

Trade Waste: A guide for West Lothian businesses



#DON'TWASTE
WEST LoTHIAN



West Lothian
Council

Every organisation and business no matter how small or large has a legal responsibility for waste they generate.

Non-compliance could **risk a potential fine of up to £5,000**, with West Lothian Council officers able to issue fixed penalty notices of £80 - £500 for improper presentation of waste (e.g. burst bags, bins presented outside permitted times, overflowing bins etc).

This means you must:

- Store your waste securely so it does not cause litter or attract vermin.
- Present your waste receptacle for collection and remove the receptacle once emptied. In the event of a failed uplift, it is your duty to contact your service provider for subsequent collection dates and represent your receptacle for collection.
- Not obstruct pedestrian movement, including access for wheelchair users, pushchairs, and people with visual impairments. Where bins are found to be causing obstruction or risk, the council will engage with the business to secure compliance and may require immediate removal.
- If an immediate safety issue is identified, the obstruction may be removed and all associated costs are recoverable.
- Ensure your waste is transferred to an authorised and reputable waste contractor. If carrying your own waste to recycling facilities you should be appropriately registered with the Scottish Environment Protection Agency (SEPA).
- Complete a waste transfer note for any transfer of waste and retain a copy of this note for two years; WLC Officers will ask for proof of this during any visits.

Every business is unique and has its own challenges, The Councils' **Cleaner Communities Team** will work in partnership with businesses, Town Centre Managers and service providers to ensure waste regulations are adhered to.

Recycling

The Waste (Scotland) Regulations require that any and all organisations in Scotland present the following materials for recycling the appropriate bins must be acquired to comply:

- ✓ Glass (including drinks bottles, empty food jars)
- ✓ Metal (including cans, tins)
- ✓ Plastic (including, drinks bottles empty food containers)
- ✓ Paper
- ✓ Cardboard
- ✓ Most urban food businesses will need to present food waste separately for collection

Duty of Care: Waste Transfer Notes

You MUST use a Waste Transfer Notes (WTN) to describe your waste. If you have a regular collection this may be incorporated into your contract or payment invoice. WTNs ensure that there is a clear audit trail for managing your waste legally, copies must be kept for 2 years and be accessible to SEPA or Council Enforcement Officers if requested.

What should be on your waste Transfer Note?

- ✓ The place and date of transfer for waste outside of receptible collection contract
- ✓ The standard Industry Code SIC if applicable to your business
- ✓ Details of the registered waste carrier inc. registration number
- ✓ The quantity of the waste
- ✓ A description of your waste
- ✓ Name and address of both Parties
- ✓ Disposal Point/Facility of waste receiver
- ✓ The appropriate European Waste Catalogue (EWC) code for your waste

Table and Chair Permits

A business wishing to place tables and chairs outside its premises in West Lothian must obtain a valid Tables and Chairs (Section 59) permit.

To meet the criteria businesses must

- apply for a permit with the required fee.
- provide a clear location plan showing the proposed layout, and details of the furniture to be used - *Tables and chairs must be positioned so that a safe, unobstructed pedestrian route is maintained at all times, including adequate access for wheelchair users and those with visual impairments. A clear 1.5m minimum width is required.*

If a business fails to carry a valid permit, Enforcement action will be taken under Section 59 of the Roads (Scotland) Act 1984 for the obstruction of a pedestrian footway.

If no permit is in place a notice will be served which allows the business owner 28 days to obtain a valid permit. If after 28 days no permit is obtained:

- an FPN (£30) will be issued.
- officers will remove and hold furniture with all associated costs recoverable

A-Boards are included and may be removed or the business fined if an obstruction is caused. (A Boards do not currently require a permit).

Graffiti

Graffiti on private property (including utility boxes and shop shutters) is the responsibility of the owner, advice and support will be provided.

Fly Posting

The only banners and signs that are permitted are for not-for-profit, charity and community events

These should be:

- placed in a suitable location
- not causing a safety hazard due to driver distraction
- erected no more than a week in advance
- removed within 24hrs of the event

If you meet the above criteria, no permission is required, however, if you don't meet the above criteria your sign will be removed and FPN (£80) will be issued.

Unauthorised signs includes any signs, advertising banners, stickers etc. that have been placed on public property without permission. Items will be removed and held at Whitehill Service Centre with a FPN (£80) issued. You'll have 14 days to collect, and after this time will be responsibly disposed of.

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Useful contact details:

West Lothian Council

01506 280000

Customer.service@westlothian.gov.uk

www.westlothian.gov.uk

West Lothian Council Cleaner Communities

EnforcementandEducationTeam@westlothian.gov.uk

Zero Waste Scotland

www.zerowastescotland.org.uk

Keep Scotland Beautiful

www.keepsotlandbeautiful.org

SEPA

0300 099 6699

www.sepa.org.uk

**FLY-TIPPING IS ILLEGAL
AND DANGEROUS. SCAN
THE QR CODE TO REPORT IT.**

