

Enfield Council

London Borough of Enfield Waste Receptacle Regulations 2015

April 2015

LONDON BOROUGH OF ENFIELD
WASTE RECEPTACLE REGULATIONS 2014
MADE UNDER SECTIONS 20 AND 22 OF
THE LONDON LOCAL AUTHORITIES ACT 2007

INTERPRETATION

1. In these Regulations: -

- (a) "The Council" means the London Borough of Enfield
- (b) "The Act" means the Environmental Protection Act 1990.
- (c) "Waste", "Commercial Waste", "Industrial Waste" and "Hazardous Waste" have the meanings given to them by section 75 of the Act.
- (d) "The 2012 Regulations" means the Controlled Waste (England and Wales) Regulations 2012.
- (e) "Household Waste" has the meaning given to it by section 75 of the Act but excluding waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations.
- (f) "Trade Waste" means any Commercial or Industrial Waste or waste listed in paragraph 3 of Schedule 1 of The 2012 Regulations.
- (g) "Notice" means a notice issued under section 46 of the Act for household waste and waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations or issued under section 47 of the Act for commercial and industrial waste.
- (h) "Clinical Waste" has the meaning given to it by the The 2012 Regulations.
- (i) "Clinical Trade Waste" means clinical waste and offensive waste as specified in the table at Schedule 1, Paragraph 3, Point 12 of The 2012 Regulations and other than household waste.
- (j) "Clinical Household Waste" means Clinical Waste and Offensive waste produced at domestic property, a residential home, a caravan or a vehicle or vessel used wholly for the purposes of living accommodation which is to be treated as household waste, except that where such a vehicle or vessel is used in the course of a business for the provision of self-catering accommodation, such waste is to be treated as commercial waste and "Offensive Waste" has the meaning given to it by The 2012 Regulations

- (k) “Recyclate” means any waste segregated from household waste or trade waste receptacles and sent for treatment other than disposal by land filling or incineration.
- (l) “Blue Commingled Recyclate” means all or any of:
 - (i) clean paper;
 - (ii) clean cardboard;
 - (iii) metal containers for food or drink;
 - (iv) glass containers for food or drink;
 - (v) plastic bottles; and
 - (vi) cartons for food or drink.
- (m) “Organic Waste” means flowers, plants, shrubs, branches and other vegetation suitable for composting and food waste which is household waste. It excludes all soil, stones, rubble and also branches over 7 centimetres diameter.
- (n) “Bulky Waste” means household waste as defined in the table at Schedule 1, Paragraph 4, points 1 or 2 or 4 or 7 of The 2012 Regulations. That is to say:
 - (i) any article which exceeds 25 kilograms in weight;
 - (ii) Any article of waste which does not fit or cannot be fitted into—
 - (a) a receptacle for household waste provided in accordance with section 46 of the Act; or
 - (b) where no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length
 - (iii) dead domestic pets; and
 - (iv) waste which may not be put into a receptacle provided under section 46 of the Act because of a notice served under that section
- (o) “General Refuse” means household waste or trade waste other than separately stored clinical waste, recyclate, organic waste or bulky waste.
- (p) “Receptacle” has the meaning given to it by section 46 of the Act for household waste, and Schedule 1, Paragraph 4 of The 2012 Regulations, or section 47 of the Act, for commercial and industrial waste.

- (q) "British Standard" or "BS" means a standard for the United Kingdom set by BSI British Standards.
- (r) "European Standard" or "EN" means a standard for the European Community set by the European Committee for Standardization (CEN).
- (s) "Wheeled Bin" means a receptacle constructed in accordance with BS EN 840-1:2004 of capacity up to four hundred litres.
- (t) "Eurobin" means a metal receptacle constructed in accordance with BS EN 840-2:2004 of capacity over four hundred litres and under thirteen hundred litres.
- (u) "Bulk Bins" means eurobins and/or paladins and will be referred to by the waste being collected Bulk Bin General Refuse or Bulk Bin for Blue commingled recyclate
- (v) "Waste Sack" shall mean a plastic sack made in accordance with BS EN 13592:2003.
- (w) "Clinical Waste Sack" and "Sharpe's Box" shall mean any waste sack or box of yellow base colour.
- (x) "Blue Sack" shall mean a waste sack of blue base colour provided by the Council for Blue commingled recyclate.
- (y) "Collection Point" shall mean any agreed point where waste is placed by the originator for collection by the Council or a waste carrier.
- (z) "Storage Point" shall mean any other point where waste is stored prior to placement at the collection point.
- (aa) "Street" has the meaning given to it by section 343 of the Public Health Act 1936.
- (bb) "Public highway" means any street maintainable at the public expense for the purposes of the Highways Act 1980.

