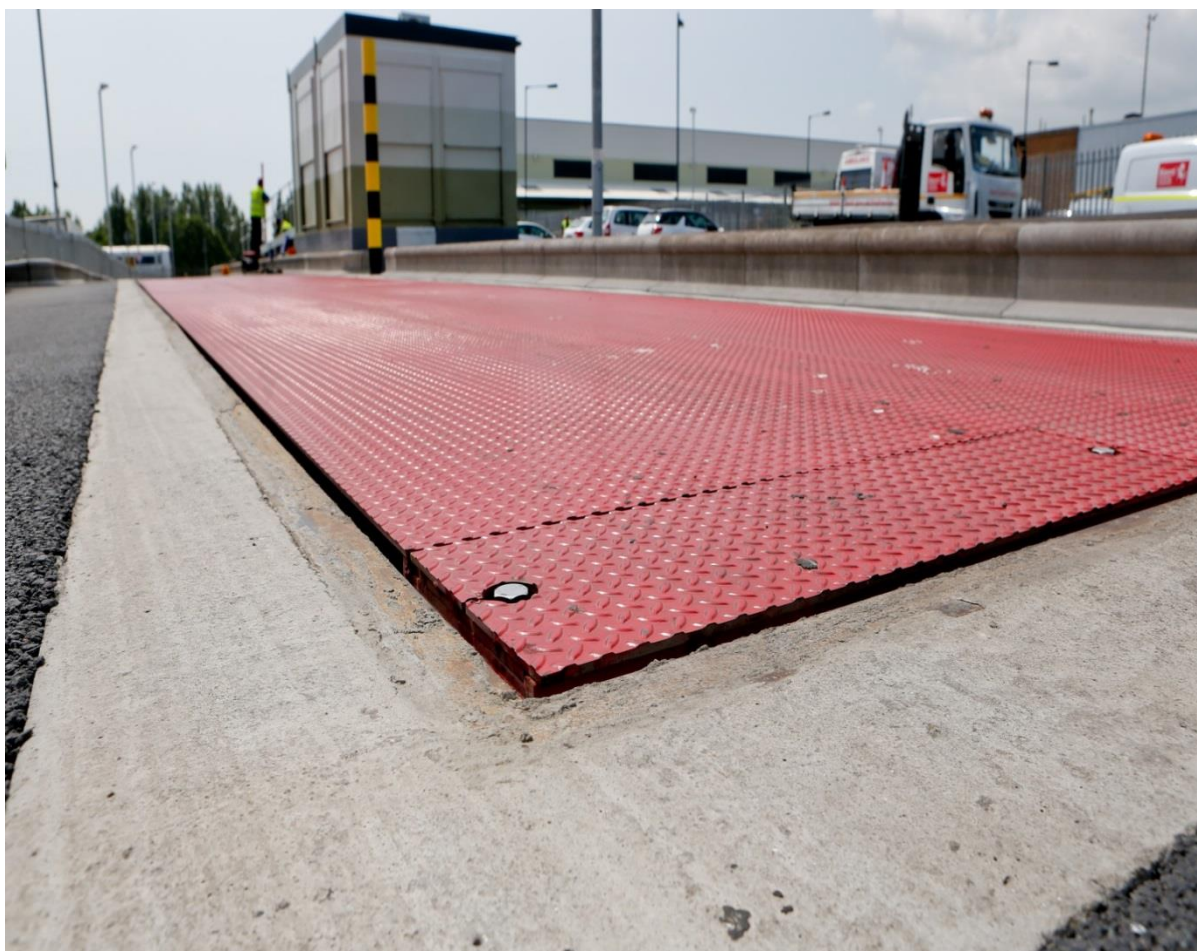


Kent County Council

Waste Management

Business Waste Guide

Advice and guidance on how to deal with business waste in Kent for waste carriers, businesses and householders.



If you are a Parish Council, Town Council, Community Group or volunteer, please refer to the Responsibility for Waste Guidance Document.

August 2018



This document can be made available in other formats or languages.

To request this, please email alternativeformats@kent.gov.uk or telephone 03000 421553 (text relay service 18001 03000 421553). This number goes to an answer machine, which is monitored during office hours.

