

If **No**, please provide evidence of the land owner's consent regarding the proposed use of the land.

Does the site have relevant planning approval for the waste activity?

Yes No

If **Yes**, please provide the following details and include a copy of your planning approval with your application.

Planning approval reference number:		Date planning approval granted:	
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If **No**, please detail what allows the lawful use of the site for the activities applied for in the absence of planning permission and provide evidence.
(see guidance note 3)

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Section E – Waste management activities

What will be the main waste management activity carried out on the site. (see guidance note 4)
Please tick one box only

<input type="checkbox"/>	Landfill
<input type="checkbox"/>	Transfer station
<input type="checkbox"/>	Incinerator
<input type="checkbox"/>	Storage at site other than that of production
<input type="checkbox"/>	Biological treatment - specify type of treatment below
<input type="checkbox"/>	Chemical treatment - specify type of treatment below
<input type="checkbox"/>	Physical treatment - specify type of treatment below
<input type="checkbox"/>	Other - provide details below

Please provide a summary of the other waste management activities to be carried out on the site which are associated with or incidental to the main activity, for example baling, sorting, screening, leachate treatment.

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Do you intend to accept hazardous waste at the site? (see guidance note 5)

Yes If Yes, provide details below No – If No, go to Section F

Waste type	Hazard code H1 - H13	EWC code	Physical form (solid/sludge /liquid/ powder/gas)	Tonnes per day	Tonnes per year
	Totals				
	Annual total (if different to combined totals) (see guidance note 6)				

Section F – Site operations

1 Capacity of the site

What type of site do you require? Complete the sections indicated below

- Landfill site – section 1.1 & 1.4
- Treatment plant – section 1.2 & 1.4
- Other – section 1.3 & 1.4
- Incinerator – section 1.2 & 1.4
- Transfer station – section 1.3 & 1.4

1.1 Land capacity (see guidance note 7)

Total void space in cubic metres		Total area available for landfilling of wastes in square metres / verges	
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1.2 Incinerator and treatment plant capacities

Maximum theoretical design capacity throughout		tonnes per hour
Proposed actual capacity throughout (if different from above)		tonnes per hour
Storage capacity for wastes prior to treatment / incineration (both tonnes and cubic metres)		tonnes
		cubic metres
Storage capacity for post treatment / incineration residues (e.g. ash) (both tonnes and cubic metres)		tonnes
		cubic metres

1.3 Transfer station and other capacities

Municipal waste storage capacity (Include both tonnes and cubic metre figures for solids and units used for liquids and gases as applicable)		tonnes
		cubic metres
		Units used
Hazardous waste storage capacity (Include both tonnes and cubic metre figures for solids and units used for liquids and gases as applicable)		tonnes
		cubic metres
		Units used
Health care waste storage capacity (Include both tonnes and cubic metre figures for solids and units used for liquids and gases as applicable)		tonnes
		cubic metres
		Units used
Construction/demolition waste storage capacity (both tonnes and cubic metres)		tonnes
		cubic metres
Scrap metal storage capacity (both tonnes and cubic metres)		tonnes
		cubic metres

1.4 Operational status

Is the site a new facility?

Yes – complete 1.6 & 1.7

No – complete 1.5 & 1.7

1.5 Existing sites

What date did the waste management activities commenced	
Estimated remaining active life in years (where appropriate)	

1.6 New facilities

Proposed start date for work at the site	
Estimated active life in years (where appropriate)	

1.7 Operating hours

Hours permitted under planning law (if applicable). Use 24 hour clock	Days	From	To
	Monday to Friday		
	Saturday		
	Sunday		
	Bank/public holidays		
Hours open for receipt/removal of waste (if different from permitted hours) Use 24 hour clock	Monday to Friday		
	Saturday		
	Sunday		
	Bank/public holidays		
Hours open for processing /handling of waste (if different from permitted hours) Use 24 hour clock	Monday to Friday		
	Saturday		
	Sunday		
	Bank/public holidays		

Section G – ‘Fitness’ of applicant

‘Fitness’

The Environment Minister will only issue a waste management licence if they are satisfied that you are fit to carry out the activity to which it relates. The following three factors will be taken into consideration.

- Financial security
- Technical resources
- Relevant convictions for offences

Financial security (see guidance note 8)

Please describe below how you intend to demonstrate that you have sufficient financial resources to meet the terms and conditions of the waste management licence. Continue on a separate sheet as necessary.

An expenditure plan for the site should be included with this application.