KIND AND NUMBERS OF RECEPTACLES FOR HOUSEHOLD WASTE

- 1.** The council will provide/hire occupiers of premises producing Household Waste sufficient and suitable Bulk Bins, Wheeled Bins or Waste Sacks to contain the expected arising's of Household Waste or household Recyclate from their premises.
- 2.** Where the occupiers of premises producing Household Waste do not jointly provide suitable Bulk Bins for General Refuse the occupiers may provide either Wheeled Bins or Waste Sacks for this General Refuse. Any Waste Sacks from such premises shall have a base colour of grey and have a maximum capacity of 70 litres.
- 3.** Where the occupiers of premises producing Household Waste do not jointly provide suitable Bulk Bins for recycling the Council will provide Blue Sacks for Blue Comingled Recyclate free of any charge. The occupiers of such premises shall only use Blue Sacks for storage of commingled Recyclate prior to collection.
- 4.** Where the occupiers of domestic premises jointly provide suitable Bulk Bins for General Refuse the minimum capacity to be provided shall be 140 litres for each premise. Such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents.
- 5.** The occupiers of premises producing Organic Waste, where space permits, will be provided with a 140 litres or 240 litres wheeled Bin free of any charge to contain only food waste and garden waste.
- 6.** For the purposes of these Regulations where Bulk Bins are provided to domestic premises by a managing agent, landlord or other such person, then they will be treated as having been jointly provided by the occupiers.
- 7.** A Household Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
- 8.** Household Waste receptacles shall be maintained by the occupiers of the relevant premises in a reasonable state for storage of waste without sharp edges or holes and with all handles.
- 9.** All receptacles to be collected by the Council should be hired or provided by the Council or sourced privately to the agreed BS EN 840 standard.

KIND AND NUMBERS OF RECEPTACLES FOR TRADE WASTE

- 10.** The occupiers of premises producing Trade Waste shall provide sufficient and suitable receptacles to contain the expected arising of Trade Waste from their premises.
- 11.** A Trade Waste receptacle shall be maintained in a good, sound and safe condition without sharp edges or holes and with all handles.
- 12.** A Trade Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
- 13.** Receptacles for Trade Waste must be constructed to BS EN 840 standard.
- 14.** Where cardboard and paper is separated from other items this can be placed in the cardboard Bulk Bin, Wheeled Bin, Sticker or Sack that has been provided for Trade Waste recycling purposes by the council

PLACING OF RECEPTACLES FOR HOUSEHOLD WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

- 15.** Where premises producing Household Waste have an accessible front garden or area at or near Street level wheelie bins can be stored there, the occupier shall place General Refuse, commingled Recyclates and Organic Waste Wheelie Bins at a Collection Point in that garden or area for collection. In all cases the Collection Point must be readily visible from an entrance from the Street and be readily and safely accessible to the collectors.
- 16.** Where premises producing Household Waste do not have a readily and safely accessible front garden, area at or near street level then the occupier shall place sacks provided by the Council for collection on the Street at a Collection Point immediately adjacent to the front door or gate of the premises.
- 17.** Blue Sacks of commingled Recyclates from premises producing Household Waste shall be placed at a Collection Point adjacent to, but not mixed with, the General Refuse from those premises.
- 18.** Unless otherwise agreed by the Council when a request for collection is made, Bulky Waste from premises producing Household Waste shall be placed for collection either on

the Street immediately adjacent to the front door or gate of the premises or visible and readily accessible within the front door or gate.