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Introduction

What is Business Waste?

Business Waste is a type of 'controlled waste'. How controlled wastes are managed is governed by legislation and if you store, handle, transport or dispose of this waste you must meet specific legal requirements.

It is essential that businesses do the right thing with their waste. Whilst most businesses do manage their waste correctly, we want to ensure that all businesses understand their legal responsibilities.

This guide has been put together to help anyone handling business waste within Kent understand how to do the right thing with their waste, and manage it within the law. It also provides advice and guidance to residents who have non-household waste to dispose of or are employing businesses and individuals to dispose of waste on their behalf.

There is a useful 'Contacts' page at the back of this guide with details of where you can go for further advice or help with your waste disposal.

Please note that whilst every effort has been made to ensure that all the information within this guide is correct at the time of publishing, some details may change over time. Kent County Council will continue to update this guide as appropriate. This Guide replaces the previous 'Kent Waste Business Guide'.

Staying within the law

All businesses have a duty to ensure that any waste they produce is handled safely and within the law.

The Duty of Care

The Duty of Care legislation makes provision for the safe management of waste to protect human health and the environment and is issued under section 34 of the Environmental Protection Act, 1990.

This Act applies to businesses that import, produce, carry, keep, treat, dispose of or, as a dealer or broker have control of, certain waste in England or Wales.

The duty of care requirements apply to controlled waste which includes household, industrial and commercial waste.

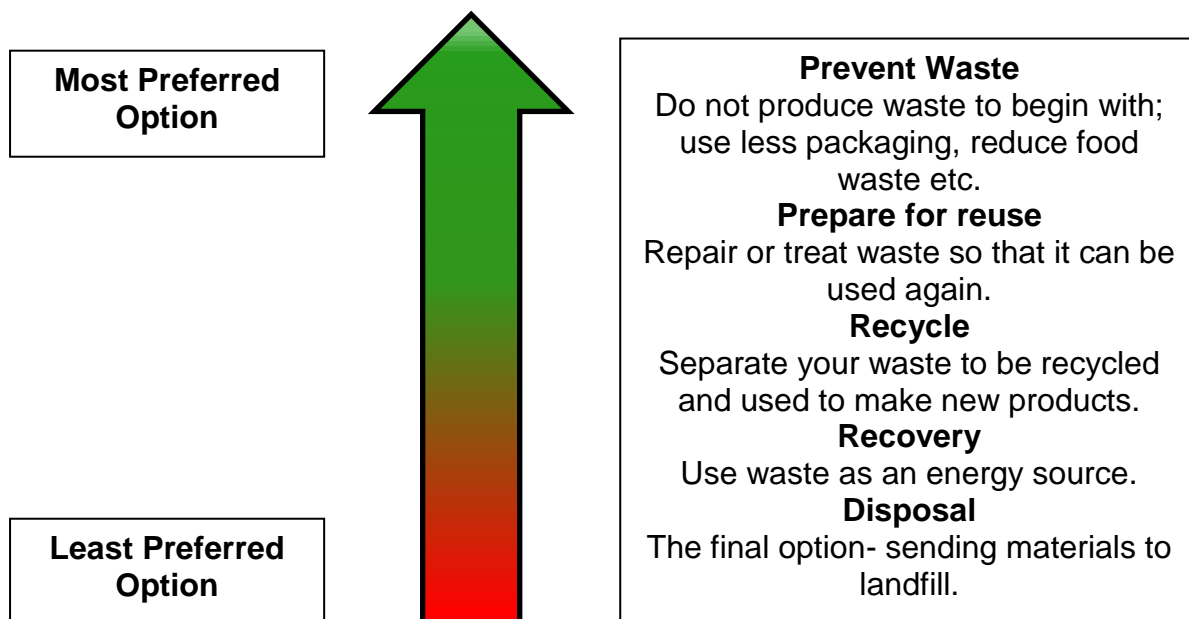
- All **businesses** have a duty to ensure that any waste they produce is handled safely and within the law.
- If you are a **waste disposal company or a waste carrier**, you have a duty to ensure that you are registered and have the correct environmental permits.
- As a **customer**, you should check whether a person or business is authorised to take waste before you transfer your waste to them.

