**Business Waste Requirements**

This is short guide is for businesses who would like to know more about what they need to do with their waste.

Every commercial business has a legal responsibility to ensure they meet their “Duty of Care” when it comes to waste generated by their activities: [https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fwaste-duty-of-care-code-of-practice&data=05%7C02%7Csamuel.hudson%40hertfordshire.gov.uk%7C8d94c687f5fd4b827b7f08dd0a319cbc%7C53e92c3666174e71a989dd739ad32a4d%7C0%7C0%7C638677930437361931%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=GVCvncsnOsd7cZc9IzZYZpBAoi7xuyns%2FtFcy%2F7S5u0%3D&reserved=0).

Business waste is any waste that comes from a commercial activity. If you use part of your home to run your business, then any waste from that part is business waste.

Unlike the removal of domestic waste, this is a chargeable service as it not the responsibility of the waste authority, normally the District or Borough Council. Business waste cannot be added to domestic waste, be burnt or fly tipped.

Every business should have suitable arrangements in place to satisfy their “Duty of Care” in relation to the disposal of the waste that they produce. A business can use any third party for waste collection provider but must check that they are registered to dispose of waste: [https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fenvironment.data.gov.uk%2Fpublic-register%2Fview%2Fsearch-waste-carriers-brokers&data=05%7C02%7Csamuel.hudson%40hertfordshire.gov.uk%7C8d94c687f5fd4b827b7f08dd0a319cbc%7C53e92c3666174e71a989dd739ad32a4d%7C0%7C0%7C638677930437383252%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=1lx2Et3jxndjN%2Fa2UmQhj9qP33shOh6sLyU%2F0f9JeXY%3D&reserved=0).

The business must make sure they have documentation in the form of either an annual duty of care form (sometimes known as a “Season Ticket”) or waste transfer notes for each collection: [https://www.gov.uk/dispose-business-commercial-waste/waste-transfer-notes](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fdispose-business-commercial-waste%2Fwaste-transfer-notes&data=05%7C02%7Csamuel.hudson%40hertfordshire.gov.uk%7C8d94c687f5fd4b827b7f08dd0a319cbc%7C53e92c3666174e71a989dd739ad32a4d%7C0%7C0%7C638677930437397556%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=5NmpTwzd5jGFXRNTJICXeLX3Hjzjw5IfbaoQXLDHkX8%3D&reserved=0).

If a business decides that it will dispose of its own waste, then they must register as a waste carrier: [https://www.gov.uk/register-renew-waste-carrier-broker-dealer-england](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fregister-renew-waste-carrier-broker-dealer-england&data=05%7C02%7Csamuel.hudson%40hertfordshire.gov.uk%7C8d94c687f5fd4b827b7f08dd0a319cbc%7C53e92c3666174e71a989dd739ad32a4d%7C0%7C0%7C638677930437411340%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=r8aWVHYIClqSnPvv2yKZsmta8SBKoAlUGtBE6N4RCw4%3D&reserved=0).

Where issues with business waste arise Section 47 of the Environmental Protection Act 1990 allows a waste authority to serve notice upon a business stipulating the following:

* the size and number of bins needed.
* how many collections are required.
* the placement of those bins.

Breach of the notice and of the “Duty of Care” can result in fine, in the form of a Fixed Penalty Notice (FPN), and possibly even prosecution.

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Better Business for All works to boost business productivity and growth by making it easier for businesses to access the regulatory support they need from Local Authorities such as Trading Standards, Environmental Health, Licensing, and others. BBfA also works with regulators to help them better understand the challenges faced by businesses.

I hope this guidance has been useful, further business support information can be found here: [www.hertfordshirefutures.co.uk/business/better-business-for-all/](http://www.hertfordshirefutures.co.uk/business/better-business-for-all/)