

Presenting waste and recycling bags on the street for collection

Ensuring there is as little rubbish as possible and keeping the West End's streets clean and free of rubbish is one of New West End Company and Westminster City Council's (WCC's) key objectives.

Clean streets are essential in providing a welcoming place in which businesses thrive and as such, New West End Company is working closely with WCC to actively encourage off-street waste presentation and improve awareness of presentation and collection times.

Ideally, all retail stores would have internal waste and recycling bins, as opposed to putting bags of rubbish on the street for collection. However, we realise that this simply isn't possible in some cases, so there will always be a need for bagged waste to be collected from some streets in the area. To avoid these streets having an excessive amount of rubbish bags on them, there are rules in place which prevent this.

To keep our footpaths clean and clear, please read and adhere to the instructions in this letter. **These steps apply to any business that presents waste and recycling in bags on the highway.**

1. Place your bags out at the right time

- There are set times in place for those who want to place rubbish bags and card bundles on the streets, ready for collection (this applies for both household and business waste, irrespective of who will collect them). You can find the collection times for every street in Westminster via this link <https://cleanstreets.westminster.gov.uk/>
- It is important you only place out your rubbish **bags 30 minutes prior** to the start of the collection time allocated to your street. You can't place rubbish bags on the street outside of collection times under any circumstances
- If a contractor other than WCC collects your waste, **it is your responsibility to ensure that this contractor is aware and always adheres to the collection times** in your street.
- Where applicable please ensure any cleaners or staff presenting waste also adhere to the presentation times. Your business remains responsible for your waste at all times
- Under no circumstances can waste be placed on the streets outside of your presentation time or this will be enforced. A fixed penalty notice (a 'fine') can be issued or prosecution action taken if waste is presented at the wrong time

2. Place your bags out in the right way

- Rubbish bags must be placed outside of your own store, or as close to its building line as possible. Please avoid blocking the footpath when presenting sacks for collection
- Your rubbish must be in the right bag. If our collection crew notice that rubbish is not being placed in the correct bag, it can be left behind – you are responsible for ensuring your rubbish is in the right bag (general waste vs recycling)
- Cardboard boxes placed out for collection need to be flat packed, tied up and have a cardboard sticker attached

- Please always close and tie up rubbish bags before placing them out for collection with no leaks. Rubbish bags come with a risk of leaking on the footpath, which can cause staining and unsanitary patches on the street
- Items such as catering waste, construction waste, bulky items, sharp items, chemicals and hazardous waste cannot be presented in regular rubbish bags on the street. Please arrange alternative collections

3. What happens if your rubbish is not presented correctly?

The Environmental Protection Act 1990 places a Duty of Care on anyone who produces, stores, keeps or disposes of waste that they must take all reasonable steps to ensure that waste is managed properly, transported and disposed of without harming the environment.

The law says you must:

- Ensure that the company who takes control of your waste is licensed to do so
- You must take steps to prevent it from escaping from your control, your employees or contractors
- You must make sure it is handled and stored safely and securely
- Prevent it from causing environmental pollution or harming anyone
- Pre-treat all waste to reduce its quantity and/or its environmental impact. This requires you to separate recyclable from non-recyclable waste. If your waste is collected by WCC they ensure you automatically comply with this legal requirement
- Complete an annual Waste Transfer Note (WTN) to show you have given your waste to an authorised collector. By law you must keep a copy of your WTN for two years.
- You have a responsibility to take all reasonable steps to ensure that when you transfer waste to another waste holder that the waste is managed correctly throughout its complete journey to disposal or recovery. The waste remains under the responsibility of the waste producer even after being placed for collection (missed collections)

4. Enforcement

It is a criminal offence if you do not take all reasonable measures available to you to meet your duty of care and can be enforced.

This is done through the Local authority's Street Management service who looks after the enforcement of waste rules and laws and can issue fines (FPNs) and notices when rubbish is mismanaged (fly-tipping). This service operates on a 24/7 basis and are happy to assist you with any enforcement related questions.

When rubbish is found out at the wrong time or in the wrong place, the enforcement officers can take the following actions:

- You could face prosecution and, a conviction, a fine and criminal record.
- You may be given a fixed penalty notice for breaching the duty of care.