

A few facts

- Trade waste is your responsibility until it reaches its final destination.
- It is your responsibility to keep it tidy and secure, and to stop it escaping from your control and polluting the environment.
- If, for whatever reason, your waste does escape from your control, you as the producer are responsible for the clean up of your waste spillage.
- Common problems are bin lids left open or unlocked, bins or bags of waste damaged or spilling over and loose waste being left on the ground.

If you require more information or advice on Trade Waste disposal, please ring the Council's Customer Service Unit on 0845 300 6091.

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Please help us to keep it that way.**

Commercial Waste and your Duty of Care Environmental Protection Act 1990

Does your commercial waste storage area look like this?



If so, you are breaking the law and may well be prosecuted in the near future for offences under the Environmental Protection Act 1990.

Section 34 of the Environmental Protection Act places a "Duty of Care" on all commercial waste producers to manage and dispose of their waste legally, especially those businesses who allow their waste to escape from their control (as seen above)

Section 33 of the Act relates to the illegal deposits of waste on land without authority, which is commonly known as "fly tipping". The maximum fine for fly tipping is £50,000 and up to 5 years imprisonment.

Your waste is your responsibility

The main misconception is that once trade waste has been put out by a business in either bags or commercial bins, the waste is no longer their problem. This is incorrect, the waste belongs to you the producer, until it is finally disposed of.

Common problems are bin lids found open or unlocked, bins or bags of waste found damaged or spilling over and loose waste being left on the ground. This is usually due to the contractor failing to collect your waste or your own staff not putting waste in the bins properly.

“It was our cleaners or a new member of staff that put the waste out and they didn’t know”

This type of excuse is often used but it is still your responsibility to ensure your employees know what to do with your waste. It certainly won't be the cleaner going to court.

The main reason businesses are taken to court is due to offences committed by their own staff or their own mismanagement. Employees knowing the basic rules and procedures for business waste can have easily avoided this.

Make sure your staff are fully trained on your own waste disposal and waste management arrangements. If they deal with waste, they should know what to do with it and where it goes.

“We share a yard” or “our rubbish was ok when we put it out”

Businesses are responsible for their own waste at all times and must keep the waste tidy and secure. Check your arrangements regularly including the place where your waste is stored, especially if it is out of sight. Keep waste receptacles secure and look out for those people that make profit from the contents of waste or who may be looking for private and useful information about you.

Lock bins at all times. Please don't ignore the bin with the dodgy wheel, the burnt out lid or the bin with the lock missing. You pay for a service that best suits and meets your needs.

Bagged Waste – Prepaid trade waste bags

Pre paid bags are available from a number of licensed waste companies ranging from £1 per bag and they are useful if you do not have room to store a bin on your own land. If your contractor fails to collect your bagged waste within a reasonable period of time (no more than a few hours), do not allow it to remain uncollected on the street - take it back inside your premises. Bags left on the highway can split and lead to significant littering or rodent problems.



It also offers an opportunity to persons who may illegally try to find personal information within the waste for the purpose of committing theft or fraudulent acts. You must put waste out only on the days you have agreed with your waste contractor.

Trade Waste Bins

If you have trade waste bins and your contractor has not emptied them, as they should, contact them at once and get them to attend as a matter of urgency. Do not under any circumstances continue to over fill the bins so that the lids cannot be shut and do not place waste on the public highway or in other people's bins.



The law says that as a producer of waste, you must store your waste safely and securely and must stop it escaping from your control. You must prevent it causing pollution or harming anyone. It is an offence to throw down, drop or otherwise deposit anything, which may cause, contribute to or lead to the defacement by litter of an area.

Why it is in your interest to manage your waste

- Poor waste management encourages vermin, which could discourage customers and possibly lead to prosecution under the Environmental Health Act if you supply food.
- Unsecured waste makes it easy for those people that make a profit from the contents of waste, or may be looking for private and useful information about you, your business or your customers. Lock your bin at all times.
- If you are employed as a manager, a prosecution could damage your job prospects.
- Prosecution will cost your company money, damage your reputation and lose you customers.
- Poor waste management encourages vandalism and arson with the potential for damage to your property.