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The Site Waste Management Plans Regulations 2008, were repealed with effect from December 1st 2013, with the government hoping the de-regulation will save money for the businesses obligated by the law.

Under the 2008 Regulations, all construction projects in England worth over £300,000 were required to have a Site Waste Management Plan (SWMP) in place before a project could begin. These applied to all aspects of construction work including preparatory work such as demolition and excavation as well as for civil engineering and engineering projects, maintenance, alteration and decoration of existing structures.

The plan would have to include details of what kind of waste the site produces; how the waste is disposed of; a waste carrier registration number; and details of the environmental permit or exemption number of where waste from the site is being sent to.

The Way Forward

Instead, the Department for Environment, Food and Rural Affairs (Defra) is hoping that businesses will use the SWMPs on a voluntary basis as ‘flexible resource efficiency tools’, rather than as an ‘inflexible piece of legislation’.

However, some projects will still require SWMPs in order to comply with the BRE Environmental Assessment Method (BREEAM) certification which is used to assess the sustainability of buildings.

The government’s ‘Red Tape Challenge’ sets out to remove regulations ‘which are either ineffective or hold back growth and according to Defra, repealing the Site Waste Management Plan regulations ‘should provide a reduction in the regulatory burden to businesses without any significant environmental impact’.

Defra’s decision to withdraw the necessity for SWMPs followed a one month consultation on scrapping the regulations which ran for one month and concluded in July 2013.



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