

**London Borough Barnet
Waste Receptacle
Regulations**

**Made under section 20 and 22 of the
London Local Authorities Act 2007**

March 2017

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INTERPRETATION

In these Regulations: -

- (a) "The Council" means the London Borough of Barnet
- (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 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) "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) household plastic packaging; and
 - (vi) cartons for food or drink.
- (m) "Organic Waste" Food waste and Garden waste. It excludes all soil, stones, rubble and also branches over 7 centimetres diameter.
- (n) "Food Waste" means cooked and uncooked food including meat, bones, dairy products, fruit vegetables and left food suitable for composting. It excludes all garden waste, soil, stones, rubble and also branches over 7 centimetres diameter.
- (o) "Garden Waste" means flowers, plants, shrubs, branches and other vegetation suitable for composting. It excludes all food waste soil, stones, rubble and also branches over 7 centimetres diameter.
- (p) "Contamination" shall mean the placement of items within recyclate or organic waste containers which are not a part of that waste streams
- (q) "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:

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- (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;
 - (b) or there no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length
 - (iii) waste which may not be put into a receptacle provided under section 46 of the Act because of a notice served under that section
- (r) “General Refuse” means household waste or trade waste other than separately stored clinical waste, recycle, organic waste or bulky waste.
- (s) “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.
- (t) “British Standard” or “BS” means a standard for the United Kingdom set by BSI British Standards.
- (u) “European Standard” or “EN” means a standard for the European Community set by the European Committee for Standardization (CEN).
- (v) “Wheeled Bin” means a receptacle constructed in accordance with BS EN 840-1:2004 of capacity up to four hundred litres.
- (w) “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.
- (x) “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 Commingled recycle.
- (y) “Waste Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003 with a base colour of purple for Household Waste and red for Trade Waste
- (z) “Wheeled Bin” shall mean a two wheeled plastic bin of capacity under four hundred litres and and will be referred to by the waste being collected for General Refuse or Bulk Bin for Recyclate
- (aa) “Reuseable Bag” shall mean and bag given out by the Council for the collection or Recyclate which is deigned to be used for of more than one collection
- (bb) “Clinical Waste Sack” and “Sharps Box” shall mean any waste sack or box of yellow base colour.
- (cc) “Recycling Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003, with a base colour of Clear for Household Waste and blue for Trade Waste
- (dd) “Collection Point” shall mean any agreed point where waste is placed by the originator for collection by the Council or a waste carrier.
- (ee) “Storage Point” shall mean any other point where waste is stored prior to placement at the collection point.
- (ff) “Street” has the meaning given to it by section 343 of the Public Health Act 1936.
- (gg) “Public highway” means any street maintainable at the public expense for the purposes of the Highways Act 1980.
- (hh) “Responsible Person” means someone who can advise about the status and schedule for the waste collection by that company in that area
- (ii) “Registered waste company” means a company who is a licensed or permitted waste carrier by the Environment Agency

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HOUSEHOLD WASTE

KIND AND NUMBERS OF RECEPTACLES FOR HOUSEHOLD WASTE

1. The council will sell, provide or hire to occupiers of premises producing Household Waste sufficient and suitable Wheeled Bins, Bulk Bins, Waste Sacks and/or Recycling Sacks or Reusable Bags to contain the expected arising's of Household Waste or Household Recyclate from their premises.
2. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for General Refuse they shall be in accordance with the Council policy for minimum and maximum capacity for each premise. Such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents.
3. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for Recyclate, such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents and reduce contamination of recyclate.
4. The occupiers of premises producing Household Waste shall only use provided Wheeled Bins, Bulk Bins, Reusable Bags or Recycling Sacks, for the storage of Recyclate prior to collection.
5. The occupiers of premises producing Household Food Waste, will be provided with a container(s) in line with the Councils policy on food waste collection.
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 in good condition.
9. All receptacles to be emptied or collected by the Council should be hired or provided by the Council or sourced privately to the agreed BS EN 840 standard.

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

10. Where premises produce Household Waste all Waste and Recyclate containers should be presented for collection at the edge of a resident's property, at the point where the premises meet the adopted highway unless otherwise stated in section 11, 12, 13 or 14. If properties are located down a private driveway/access road then the containers must be presented where the private driveway/access road meets the adopted highway unless otherwise agreed/directed by an officer of the Council.
11. Where Recyclate Sacks are provided by the Council from premises producing Household Waste they shall be placed at a Collection Point adjacent to, but not mixed with, the General Refuse waste sacks from those premises. The Collection Point will be set by the Council
12. Unless otherwise agreed by the Council when a request for collection of Bulky Waste is made, the Bulky Waste from premises producing Household Waste shall be placed for

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collection either on the footway immediately adjacent to the front door/gate or entrance way of the premises or visible and readily accessible within the door/gate or entrance way.

13. 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.
14. Where General Refuse from domestic premises is stored in Bulk Bins or 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.

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

15. No more than 5kg of Household Waste shall be placed in any General Refuse Sack, unless agreed by an officer of the Council.
16. No more than 5kg of household Recyclate shall be placed in Recycling Sack.
17. General Refuse and Recyclate Sacks 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.
18. 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.
19. All General Refuse or Recyclate must be placed within Wheeled Bins or Council provided Sacks. Any waste outside of these containers will not be collected.
20. Those Households who may not use Wheeled Bins must place Recyclate in clear sacks provide by the Council prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 45 of the Act.
21. The occupier of any premises provided with Bulk Bins for the storage of Recyclate shall place all Recyclate in the agreed Bins for collection. This shall include any Recyclate at that Collection Point.
22. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
23. The occupier of any premises producing Household Waste shall not use Waste Sacks with a base colour of yellow for the storage of any waste other than as specified in Regulations 22
24. Occupiers of premises producing Household 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

25. All collection points for household waste shall be reasonably accessible to the Council.
26. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins, that Collection Point shall be considered reasonably accessible unless the Council issues an instruction or Notice to require a different Collection Point.