Waste Regulations 2011

The revised waste regulations 2011, require all businesses to apply the waste hierarchy to the way they manage their waste.

This model ranks waste management options in line with what is best for the environment. This means that priority should be given to preventing waste in the first place. Once waste has been created the first option to explore is any opportunity for reuse, then recycling followed by recovery.

Disposal should always be the final option.



Environmental Crime

It is an offence to dispose of business or commercially generated waste at a KCC Household Waste Recycling Centre. KCC investigates any such incidents of misuse.

KCC, Kent district and borough councils along with a number of other agencies, take environmental crime very seriously and will seek prosecution in instances where businesses are found to be disposing of waste illegally. This includes where controlled waste is fly tipped.

Fly tipping is a criminal offence punishable by an unlimited fine or up to 12 months imprisonment if convicted in a Magistrates' Court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court.

Similarly, if you have been operating in breach of the 'Duty of Care' Act you could face an unlimited fine.

Household Waste Recycling Centres and Waste Transfer Stations

It is illegal to dispose of business waste at the Household Waste Recycling Centres (HWRCs).

These facilities are provided for residents for the disposal of household waste only.

Kent County Council has 5 Waste Transfer Stations, co-located with a HWRC, where businesses and residents can take business waste for disposal. These are;

- Dover Waste Transfer Station, Dover
- Dunbrik Waste Transfer Station, Sevenoaks
- Sittingbourne Waste Transfer Station, Sittingbourne
- North Farm Waste Transfer Station, Tunbridge Wells
- Pepperhill Waste Transfer Station, Southfleet, Gravesham

There is charge for this service. Each of the Waste Transfer Stations is operated by a third party contractor who are responsible for setting their own costs which is based on the amount (weight) of waste you are disposing of.

Some WTS have restrictions on who can dispose of business waste at their site. Customers are encouraged to check these and their charges before they go. Details of how to contact the WTS and their opening hours can be found in the 'Contacts' section on page17.

Waste Transfer Notes

A Waste Transfer Note (WTN) tells people who handle waste what they are dealing with. This allows them to manage it safely and dispose of it properly.

A WTN is required for every piece of waste that leaves a site. There are 4 sections on a WTN and they should contain the following information;

Section A

- A description of the waste including type, quantity, waste codes¹ and how it has been contained.

Section B

- The details of the source of the waste/ business producing it or the waste carrier, including the SIC code², if they are passing the waste on. (The 'transferor'),
- Confirmation that the waste hierarchy has been applied for said waste.

Section C

- The details of the person/ organisation collecting the waste (the 'transferee')
- Includes the registration details of the waste carrier.

Section D

- The location of the transfer of the waste including where a broker or a dealer was used.

A WTN is available on the Environment Agency's website alongside the Duty of Care information.

As a business, you must create a transfer note for each load of waste which leaves your site.

If you are passing your waste onto a licensed waste carrier you will not need to complete section 4. The waste carrier will complete this when the waste is passed on.

If you are a waste disposal company or a waste carrier you have a duty to ensure that you are registered and have the correct environmental permits. These can be obtained from the Environment Agency.

¹ For full guidance please see;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427077/LIT_10121.pdf

² For full guidance please see;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/455263/SIC_codes_V2.pdf

Advice for Waste Carriers

Any business transporting waste, whether their own or someone else's, either for free of charge or to make a profit, must now register as a waste carrier with the Environment Agency in England.

There are two types of registration available, depending on your business.

If you carry waste on a professional basis or carry building or demolition waste that you have generated yourself, you are classed as an upper tier carrier and will appear on the Agency Public Register.

Examples of Upper Tier include:

- Waste Management companies.
- Builders carrying rubble or wood offcuts

If you carry your own waste (other than building and demolition) waste on a 'normal and regular basis', you are classed as a lower tier carrier.

Examples of Lower Tier registrations might be:

- Businesses that collect confidential waste from their different locations to centralise at Head Office.
- Solicitors that take their waste paper to a paper merchant once a month.
- Charities collecting printer cartridges.

