

**LONDON BOROUGH OF WANDSWORTH  
WASTE RECEPTACLE REGULATIONS 2009 (AS AMENDED)  
MADE UNDER SECTIONS 20 AND 22 OF  
THE LONDON LOCAL AUTHORITIES ACT 2007**

**INTERPRETATION**

1. In these Regulations:

- (a) "The Council" means the Wandsworth London Borough Council.
- (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) "Schedule 2 waste" means waste which the occupier has not requested the Council to collect under section 45 of the Act from premises listed at Schedule 2, paragraphs 5, 6, 10, 13, 14, 15, 16, 17 or 18 of the Controlled Waste Regulations 1992. That is to say premises which are:
  - (i) a residential hostel;
  - (ii) a residential home;
  - (iii) part of a university, school or other educational establishment;
  - (iv) part of a hospital or nursing home;
  - (v) a domestic property or caravan used in the course of a business for the provision of self-catering holiday accommodation;
  - (vi) a domestic property forming part of a composite hereditament;
  - (vii) a caravan which in accordance with any licence or planning permission regulating the use of the caravan site on which the caravan is stationed is not allowed to be used for human habitation throughout the year;
  - (viii) a camp site, other than any domestic property on that site;
  - (ix) occupied by a charity and wholly or mainly used for charitable purposes, unless it is waste from a hereditament or premises exempt from local non-domestic rating (places of religious worship, etc.);
  - (x) a prison or other penal institution;
  - (xi) a hall or other premises used wholly or mainly for public meetings; or
  - (xii) a royal palace.
- (e) "Household waste" has the meaning given to it by section 75 of the Act but excluding Schedule 2 waste.

- (f) "Trade waste" means any commercial or industrial waste or Schedule 2 waste.
- (g) "Notice" means a notice issued under section 46 of the Act for household waste and Schedule 2 waste or issued under section 47 of the Act for commercial and industrial waste.
- (h) "Clinical waste" has the meaning given to it by the Controlled Waste Regulations 1992.
- (i) "Clinical trade waste" means clinical waste as specified at Schedule 3, paragraph 8 of the Controlled Waste Regulations 1992 and sanitary waste other than household waste.
- (j) "Clinical household waste" means clinical waste from a domestic property, a caravan or from a moored vessel used wholly for the purposes of living accommodation and sanitary household waste.
- (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) "Orange recyclate" means all or any of:
  - (i) clean paper and cardboard;
  - (ii) empty aerosols;
  - (iii) metal containers for food or drink;
  - (iv) glass containers for food or drink;
  - (v) plastic bottles, pots, tubs and trays; and
  - (vi) cartons for food or drink.
- (m) "Garden waste" means flowers, plants, shrubs, branches and other vegetation suitable for composting which is household waste. It excludes all soil, stones, rubble, fence panels and also branches over 7 centimetres diameter.
- (n) "Bulky waste" means household waste as specified at Schedule 2, paragraphs 1 or 2 or 7 or 8 of the Controlled Waste Regulations 1992. That is to say:
  - (i) any article which exceeds 25 kilograms in weight;
  - (ii) any article which does not fit, or cannot be fitted into a cylindrical container 75 centimetres in diameter and 1 metre in length;
  - (iii) dead domestic pets; and

- (iv) any substance or article which may not be put into a receptacle by virtue of a Notice.
- (o) "General refuse" means household waste or trade waste other than separately stored clinical waste, recyclate, garden waste or bulky waste.
- (p) "Receptacle" has the meaning given to it by section 46 of the Act, for household waste and Schedule 2 waste, or section 47 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) "Dustbin" means a metal or plastic receptacle constructed in accordance with BS 792:1973 or BS 4998:1985.
- (t) "Wheelie bin" means a receptacle constructed in accordance with BS EN 840-1 :2004 of capacity up to four hundred litres.
- (u) "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.
- (v) "Paladin" means a steel receptacle constructed in accordance with BS 1136:1972.
- (w) "Bulk bins" means Eurobins and/or paladins.
- (x) "Waste sack" shall mean a plastic sack made in accordance with BS EN 13592:2003.
- (y) "Clinical waste sack" shall mean any waste sack of yellow base colour.
- (z) "Orange sack" shall mean a clear waste sack with orange print detail provided by the Council for orange recyclate.
- (aa) "Orange bank" shall mean a Eurobins of black base colour with orange lid provided by the Council for orange recyclate.
- (bb) "Collection point" shall mean any point where waste is placed by the originator for collection by the Councillor a waste carrier.
- (cc) "Storage point" shall mean any other point where waste is stored prior to placement at the collection point.
- (dd) "Street" has the meaning given to it by section 343 of the Public Health Act