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27. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins then the Wheeled Bins must be presented for collection with the bin lid completely closed and all content contained within the Wheeled Bin. It shall not be permitted to place General Refuse and Recyclate out for collection outside of the Wheeled Bin.
28. A Collection Point for Household Waste in Bulk Bins shall be considered as reasonably accessible if the location has been pre-agreed with a Council officer.
29. In all cases the Storage Point or Collection Point for any Household Waste must be physically separated from any Storage Point or Collection Point for Trade Waste.
30. 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.
31. Where the Council agrees to collect Bulky Waste from a Collection Point not on the Street immediately adjacent to the front door/gate or entranceway of the premises or readily accessible within the front door/gate or entranceway 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.
32. Where the Council agrees to collect Bulky Waste from premises, the Bulky Waste shall not be placed on the street more than 12 hours before the day of collection which has been provided by the Council.
33. Premises producing Household Waste, other than the premises in the areas listed at Schedule 1, shall not place Household Waste receptacles on the Street except as authorised by Regulation 10 and 11. In such cases receptacles shall not be placed on the Street earlier than 20:00 pm the day before the scheduled collection or later than 06:00 am on the day scheduled for collection by the Council. The day scheduled for collection can be ascertained from the Council's website at: www.Barnet.gov.uk
34. Where a sign specifying periods during which receptacles should be placed on the public 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. Any exception to this such as a festive changes will be advertised in advanced on the Council's website
35. For premises in the areas listed in at Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway for collection or storage.
36. For premises in the areas in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except in sacks issued by the Council, and which are clearly marked to show:
 - (a) the Council Logo
 - (b) the words "Household Waste" and
 - (c) a telephone number, or email or website where the Council can be contacted.
37. For premises in the areas listed in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

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NOTICES UNDER SECTION 46 THE ACT

38. Where on or after 1 June 2017 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.
39. 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.
40. For the purposes of section 23(4) (c) of the London Local Authorities Act 2007 (penalty charges) an application under Regulation 3-8 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 these Regulations for such period as the Council considers to be reasonable.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

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TRADE WASTE

KIND AND NUMBERS OF RECEPTACLES FOR TRADE WASTE

41. The occupiers of premises producing Trade Waste shall provide sufficient and suitable receptacles to contain the expected arising of Trade Waste from their premises. Such containers may be provided via a registered waste company.
42. A Trade Waste receptacle shall be maintained in a good, sound and safe condition without sharp edges or holes and with all handles in good condition.
43. A Trade Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
44. Receptacles for Trade Waste must be constructed to BS EN 840 standard.
45. Where cardboard is separated from other trade waste items this can be placed out for collection with the cardboard Sticker that has been provided for Trade Waste recycling purposes by the council or registered contractor. Such stickers should 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.
46. Wheeled Bins and Bulk Bins shall not be allowed to be presented, stored or left on the Street or Public Highway at anytime.

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

47. 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 public land or public Highway.
48. Wherever possible the occupier of any premises producing Trade Waste shall provide suitable Collection Point within their premises for all Trade Waste originating from those premises.
49. If a suitable Collection Point is not available within the premises as set out in regulation 48, then the public highway may be used as a Collection Point for General Refuse or Recyclate from premises producing Trade Waste.
50. If the public highway is used as a Collection Point then only Recyclate Sacks or General Refuse Sacks may be used. Cardboard may also be placed out as set out in regulation 45. No Wheeled bins shall be permitted on the public highway.
51. The Collection Point for Bulk Bins, or Wheeled Bins must be on private property and not the public highway or public land.
52. The Collection Point for Recyclate Sacks or General Refuse Sacks when on the public highway should be on the Street immediately adjacent to an entrance to the originating premises on the day of collection.
53. 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.

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54. 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 TRADE WASTE RECEPTACLES

55. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
56. The occupiers of premises producing Trade Waste shall not use General Refuse or Recyclate Sacks with a base colour of yellow, grey, black, clear or purple, if the Storage Point or Collection Point for such sacks is:
- (a) on any public highway, 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.
57. Occupiers of premises producing 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 Trade Waste other than within suitable and appropriate receptacles.

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

58. 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'.
59. 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.
60. 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.
61. A Collection Point for Trade Waste shall be considered as reasonably accessible if it has been pre-agreed as such by an officer of the Council when the Council Trade Waste service is used.
62. 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.
63. For those premises in areas listed in Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway or public land for collection or storage
64. For those premises in areas listed in Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Trade Waste.
65. For those premises in areas listed in Schedule 1 it shall not be permitted to leave uncollected Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

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NOTICES UNDER SECTION 47 OF THE ACT

66. Where on or after 1 June 2017 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 these Regulations.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

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SCHEDULE 1 TO WASTE REGULATIONS 2017

#	Street	From	to	Area	Applicable to
1.				Within London Borough of Barnet boundary	(i) Household Waste and Recyclate (ii) Trade Waste and Recyclate
2.					
3.					
4.					
5.					
6.					
7.					