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Technical resources (see guidance note 9)

Please provide the following details for each person who will be responsible for managing the site along with a statement of qualifying experience for each party. Complete on a separate sheet as necessary.

Full name:	
Position:	
Names of two referees who will endorse the statement of qualifying experience:	1
	2
Full name:	
Position:	
Names of two referees who will endorse the statement of qualifying experience:	1
	2

Full name:	
Position:	
Names of two referees who will endorse the statement of qualifying experience:	1
	2

Previous Relevant Convictions

Have you or any relevant person been convicted of any offences relating to waste management or environmental matters in the past five years?
(see guidance notes 10)

Yes, (please provide details below) No

Full name of company or individual convicted	
Position (if applicable)	
Date of conviction:	
Name of court:	
Offence and penalty imposed:	

Additional information relating to the offence (For example any appeals lodged, why the offence occurred, actions taken to prevent offences in the future)

Section H - Checklist

Please can you tick the relevant boxes to confirm inclusion of the following documents.

<input type="checkbox"/>	Completed application form
<input type="checkbox"/>	Continuation sheets - numbered and cross referenced to the section they apply to and signed and dated by the applicant
<input type="checkbox"/>	Company registration or partnership documents
<input type="checkbox"/>	Site location plan

	Evidence of land ownership or landowners consent to occupy the site for the purposes of the waste activity
	Copy of planning permission
	Financial information, including site expenditure plan
	Statement(s) of qualifying experience
	Working plan, including: <ul style="list-style-type: none"> ➤ a written statement ➤ plans ➤ detail drawings with a full contents list of plan titles, dates and unique plan/drawing reference numbers <p>(see Chapter 5 Waste Management Guidance on Guidance notes on new waste management licensing system (gov.je))</p>
	Letter requesting commercial confidentiality (see guidance note 1)

Section I - Declaration

Important information:

Before signing this form please read the following consent information carefully. It explains how personal data will be used and provides a brief description of an individual's rights under Jersey's Data Protection Law. For further information on how the Infrastructure, Housing and Environment handles personal data please visit <http://www.gov.je/howweuseyourinfo>

Consent

I confirm and agree:

- that this application is made with my authority and I am aware that it is an offence to submit false or misleading information with an application
- to pay all fees relating to my application for a waste management licence (see guidance note 11)
- to the information supplied in this form, together with any other accompanying information, to be used to process my application for a Waste Management Licence in accordance with the Waste Management (Jersey) Law 2005 which includes the following:
 - it will be made available to the public as part of the public consultation process and while the licence is valid. (Any special category data will be redacted before publication)
 - a notice will be published in the Jersey Gazette as part of the consultation process (see guidance note 12)
 - it will be made available to statutory consultees including the Minister for Social Security, the Minister for Health & Social Services and any other relevant body for example Parish authorities, Fire Service etc.
 - may be disclosed to the organisations listed below, where it is necessary, for example, to carry out compliance checks and investigations concerning breaches or potential breaches of law, for enforcement purposes and for providing statistical reports
 - The States of Jersey Police
 - Customs and Immigration Service
 - Other enforcement authorities in the Channel Islands, United Kingdom and Europe when necessary.

- that as a public authority, you are subject to the provisions of the Freedom of Information (Jersey) Law 2011. Under this Law you may be required to disclose information you hold, including the contents of this form and any other information I provide to you, unless the information is protected from disclosure by an exemption under the Law or any other enactment, including the Data Protection (Jersey) Law 2018.
- that you will not use my personal information for any other purpose, without my permission, unless you are legally required to do so.
- that under Jersey's Data Protection Law I have the right to withdraw my consent to the further processing of my information. However, I understand that this may cause delays in administering my waste management licence or cause me to be in breach of other legal requirements. (Should you wish to exercise this right please contact us on tel. 441600).