This means that regardless of the type of business you operate, if you carry waste on more than just the occasional trip to a disposal site, you must be registered.

You can find out more about registering to become a waste carrier and apply online at GOV.UK.

REMEMBER

If you are found to be operating without a waste carriers licence, you could face a fine of up to £5000.

Advice for Businesses

The Waste Hierarchy

Businesses are now legally required to show they are taking measures to apply the waste hierarchy to manage their waste. The waste hierarchy shows the order in which options for managing this waste should be managed, with preference given to those that have the least impacts on the environment. See Page 6.

Disposal of your Business waste

Under The Duty of Care (Page 5), a business that produces waste (anything from general rubbish to something specific to a business's operations) must make sure it is dealt with lawfully. If something goes wrong, the business could be held responsible, if the correct checks have not been made.

Right waste, Right place is a website which has been created to advise businesses on how they can meet their obligations under the Duty of Care. Please see 'Contacts' page for details.

In addition to the business rates you pay, businesses must make their own arrangements for the collection of any waste they produce.

Waste Transfer Stations

Businesses are able to take some types of waste for disposal to one of 4 Waste Transfer Stations around the County. Please see page 17.

Business Waste Collections

In some instances, your local District or Borough Council will provide this service for a charge. Business waste services are offered by **Gravesham, Maidstone and Sevenoaks Councils**. Please see details in the 'Contacts' section on page 17. Alternatively, these services are provided through private contractors. Where this is the case, advice can still be sought via your local district or borough council.

You should always ask to see permits, licences and exemptions from your waste carrier and ensure a waste transfer note (WTN) is completed when the waste is passed on. (See Page 8). If you are passing your waste onto a licensed waste carrier you will not need to complete section D of the WTN.

You can use a season ticket WTN if the waste types and transfer details are the same. These are valid for up to 12 months.

Your waste carrier should be able to help you with this.

There are a number of solutions to manage business waste more efficiently and effectively, which may save you money and help to reduce your carbon footprint. You can find guidance on how you can apply the waste hierarchy to waste management in your business by visiting the DEFRA website.

REMEMBER

As a business, you have a legal responsibility to make sure:

- That your waste is kept secure until it's collected.
- You choose a licensed waste carrier to collect your waste
- You keep records to prove you have been operating legally.

If you fail to meet these responsibilities, you could face a fine or court appearance.

Advice for Householders

As a Kent resident, it is important that you dispose of your waste responsibly. Household waste can be taken to one of Kent's 18 Household Waste Recycling Centres (HWRCs); however, non-household waste will need to be disposed of by other means.

Household Waste Recycling Centre (HWRC) material limits

The HWRC's are provided for residents to dispose of their household waste only. Residents can dispose of small amounts of certain types of waste, which in larger quantities are considered to be business waste and are not accepted, or will be accepted for a small charge.

This includes; Asbestos, Tyres and soil, rubble and hardcore.

Asbestos

Waste asbestos is accepted at all household waste recycling centres in Kent with the exception of the Sheerness HWRC.

You must call before you visit to check there's room for your asbestos. Information can be found in the Contacts section on page 17. Further information with regards to how to safely prepare your asbestos for disposal can be found on www.kent.gov.uk.

Residents can dispose of 5 sacks (or equivalent) of asbestos per month.

For large quantities, or if you need someone to collect the asbestos, contact the Asbestos Removal Contractors Association (Contacts- Pg 17) for a company near you.

Tyres

If you are looking to dispose of tyres, all HWRCs can accept 2 per visit and there will be a £5 charge.

The charge cover the cost of the tyres disposal. You are only able to dispose of car and motorcycle tyres. Commercial tyres will not be accepted.

Further information on this and ways to pay can be found at www.kent.gov.uk.

Soil, rubble and hardcore

The HWRCs can accept 90kg (190lbs) per day of soil, rubble and hardcore waste (about what you can fit in a standard hatchback car boot). This is the equivalent to about 33 bricks.

Construction waste is accepted at HWRCs in small amounts however if you are undertaking a large project at home or in your garden the amount of waste produced is not considered to be household and you will need to make alternative arrangements for its disposal.

