

MANAGING YOUR WASTE

A GUIDE FOR SELF CATERING PROPERTY OWNERS



THE LAW

The Environmental Protection Act 1990 sets out the law regarding the management of waste from both domestic households and Non-Domestic (or commercial) premises.

The Highland Council has a legal obligation to collect waste from domestic households. However, the Council is only permitted to collect waste from Non-Domestic properties if a request for the service has been made and reasonable cost recovery charges are made. Non-Domestic Rates do not include a charge for waste collection, and any waste services requested by Non-Domestic properties are chargeable separately.

Self catering properties listed on the Non-Domestic Rates Register are amongst those properties for which a charge must be made.

THE “DUTY OF CARE”

All waste producers of commercial waste have a responsibility to fully comply with the Duty of Care Regulations which involves:

- Taking care with waste handling and containment
- Describing and quantifying the waste
- Passing this waste only to a registered waste carrier
- Or taking the waste directly to a suitably licensed waste facility

To ensure you are complying with the Duty of Care, you are advised to enter into a contract for the collection and disposal of waste and recycling, either with the Council or with a registered private contractor, if there is one available in your area.

Alternatively, you may choose to take your waste directly to a suitably licensed waste facility. If this is your preferred option you should seek authorisation for carrying waste from the Scottish Environmental Protection Agency and ensure you complete a Controlled Waste Transfer Note for each load.

It is an offence to use public litter bins to dispose of waste from non-domestic premises. Similarly, the Council’s Recycling Centres are not permitted to accept non-domestic waste for disposal.

Further details of the Duty of Care are available from:

www.netregs.org.uk/environmental-topics/waste/duty-of-care-your-waste-responsibilities/

FREQUENTLY ASKED QUESTIONS

I pay Non-Domestic Rates, why should I pay extra for waste collections?

Non-Domestic Rates do not include a charge for waste collection and disposal. Any waste services required at Non-Domestic properties must be charged for separately.

I receive a small business exemption from Non-Domestic Rates, am I entitled to free waste collections?

No – all Non-Domestic properties must be charged for the service of waste collection and disposal, irrespective of whether they receive relief on their Non-Domestic Rates.

I encourage my guests to take their waste home.

All businesses must dispose of their waste in accordance with the Duty of Care. If you allow guests to dispose of the waste from your property you are in breach of your Duty of Care.

I don't produce much business waste, why can't I put it in my domestic bin?

Disposal of waste from a business in domestic (household) bins is a breach of the Duty of Care.

Do I have to use the Council's waste collection and disposal service?

No, under the Duty of Care, you may use any suitably registered contractor to collect and dispose of your waste. Alternatively, you may choose to take your own waste directly to a suitably licensed waste facility, providing you have registered to carry waste with the Scottish Environment Protection Agency and completed the required Duty of Care paperwork.

Can I dispose of my waste in public litter bins?

No – the use of public litter bins for the disposal of Non-Domestic waste is a breach of the Duty of Care. A £200 Fixed Penalty Notice can be issued for business waste found in litter bins.

FREQUENTLY ASKED QUESTIONS CONTINUED...

Can I dispose of my waste at the Council's Recycling Centres?

The Council's Recycling Centres are not permitted to accept Non-Domestic waste for disposal.

Can I use the Council's Recycling Centres for my recycling?

If you have a contract for a waste collection from the Council, your contract allows you to use the Council's Recycling Centres free of charge for recycling only. The use of the Council's Recycling Centres for non-contracted Non-Domestic recycling is not permitted.

My property is only let seasonally. Do I need to take out a contract for the whole year?

If you completely close your property for some months of the year then you may choose to omit these months from your contract. Please note, however, you need to make provision for waste for any months when the property might be occupied. We are unable to offer a 'pay as you go' service. Most NDR property owners take out a contract for the whole year so the service is there whenever they need it.

Please note that in order to be Non-Domestic Rated your property must be available for letting for more than 140 days a year. This would be a minimum contract period of 5 months – assuming the property is closed for the other 7 months of the year.

Can the Council supply additional bins for refuse or recycling? Yes – the Council can supply additional bins to Non Domestic Rate properties. However, all bins supplied and uplifted are chargeable.



www.highland.gov.uk/businesswaste



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