Applicant consent - The application form should be to be signed by individual or authorised person representing the company or organisation or all members of a partnership as applicable)

Full name:		Signature:	
Position: (if applicable)		Date:	

Additional partnership signatures

Full name:		Signature:	
Position: (if applicable)		Date:	

Additional partnership signatures

Full name:		Signature:	
Position: (if applicable)		Date:	

Please continue on a separate sheet if there are additional members of the partnership

Section J – Guidance Notes

- Commercial Confidentiality** – You are entitled to apply for a Certificate of Confidentiality under Article 94 of the Law if you consider that any of the information detailed in your application is a trade secret. The specific information will remain confidential while the application is processed and you will have the right to appeal should your application for a certificate of confidentiality be refused.
- Site Plan** - The plan should be a suitable size and scale to enable the clear identification of the site boundaries. Please ensure that the site boundaries are clearly outlined in red and that these areas relate to the land detailed in the evidence about ownership or land owner's consent and lawful use of the site.
- Lawful Use of the Land** - This lawful use can be demonstrated by
 - the provision of a relevant planning permission, or
 - by providing evidence that the site does not require planning permission, or
 - that the activity to which the application relates has been continuously carried out on the land prior to 1st April 1965 and has continued to be carried on (without a break) since that date.

- Waste Activities** - Brief descriptions of the activities specified on the form are provided below:

Landfill.	The final disposal of waste by deposit in or on land.
Transfer station.	The storage and processing of waste at a site where final disposal or recovery does not take place.
Incinerator.	The disposal of waste or recovery of waste to create energy by burning in a controlled environment.
Storage at a site other than that of the site of production	The storage of waste without any form of processing at a site where the waste was not produced and where final disposal or recovery does not take place.
Biological treatment.	Treatment of waste by biological processes, resulting in the recovery of the waste and/or final compounds or mixtures that go on for final disposal or recovery.
Chemical treatment	Treatment of waste by chemical processes, resulting in the recovery of the waste and/or final compounds or mixtures that go on for final disposal or recovery.
Physical treatment	The physical treatment of waste (e.g. sorting, baling, shredding), resulting in the recovery of the waste and/or final compounds or mixtures that go on for final disposal or recovery.
Other	If your application is for an activity involving the deposit, keeping, treating, disposal or recovery of controlled wastes which does not come under the description of any of the above please detail the activity in the space provided on the application form.

5. **Waste Types & Hazardous Waste** - For definitions and classifications of municipal, hazardous and health care wastes please refer to the document “Guidance Notes on the New Waste Management Licensing System”, Chapter 2 and Appendix 2.

[Guidance notes on new waste management licensing system \(gov.ie\)](https://www.gov.uk/guidance/guidance-notes-on-new-waste-management-licensing-system)

For sites accepting wastes which are defined as **hazardous wastes**, please refer to the waste classification code, also referred to as LoW (List of Waste) or EWC (European Waste Catalogue) code available via the United Kingdom Government website here LINK [Waste classification technical guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/waste-classification-technical-guidance) Technical Guidance WM3: Waste Classification - Guidance on the classification and assessment of waste

Use these codes to list the types of hazardous wastes that your site intends to accept. As an example, the EWC codes for insulation and asbestos are in the table below. (*) An asterisk at the end of a code means the waste is hazardous.

Insulation and asbestos materials	Waste status	EWC Waste code
Insulation containing asbestos	Hazardous	17-06-01*
Other insulation containing hazardous substances	Hazardous	17-06-03*
Other insulation materials	Non-Hazardous	17-06-04
Other construction materials containing asbestos	Hazardous	17-06-05*

6. **Waste Quantities** - You may wish the annual total to be less than the sum of the totals for each waste type, e.g. for charging purposes. For example, you may select an annual total of 5,000 tonnes and also place a total of 4,000 tonnes for both construction/demolition wastes and scrap metal. This would allow the site flexibility in managing its waste inputs between the two waste types up to the maximum annual site total of 5,000 tonnes.
7. **Landfill Void Space** - The void space and area for landfill must be calculated from a detailed site survey.

Copies of the survey documentation, including plans and calculations, must be included with the application (possibly as part of the working plan - see “Guidance Notes on the New Waste Management Licensing System”, Chapter 5. [Guidance notes on new waste management licensing system \(gov.ie\)](https://www.gov.uk/guidance/guidance-notes-on-new-waste-management-licensing-system)

8. **Financial Resources** - There are a number of ways to demonstrate that sufficient financial resources exist to meet the requirements of the waste management licence - please refer to Chapter 4 of the Guidance Notes on the New Waste Management Licensing System for more details on the financial security requirements of the Law. [Guidance notes on new waste management licensing system \(gov.ie\)](https://www.gov.uk/guidance/guidance-notes-on-new-waste-management-licensing-system)
9. **Technical Resources** - The applicant must be able to demonstrate that all personnel responsible for the management of the site have sufficient expertise to carry out the licensed activity. A Statement of Qualifying Experience (the ‘Statement’) must be completed for each person detailing their qualifications, experience and training and its relevance to the proposed activities.