One option may be to visit one of the County's Waste Transfer Stations and pay for the disposal of the waste. Please see page 7 for more details.

Please see below for guidance on what to do if you are planning on hiring someone to dispose of your waste.

Bulky Waste

If you have large items such as furniture that you want to get rid of which do not fit into your car, there are a number of options available to you;

- Consider whether the item can be donated to a furniture or re-use project- Information on some of these can be found in the Contacts section of this guide on page 17.
- Consider whether or not the item could be sold via an online site such as eBay or Gumtree.
- Investigate the possibility of giving any reusable items away on a website such as Freecycle or other local re-use sites.
- Break the items down, where possible, to fit it into your vehicle.
- Arrange a bulky waste collection with your local district or borough council. Please note there may be a charge for this service.
- If you have several items- hire a skip or removal company to take the items away. Please see below for further details on how to do this responsibly.

Please note: Vans, commercial vehicles including hire vans and vehicles over 2 metres in height are not allowed into the HWRCs. Private vehicles over 2 meters can access site if they have been approved HWRC vouchers. This is restricted to

motorhomes/caravans and disability adapted vehicles. More information can be found at; www.kent.gov.uk.

Paying someone to take your waste away

If you are undertaking a large project at home that will mean you are producing a lot of waste e.g. rubble, large tree cuttings or general construction waste you may want to hire a skip or pay a company or contractor to come and take your waste away. The same would apply if you are moving house or having a clear out.

Finding a registered waste carrier

There are a number of places you can look to find a suitable company to take your waste away;

- Visit the Kent Check a Trade website for registered local trades people (See Contacts).
- Using Internet search engines such as Google to find local companies.
- Looking at Business Directories such as Yell.com
- Looking at your local/ Parish Council newsletter or local free magazines, such as the Net, which lists trades people in your area.

Never hand your waste over to a company for disposal without making the proper checks. You never know where your waste may end up.

There are a number of things that you should consider to make sure you are not using a rogue trader and your waste is being managed within the law.

1. Ask for their waste carrier registration number.
2. Check the number online with the Environment Agency or give them a call (See Contacts. Pg. 17)
3. Keep a note of all the information you receive from the waste collector or trades people.

If they're not registered don't use them and inform Trading Standards of the rogue trader immediately. See 'Contacts', page 17.

REMEMBER

If you have any of your rubbish removed and it ends up being flytipped, you could be held responsible and fined. By following the simple steps above, you can protect yourself from this.

It is an offence to dispose of business or commercially generated waste at a Kent County Council (KCC) Household Waste Recycling Centre. KCC investigates any such incidents of misuse.

Householders are able to take some types of waste for disposal to one of the county's Waste Transfer Station. There will be a charge for this service. Please see page 7.

Hazardous Waste

Some types of waste which are considered harmful to people or the Environment, are classified as hazardous waste.

It is not always easy to identify which items are classed as hazardous. Some items will be marked with a star in the European Waste Catalogue (EWC), for others you may need to check with the Environment Agency. Examples of hazardous waste include;

- Asbestos
- Chemicals
- Some clinical wastes

There is very strict regulation in place for how to deal with hazardous waste and if you are handling or managing these materials you will have to comply with these regulations.

Disposal of these waste types will need to be arranged through specialist collections or taken to a hazardous landfill site. For a list of contractors in your area, please contact the Environment Agency.

Please note: If your business produces more than 500kg of hazardous waste a year you must register with the Environment Agency.

The Landfill Directive 2007

The Landfill Directive has provided regulations that mean some waste types cannot be sent to landfill; tyres, infectious clinical wastes, corrosives or explosives or liquid waste.

If these types of waste are produced by your business, it must be pre-treated before it can go to landfill. This pre-treatment regulation was introduced in 2007 and means that it is the responsibility of your business to ensure the waste produced is treated before it is sent to landfill.

The Environment Agency can offer further guidance on this.

Contacts

Kent County Council- Waste Management

To check whether or not there is room for your asbestos at the HWRC please call the number below.

