

WASTE FROM PLACES OF WORSHIP

Following is an extract from guidance issued by Municipal Waste Policy (MWP), Waste Strategy Division, DEFRA, Floor 6, Ergon House, Horseferry Road, LONDON SW1P 2AL on 12 October 2007.

DEFRA is aware of confusion in some waste authorities over the status of waste from premises used as places of religious worship.

Paragraph 1 of Schedule 1 of the Controlled Waste Regulations classifies as household waste from a hereditament or premises exempt from local non-domestic rating by virtue of, in England and Wales, paragraph 11 of Schedule 5 to the Local Government Finance Act 1988. In practice, this means waste from places of religious worship. Authorities with waste collection duties must collect this waste and may not charge for its collection or disposal.

Under paragraph 11(1)(b) of Schedule 5 of the Local Government Finance Act 1988, the provision in paragraph 25 above also applies to buildings used in connection with the conduct of public religious worship such as an office or church hall. However, if the church, mosque, synagogue, etc. hires out such buildings to other groups not connected with the conduct of religious worship this would be a commercial activity and any waste arising from such use would be commercial waste for which a charge for both collection and disposal can be made.

Paragraph 15 of Schedule 2 of the CWR classifies waste from premises occupied by a charity as household waste for which an authority may charge for collection (but not disposal).

However, DEFRA is aware that some authorities are charging for collection of waste from charities located in places of worship. If the activities of the charity are in connection with the conduct of public religious worship the charity would be entitled to free waste collection as well as free disposal.

In the light of this, we would suggest that any church that has problems over collection of its own waste:

- quotes this at the local authority concerned; and
- raises the matter with Municipal Waste Policy at Ergon House.

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