The Statement should provide details of any relevant employment within the last ten years, including the name and address of the company and site address, position held, dates of employment and descriptions of the operations undertaken by the company, details of duties and any supervisory responsibilities along with any other supporting information the applicant

feels is relevant. This Statement's content should be endorsed by two referees of standing.

Experience outside of the waste management industry will be taken into account but in order to satisfy this requirement the management of the site must have a sound knowledge and understanding of waste management law and practice. The Government of Jersey may interview some or all of the persons listed to assess further their technical competence.

10. **Relevant Convictions** - In accordance with Article 25 of the Law, A waste management licence may be granted or transferred to a person only if the Minister for the Environment is satisfied that the person is fit to carry on the activity to which it relates. One factor is any relevant convictions for offences. The applicant should provide details of any relevant convictions, even if the applicant was not convicted but contributed to the offence by virtue of:

- (a) committing it in the course of their employment by the applicant;
- (b) committing it in the course of the carrying on of any business by a partnership, one of the members of which was the applicant;
- (c) being a body corporate and at the time when the offence was committed the applicant was a director, manager, company secretary or other similar officer of that company;
- (d) being a director, manager, company secretary or other similar officer of the applicant (where the applicant is a body corporate);
- (e) being a body corporate and at the time when the offence was committed a director, manager, company secretary or other similar officer of the applicant held such an office in the body corporate which committed the offence.

Relevant laws relating to these matters include of those listed below, but this is not an exclusive list. If you have been convicted of offences which relate to such matters under laws which are not listed below and are unsure of how to complete the application form please contact the department.

- Waste Management (Jersey) Law 2005;
- Water Pollution (Jersey) Law 2000;
- Water Resources (Jersey) Law 2007
- Drainage (Jersey) Law 2005;
- Planning & Building Law (Jersey) Law 2002;
- Food and Environment Protection Act 1985 (Jersey) Order 1987;
- Health and Safety at Work (Jersey) Law 1989;
- Pesticides (Jersey) Law 1991;
- Statutory Nuisances (Jersey) Law 2000;
- Conservation of Wildlife (Jersey) Law 2000

11. **Fees** – Please find details of all fees payable in relation to you application for a Waste Management Licence via this Government of Jersey webpage [Waste management and licensing \(gov.je\)](http://www.gov.je/waste-management-and-licensing)

12. All applications and supporting documentation will be subject to a **public consultation** in accordance with the Waste Management (Jersey) Law 2005 unless the Minister is satisfied that the proposed activity will have no appreciable adverse effects on the environment.

Before any decision is taken as to whether to grant the application and issue a licence or not the Minister must;

- consult with statutory consultees,
- give public notice of the proposal by publishing a notice on the Jersey Gazette [Jersey Gazette \(gov.je\)](http://www.gov.je/jersey-gazette)
- consider all representations made in respect of the proposal.

Any sensitive information (special category data), such as criminal convictions will be redacted from the application form before it is made public.

The Minister for the Environment will consider the application within three months of a valid application being made, unless extended with the agreement of the applicant. During this period the Minister may consult with any relevant person(s) or body regarding the application. Should the Minister fail to determine the application within the specified time limit, this will be considered as a decision to refuse the application without stated reasons.

The applicant can request copies of all representations made by other persons concerning the proposal and respond to these representations by writing to the Minister within 14 days of receiving the representations.

No decisions will be made by the Minister until the time limits for making representations have elapsed.

If the Minister decides to grant the application, the licence will be subject to conditions specified by the Minister requiring the operator to manage the activity in a manner which will prevent pollution to the environment.

- Conditions set the standards to which the site must operate, either directly or by reference to the “working plan” The working plan comprises the operator’s document(s) and drawings on the site and its infrastructure and how the waste management activities are carried out.
- Conditions may cover the waste management activities and the manner in which they are carried out, works to be carried out within time limits, the types and quantities of waste that may be dealt with, operational hours, security, drainage and waste storage containment infrastructure, the keeping of records, the making of returns and providing other information.
- Emission and discharge limits can be set in the conditions in order to control emissions to air, land or the water environment and prevent pollution.

There is a right of appeal against any of the above decisions. An appeal must be made to the Royal Court within 21 days of the applicant being served with a written copy of the decision (or within such further time as the Royal Court may allow).

A copy of the application and its supporting information, with the waste management licence (if issued), will be available for inspection by the public for the duration of the licence.