## **KIND AND NUMBERS OF RECEPTACLES FOR HOUSEHOLD WASTE**

2. The occupiers of premises producing household waste shall provide sufficient and suitable bulk bins, dustbins or waste sacks to contain the expected arisings of household waste from their premises.
3. Where the occupiers of premises producing household waste do not jointly provide bulk bins for general refuse the occupiers may provide either dustbins or waste sacks for this general refuse. Any waste sacks from such premises shall have a base colour of black and have a capacity between 80 and 150 litres.
4. Where the occupiers of premises producing household waste do not jointly provide bulk bins for general refuse the Council will provide orange sacks for orange recycle free of any charge. The occupiers of such premises shall only use orange sacks for storage of orange recycle prior to collection.
5. The council will collect up to five bags of garden waste free of charge each week from premises producing household waste. The garden waste should be contained in tied refuse sacks and/or dustbins along with other general refuse for collection.
6. Where the occupiers of domestic premises jointly provide bulk bins for general refuse the minimum capacity to be provided shall be 150 litres for each premise. Where the Council has agreed to collect such general refuse twice a week, then the overall capacity may be reduced to 90 litres for each premise. Where the Council has agreed to collect household waste three times a week, then the overall capacity may be reduced to 75 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.
7. 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.

8. Where the occupiers of domestic premises jointly provide bulk bins for general refuse the Council will provide orange banks for orange recycle with a minimum capacity of 70 litres for each premise free of any charge.
9. Where cardboard is separated from any plastic and tied in bundles not exceeding 12 kilograms in weight and having a maximum width or length or depth of 150 centimetres, this will be regarded as a suitable other receptacle to an orange sack or an orange bank.
10. A household waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
11. Household waste receptacles shall be maintained in a reasonable state for storage of waste without sharp edges or holes and with all handles.
12. Paladins are receptacles made to the obsolete BS 1136 and not fitted with a "comb-lift" as required by BS EN 840. Existing paladins may be retained but new and replacement bulk bins for household waste must be metal Eurobins constructed to BS EN 840-3:2004.

#### **KIND AND NUMBERS OF RECEPTACLES FOR TRADE WASTE**

13. The occupiers of premises producing trade waste shall provide sufficient and suitable receptacles to contain the expected arisings of trade waste from their premises. Receptacles may be dustbins, Eurobins, paladins, waste sacks, wheelie bins or any other suitable receptacle constructed in accordance with BS EN 840.
14. Where cardboard is separated from any plastic and tied in bundles not exceeding 25 kilograms in weight and having a maximum width, length or depth of 150 centimetres, this will be regarded as a suitable receptacle.
15. A trade waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
16. Trade waste receptacles shall be maintained in a reasonable state for storage of waste without sharp edges or holes and with all handles.

17. Paladins are receptacles made to the obsolete BS 1136 and not fitted with a "comb-lift" as required by BS EN 840. Existing paladins may be retained but new and replacement receptacles for trade waste must be constructed to BS EN 840.

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

18. Where premises producing household waste have an accessible front garden or area at or near street level and general refuse is stored in dustbins or waste sacks, then the occupier shall place such receptacles at a collection point in that garden or area for collection. Where such premises do not have an accessible front area at street level but have a basement area at the front then the occupier shall place such receptacles at a collection point in that area. 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.
19. Where premises producing household waste do not have a readily and safely accessible front garden, area or basement and general refuse is stored in dustbins or waste sacks, the occupier shall place such receptacles for collection on the street at a collection point immediately adjacent to the front door or gate of the premises.
20. 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.
21. 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.
22. 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.

23. Household waste shall not be presented for collection in wheelie bins.
24. Where general refuse from domestic premises is stored in bulk bins or orange recyclate is stored in orange banks, then such receptacles shall be presented for collection at a point which is reasonably accessible to the Council other than on a highway maintainable at the public expense.