19. The occupier of any premises producing Household Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Household Waste or Hazardous Household waste. Such points shall be kept secure at all times with no access for the general public.

20. Storage and Collection Points provided for Clinical Household Waste or for Hazardous Household Waste shall be separate from Storage or Collection points for any other waste.

21. Where General Refuse from domestic premises is stored in Bulk Bins or comingled Recyclate is stored in Bulk Bins, these receptacles shall be presented for collection at a point which is reasonably accessible to the Council other than on a Public Highway.

PLACING OF RECEPTACLES FOR TRADE WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

22. The occupier of any premises producing Trade Waste shall provide suitable Storage Points within those premises for all Trade Waste originating from those premises. The Storage Point for such waste shall not be on any Street.

23. The Collection Point for General Refuse or Recyclate from premises producing Trade Waste which is stored in Bulk Bins, Wheelie Bins or Waste Sacks should be on the Street immediately adjacent to a Street entrance to the originating premises on the day of collection.

24. The occupier of any premises producing Trade Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Trade Waste or Hazardous Trade Waste. Such points shall be kept secure at all times with no access for the general public.

25. Storage and Collection Points provided for Clinical Trade Waste or for Hazardous Trade Waste shall be separate from Storage or Collection points for any other waste.

THE SUBSTANCES OR ARTICLES WHICH MAY OR MAY NOT BE PUT INTO RECEPTACLES

26. No more than 6kg of Household Waste shall be placed in any Waste Sack.

- 27.** No more than 6kg of household commingled Recyclate shall be placed in any Blue Sack.
- 28.** Waste Sacks with a base colour of grey shall only be used for the storage of Household Waste prior to its collection by the Council acting in pursuance of the Council's duties under section 45 of the Act.
- 29.** The occupier of any premises provided with Bulk Bins for the storage of Household Waste shall place all General Refuse in the Bulk Bins for collection. This shall include any General Refuse, whether in Waste Sacks or not, at that Collection Point.
- 30.** Waste Sacks with a base colour of blue shall only be used for the storage of comingled Recyclate prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 45 of the Act.
- 31.** The occupier of any premises provided with Bulk Bins for the storage of comingled Recyclate shall place all Blue Commingled Recyclate in the agreed Bulk Bins for collection. This shall include any Blue Commingled Recyclate whether in Blue Sacks or not, at that Collection Point.
- 32.** Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
- 33.** The occupier of any premises producing Household Waste shall not use Waste Sacks with a base colour of black, yellow or blue for the storage of any waste other than as specified in Regulations 30 and 32. .
- 34.** The occupiers of premises producing Trade Waste shall not use Waste Sacks with a base colour of black, yellow, grey or blue for the storage of Trade Waste unless clearly identifying the company collecting the Waste Sacks, if the Storage Point or Collection Point for such sacks is:
- (a) on any Street or open area off a street; or
 - (b) in the same room or area as any sacks used for Household Waste or Trade Waste which the Council has a duty to collect under section 45 of the Act.
- 35.** Occupiers of premises producing Household Waste or Trade Waste may use sacks which are not Waste Sacks for any purpose provided that such sacks are not placed at any Storage or Collection Point for Household Waste or Trade Waste other than within suitable and appropriate receptacles.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF HOUSEHOLD WASTE FROM RECEPTACLES

36. All collection points for household waste shall be reasonably accessible to the Council.

37. Where General Refuse, Recyclate or Organic Waste from premises producing Household Waste is stored in Wheelie Bins, that Collection Point shall be considered reasonably accessible unless the Council issues a Notice to require a different Collection Point.

38. Where General Refuse or commingled Recyclate from premises producing Household Waste is stored in Council provided sacks, that Collection Point shall be considered reasonably accessible unless the Council issues a Notice to require a different collection point.

39. A Collection Point for Household Waste in Bulk Bins shall be considered as reasonably accessible if the location has been pre-agreed with Council officers.

40. In all cases the Storage or Collection point for any Household Waste must be physically separated from any Storage or Collection point for Trade Waste.

41. When a request is made to the Council to collect Bulky Waste that waste must be readily removable by two operatives without the use of mechanical handling aids.

