

What do I need to do?

Make sure any waste that your business produces is safely stored in a suitable container. If waste is put in a bin or a skip, it needs to be closed and covered so the waste cannot escape or be interfered with. If it is put in your chosen contractor's trade bags, keep them contained and do not put them out until the time of your collection.

Whoever collects your waste, make sure they have the authority to do so. They must be registered with the Environment Agency.

If it is a one off or non-regular collection, a waste transfer note must be completed. If you have a regular waste contract collection, this will normally be found on the contract you signed with your chosen waste collector.

If you dispose of your own waste, you must keep all your receipts and tipping notes for at least two years.

Further Advice

If we found that you did not have any waste arrangements in place when we visited you today, the Enforcement Team will be re-visiting you in around 2 weeks time to inspect your waste arrangements. Please act now before it is too late. If you do not have proof of legal waste disposal/storage for your business waste during our next visit, the council may have to undertake Enforcement action.

We want to work with you to ensure your waste arrangements are legal. If you require further information regarding your trade waste please contact the Enforcement Team on 01562 732528 or visit www.wyreforestdc.gov.uk

Useful websites -

www.rightwasterightplace.com

<https://www.gov.uk/government/organisations/environment-agency>

*If you think someone is acting illegally regarding waste contact the **Environment Agency** on 0870 850 6506 or our enforcement team as above.*



Commercial Waste Duty of Care Guide

You have been visited today as a part of a programmed campaign to address and help businesses and householders fulfil their "waste duty of care". Living and working in an attractive area encourages economic growth and financial investment from which all of us can benefit. Making sure that your waste ends up in the right place is paramount in achieving this. We cannot do this without your help.

We are empowered to inspect your current waste contract and arrangements to ensure you have proper storage, sufficient space for your waste and the correct amount of collections. More importantly, we will check your current waste removal practices to ensure that you are legally dealing with your trade waste.

If you do not have proof of legal waste disposal/storage for your business waste, please act now. If you are found without a legal means of waste disposal you may be issued with a Fixed Penalty Notice of up to £300 or you may be prosecuted and fined a much higher amount in court. Please be aware we can also require sight of documents relating to your waste disposal going back 2 years.

It is in all our interests to ensure the district that we live and work in is safe, clean and looks good for all. We are taking firm but fair enforcement action on those that are causing a detriment to the environment. We hope that this guide will assist you in managing your business waste legally.



Are you disposing of your waste legally?

If you operate any form of business, you have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business. If you do not, you could be taken to court as you may be committing a criminal offence.

The law also applies to anyone working from home such as garden clearances, packing, delivering, crèche or child minding, small businesses, offices, hairdressers, sun bed shops, second hand shops to name but a few. Please note that your business rates do not include the cost of your business waste disposal.

You are committing offences and can be prosecuted if you give your waste to anyone who is not licensed to carry and dispose of controlled waste.

What is waste?

Any material or item which you or your business have no further use for and wish to be removed. It might be capable of repair or re-use, but you are discarding it.

Materials might include the following:

- Food/kitchen waste – such as cans, cartons and food
- Computer waste – such as computer monitors and other electrical goods
- Hazardous wastes – such as batteries and acid
- Construction waste – such as wood and plasterboard
- Office waste – such as paper and spent toner and printer cartridges
- Production waste – off specification raw materials, scrap metals, packaging

How to legally dispose of your waste.

Option 1 – Dispose of your own waste at a registered waste transfer station.

You must be able to provide documents called 'Waste Transfer Notes' or provide some form of receipts showing:-

- Where you disposed of the waste (tip location)
- How much of it there was (weight)
- When it was tipped (date) and what waste was tipped (type)
- You may be able to take it to one of the Council's Transfer Stations however; you are advised to contact them prior to visit to obtain a permit of which you may be charged

Option 2 – Have someone else collect and dispose of it for you

- They must be 'licensed waste carriers'
- You must have filled in a contract commonly known as a 'Duty of Care' with your chosen contractor.
- You must check with the Environment Agency that your contractor is licensed. Alternatively you can contact Wyre Forest District Council to arrange a Trade Waste Contract.

Does the 'Duty of Care' apply to me?

It applies to anyone who produces, stores, transports, treats and disposes of waste.

Question 'But my business does not produce any waste, surely this doesn't apply to us?'

Answer It is highly likely that your business does produce waste as this can include but is not limited to:

- Junk mail and discarded post you may get
- Food waste and packaging from your staff if eaten on the business premises
- Damaged or scrapped items
- Floor sweepings
- Used cleaning materials
- Waste in your litter bin

These are all classed as business or commercial waste and it is an offence to take it home and place it in your domestic bin, to take it to a household waste recycling centre or to dispose of it any other way except in accordance with the Section 33 of the Environmental Protection Act 1990. You can recycle a lot of commercial waste, all of which needs to be legally documented with your chosen contractor.