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

25. 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.
26. The collection point for general refuse or recyclate from premises producing trade waste which is stored in waste sacks may only be on the street if it is immediately adjacent to a street entrance to the originating premises.
27. The collection point for general refuse or recyclate from premises producing trade waste which is stored in receptacles other than waste sacks shall not be on any street. This does not apply to bundled cardboard falling within Regulation 14 of these Regulations.
28. 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.
29. 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**

30. No more than 12 kilograms of household waste shall be placed in any waste

sack.

31. Waste sacks with a base colour of black shall only be used for the storage of household waste prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 45 of the Act.
32. The occupier of any premise 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.
33. Orange sacks shall only be used for the storage of orange 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.
34. The occupier of any premise provided with orange banks for the storage of orange recyclate shall place all orange recyclate in the orange banks for collection. This shall include any orange recyclate whether in orange sacks or not, at that collection point.
35. Waste sacks with a base colour of green shall only be used for the storage of household waste prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 89 of the Act.
36. Waste sacks with a base colour of yellow shall only be used for the storage of clinical waste and sanitary waste.
37. The occupier of any premise producing household waste shall not use waste sacks with a base colour of black, green, yellow or orange for the storage of any waste other than as specified in Regulations 31, 33, 35 or 36.
38. The occupiers of premises producing trade waste shall not use waste sacks with a base colour of black, green, yellow or orange for the storage of trade waste 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.

39. 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**

40. All collection points for household waste shall be reasonably accessible to the Councillor its contractors.
41. Where general refuse from premises producing household waste is stored in dustbins or waste sacks and immediately prior to 1st April 2009 a central storage point and collection point was provided for several premises, that collection point shall be considered reasonably accessible unless the Council issues a Notice to require a different collection point.
42. A collection point for household waste in bulk bins shall be considered as reasonably accessible if it complies with the Council's approved Supplementary Planning Guidance on Waste. Where a collection point for bulk bins for household waste has been in use immediately prior to 1st April 2009, it shall be considered to be reasonably accessible even if it fails to comply with the Council's approved Supplementary Planning Guidance on Waste unless the Council issues a Notice to improve access.
43. 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.
44. 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.
45. 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.

46. Where the Council agrees to collect bulky waste from premises, the bulky waste shall not be placed on the street earlier than 6pm on the evening prior to the day notified for collection by the Council.
47. Where orange recycle is stored in orange banks, then such receptacles shall be placed at storage points on the premises so that sufficient orange banks are reasonably accessible to all residents.
48. Premises producing household waste shall not place household waste receptacles on the street except as authorised by Regulation 19. In such cases receptacles shall not be placed on the street earlier than 6pm on the evening prior to the day scheduled for collection by the Council. The day scheduled for collection can be ascertained from the Council's website at:  
[www.wandsworth.gov.uk](http://www.wandsworth.gov.uk)  
Collections will be made between 6.30am and 4pm, Monday to Friday.
49. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a road as any premise producing household waste then the occupier of that premise shall only place receptacles on that road during the periods prescribed by the sign.

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

50. All collection points for trade waste shall be reasonably accessible to waste carriers.
51. 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.

52. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a road as any premise producing trade waste then the occupier of that premise shall only place receptacles on that road during the periods prescribed by the sign.
53. A collection point for trade waste shall be considered as reasonably accessible if it complies with the Council's approved Supplementary Planning Guidance on Waste. Where a collection point for receptacles for trade waste has been in use prior to 1st April 2009 it shall be presumed to be accessible even if it fails to comply with the Council's approved Supplementary Planning Guidance on Waste unless the Council issues a Notice to improve access.
54. 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**

55. Where on or after 1st February 2009 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.
56. 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.
57. Prior to 1st July 2009, if the occupier of any premise is of the opinion that these Regulations require unreasonable changes to the practices in use before 1st February 2009 then the occupier 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.

58. For the purposes of section 23(4)(c) of the London Local Authorities Act 2007 (penalty charges) an application under Regulation 56 or 57 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.

**Made by Wandsworth Council's Executive on 29 September 2017**

**Coming into force on 1 December 2017**