42. Where the Council agrees to collect Bulky Waste from a Collection Point not on the Street immediately adjacent to the front door or gate of the premises or readily accessible within the front door or gate then the occupier shall take such steps as are required to facilitate collection. Such steps may include the removal of obstructions and protecting fixed and mobile property from accidental damage.

43. Where the Council agrees to collect Bulky Waste from premises, the Bulky Waste shall not be placed on the street before or on the day of collection until the collection time which has been provided by the Council.

44. Premises producing Household Waste, other than the premises listed at Schedule 1, shall not place Household Waste receptacles on the Street except as authorised by Regulations 16. In such cases receptacles shall not be placed on the Street earlier than 06:00 or later than 07:00 on the day scheduled for collection by the Council. The day scheduled for collection can be ascertained from the Council's website at:

www.enfield.gov.uk

45. Premises listed at Schedule 1 shall not place Household Waste receptacles on the Street except as authorised by Regulation 19 and 20. In such cases receptacles shall not be placed

on the Street earlier than 06:00 or later than 07:00 on the day scheduled for collection. The day scheduled for collection can be ascertained from the Council's website at:

www.enfield.gov.uk

(Any exception to this such as festive collection changes will be advertised in advanced in the Council's website).

46. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a Public Highway as any premises producing Household Waste then the occupier of that premise shall only place receptacles on that Public Highway during the periods prescribed by the sign.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF TRADE WASTE FROM RECEPTACLES

47. All Collection Points for Trade Waste shall be reasonably accessible to Registered Waste Carriers. Registered Waste Carriers are licensed by the Environment Agency to transport 'controlled waste' as defined by 'The 2012 Regulations'.

48. All receptacles for trade waste shall be clearly marked to show:

- (a) the name of either the waste producer or the waste carrier;
- (b) the words "Trade Waste" or "Commercial Waste"; and
- (c) a telephone number where a responsible person can be contacted at all reasonable times.

49. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a Public Highway as any premises producing Trade Waste then the occupier of that premises shall only place receptacles on that Public Highway during the periods prescribed by the sign.

50. A Collection Point for Trade Waste shall be considered as reasonably accessible if it has been pre-agreed as such by officers of the Council.

51. In all cases the Storage or Collection Point for any Trade Waste must be physically separated from any Storage or Collection point for Household Waste.

NOTICES UNDER SECTION 46 OR 47 OF THE ACT

52. Where on or after 5th April 2015 the Council serves a Notice on the occupier of any premises, then the specific requirements in such a Notice shall take precedence over any conflicting provision in the Regulations.

53. Where the occupier of a domestic property, a caravan or a moored vessel used wholly for the purposes of living accommodation is of the opinion that because of age or disability it is not possible to comply with any Regulation then that person or his agent may apply to the Council for exemption from specified requirements imposed by the Regulations. The applicant or his agent shall produce any evidence required by the Council to support the application for an assisted collection.

54. For the purposes of section 23(4) (c) of the London Local Authorities Act 2007 (penalty charges) an application under Regulation 53 shall be treated as a reasonable excuse until the Council either rejects the application in writing or issues a Notice to take precedence over any or all of the specified provisions in the Regulations for such period as the Council considers to be reasonable.

Compliance with these Regulations shall not be taken to comply with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste” and that “in the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence

SCHEDULE 1 TO WASTE REGULATIONS 2014

Street	Numbers	Postal Area	Town Centre
Church Street	All	EN1	Enfield Town
Genotin Road	All	EN1	Enfield Town
Genotin Terrace	All	EN1	Enfield Town
London Road	All	EN1	Enfield Town
Southbury Road/ St Onge Parade	St Onge Parade (entire parade) & 4-12 Southbury Road	EN1	Enfield Town
The Town	All	EN1	Enfield Town
Sarnesfield Road	All	EN1	Enfield Town
Cecil Road	All	EN1	Enfield Town
		EN1	Enfield Town

Burleigh Way	All		
Hatton Walk	All	EN1	Enfield Town
Silver Street	All	EN1	Enfield Town
Little Park Gardens	All	EN1	Enfield Town