

Regeneration, Culture and Environment Overview and Scrutiny Committee

BRIEFING NOTE – No.05/21

Date: 23 July 2021

Briefing paper to: All Members of the Regeneration, Culture and Environment Overview & Scrutiny Committee

Purpose: This briefing note sets out a response to a request from the Regeneration, Culture and Environment Overview and Scrutiny Committee for information concerning the handling of trade waste

Introduction

Trade Waste, or Commercial Waste, must either be disposed of at a permitted waste site or arrangements made for a licensed waste carrier to collect it. If not, prosecutions can be made under the Environmental Protection Act 1990 (EPA).

It is also illegal to dispose of business waste at a household waste recycling centre.

Enforcement against those businesses that do not adhere to the legislation is carried out by the Street Scene Team (Environmental Enforcement).

Trade waste is dealt with by way of issuing of a s34(5) notice under the EPA, which is a requirement to furnish documents. This requires a business to provide documentation relating to how they dispose of their trade waste. This would generally involve officers visiting premises, issuing notice and often being shown during the visit relevant documentation. Failure to produce the documentation within the specified time will result in the issue of a Fixed Penalty Notice (FPN) for £300.

Covid-19 has meant that the team has had to change their approach. Since April the team has undertaken a project across our High Streets where officers carried out an audit of the premises still open and subsequently sent notices in the post:

- 106 s34(5) notices issued
- 36 FPN's issued for failure to produce.

This is the total amount served this financial year, including those issued outside of the project.

The team also works closely with our waste contractors (Medway Norse) who will often respond to service requests to clear waste which sometimes contains commercial waste. In this case, the team is contacted directly by Medway Norse Supervisors so the issue can be dealt with in a more expedient way. This approach has already led to two businesses being issued FPNs for not having documentation and for depositing waste (within 24hrs of the report by Medway Norse).

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