<http://www.kent.gov.uk/waste-planning-and-land/rubbish-and-recycling/i-want-to-get-rid-of>

Telephone: 03000 41 73 73

The Environment Agency

The Environment Agency (EA) is the regulatory body responsible for the protection and the improvement of the environment. The EA website provides a searchable database of licensed waste carriers and in addition offers information about waste legislation. The Environment Agency can deal with enquiries about licensing and the duty of care regulations.

www.environment-agency.gov.uk

Telephone: 03708 506506

The Duty of Care

www.gov.uk/government/publications/waste-duty-of-care-code-of-practice

Right Waste, Right place

Offering practical advice with meeting your Duty of Care obligations under Section 34 of the Environment Protection Act 1990[1]

www.rightwasterightplace.com

Department of Environment, Food and Rural Affairs (DEFRA)

DEFRA is the UK government department responsible for policy and regulations on the environment, food and rural affairs. They are responsible for setting waste and recycling policy and regulations within the UK.

They are able to offer advice to households, businesses and other organisations and households on becoming more resource efficient. www.defra.gov.uk

Check a Trade- Kent

Kent County Council Trading Standards and Check a trade are working in partnership to provide a recommended trader scheme to help Kent consumers choose a trader they can trust and rely upon.

www.checkatrade.com/kent/

Trading Standards

Telephone: 03454 04 05 06

Waste Transfer Stations

Dover Waste Transfer Station

Honeywood Road, White Cliffs Business Park. CT16 3EH

Opening times:

Monday to Friday, 7am - 5pm

Saturday and Sunday - closed

Telephone: 01304 802800.

Pepperhill Waste Transfer Station

Station Road, Southfleet, DA13 9PA

Trade Customers need to apply and be accepted to the trade disposal scheme for the site. There will be a limit to the number of memberships available, however this will be reviewed on a regular basis by the partnership.

Telephone: For more information and to request an Application Pack is 01474 543320.

Sevenoaks (Dunbrik) Waste Transfer Station

Main Road, Sundridge TN14 6EP.

Opening times:

Monday to Friday, 7am - 4:30pm

Saturday, 7am - 1pm

Sunday - closed

Telephone: 01959 561825.

Sittingbourne Waste Transfer Station

Church Marshes Transfer Station, Gas Road, Milton ME10 2QD.

Opening times:

Monday to Friday, 6:30am - 5pm

Saturday, 6:30am - 4pm

Sunday, 9am - 4pm

Telephone: 01795 425058.

Tunbridge Wells (North Farm) Waste Transfer Station

North Farm Transfer Station, Longfield Road, North Farm Industrial Estate TN2 3EE.

See a map of the Tunbridge Wells transfer station.

Opening times:

Monday to Friday, 7am - 4:30pm

Saturday, 7am - 1pm

Sunday - closed

Telephone: 01892 530262.

Asbestos removal Contractors Association

www.arca.org.uk

Telephone: 01283 566467

Furniture Reuse Projects

Furniture projects can repair and re-use unwanted items:

- Necessary Furniture (covers Canterbury and surrounding area) - 01227 712680
- St Martins Emmaus (covers Dover and Folkestone areas) - 01304 204550
- YMCA (covers Tonbridge, Tunbridge Wells and Sevenoaks areas) - 01732 361108 / 01892 615612
- British Heart Foundation (covers most of Kent) - 0844 412 5000
- Pilgrims Hospice (covers all east Kent and as far as Tenterden) - 01227 640001

Visit the Furniture Reuse Network website- www.frn.org.uk

Business Waste Services (Districts)

Gravesham

Gravesham Borough Council provides a waste collection service for all business sizes across the borough.

Telephone: 01474 337000

Email: tradewaste@gravesham.gov.uk

Maidstone

Maidstone Borough Commercial Waste Solutions

Offer waste and recycling collections regardless of size or industry, with collections available across the borough.

Telephone: 01622 602666

Email: commercialwastesolutions@maidstone.gov.uk

Sevenoaks

Providing a commercial collection service for businesses, both within and outside the Sevenoaks District.

They also offer a business waste paper and cardboard recycling collection service.

Telephone: 01732 227453

Email: direct.services@sevenoaks.gov.uk

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Kent County Council Waste Management