

## Guidance about the changes

The appearance of Edinburgh is spoiled by large numbers of trade waste bins on our streets, many of which are permanently stored on our streets. When this waste isn't properly controlled, it leads to spilled litter, vermin and other public health and safety concerns. Trade waste containers do not have permission to be stored on public land and the Council has the power to remove any obstructions on the roads and pavements.



Before and After Photo of Rose Street Lane

## Background

Last year the problem grew due to laws introduced by the Scottish government which require all businesses to recycle. Now many businesses keep three or four bins out on the street instead of just one or two.

Following a successful pilot in 2014, three areas of the city centre saw an 81% reduction in on-street containers. New policy will roll out across the city from **1 April, 2015** which will ensure trade waste is only put out for collection and not kept on our roads and pavements permanently. The new policy will enable all businesses to fulfil their duty of care under the Environmental Protection Act (1990).

We receive complaints from residents and tourists about the amount of waste bins on Edinburgh's streets. It is our duty to address these complaints. Public land has been used for many years by businesses to store their own trade waste. The numbers and position of bins are not controlled and the volume has been increasing. Waste permanently stored on our streets attracts vermin, causes litter and obstruction issues for people with mobility difficulties. Improving the appearance of our streets will benefit all who use them – including businesses.

## Timescale or the roll out

The policy is being rolled out across the city on a phased basis starting on 1 April, 2015. To see when enforcement of these changes will come into effect in your area please refer to the maps in the downloads section.

## **Details of the changes**

Trade waste containers will not be allowed to be stored on public space and trade waste will only be allowed in public for up to 1 hour. This means if you present bags or bins in public for collection any empty bins must be taken back onto or inside your own property after 1 hour. If for any reason your trade waste is not collected it must be taken back onto your property while you rearrange its collection. This is to ensure all businesses take responsibility for their waste and to stop it being left out for long periods of time which leads to burst bags, escaped litter, vermin and cluttered streets. Last year the council spent over half a million pounds cleaning up burst bags in Edinburgh.

All businesses have a **Duty of Care** under the **Environmental Protection Act (1990)**, this means that you are responsible for your waste until it is collected by a SEPA approved trade waste carrier. Because of this, waste may only be placed on-street when your business is staffed and never overnight. All bins and bags presented on street must be clearly marked with your business name and agreed collection time.

## **How to make the changes work for your business**

Firstly, please contact your trade waste carrier, they will be able to answer any questions you may have and they will be able to change your current arrangements to enable you to comply.

It is your responsibility to arrange a time with your trade waste carrier to have your waste collected. If your waste is stored and collected from your own land or from within your property this can be at any time. However, if you want to present your waste for collection on public land, you must ensure that you arrange for its collection during one of these three collection windows:

9.30am – 12pm  
2pm – 4pm  
6.30pm – 11pm

It is your responsibility as a business to ensure any bins or bags placed on public land for collection are clearly marked with your business name and agreed collection time.

## **Suggestions to help you store your waste**

Your business waste is your responsibility and will need to be stored within your property or on private land. Some popular ways you may want to manage this is:

1. To have your waste collected from within your business, (more and more trade waste carriers are offering this service which means you no longer need to worry about putting bins out, missed collections or fines.)
2. To get smaller bins so you can store them inside.
3. To increase frequency of collections.
4. To use bags or collapsible bins for your dry mixed recycling (plastic, paper, cardboard and metal) and residual waste (landfill).

5. To reduce the size of waste by using glass crushers, food dehydrators and compactors.
6. To reduce your waste by analysing and changing practices or through backhauling (when delivery trucks take away some waste streams)
7. To share a bin with a neighbouring business.

There are a number of trade waste collectors operating in Edinburgh who can help you explore the options available.

Having waste collected more frequently may carry an increased cost, however recycling more may result in saving money. You can find out more information on reducing waste at [Zero Waste Scotland](#).

### **Concerns about food and glass**

Segregated food collection is a more hygienic method of disposal than mixing food with general waste. The Council has carried out a number of different pilots to collect food waste with no incidences of pest or vermin issues.

You have a duty to ensure your waste cannot escape from your control. Food waste presented in bags may be vulnerable to attack from gulls or vermin. We recommend that all food waste is managed in containers. In the downloads section of our website you'll find information about the safe handling of food waste.

It may be possible to have empty glass bottles removed at the same time as a delivery is made. Your supplier or Trade Waste collector may be able to tailor a solution to your requirements.

### **What happens if my waste collector fails to pick up the waste or is late?**

If your Trade Waste collector cannot collect your waste (such as a truck breakdown etc.) you will have to take it off the street and re-arrange collection. For this reason someone responsible must be present until the waste is collected. It is not OK to put out your waste and leave it when your business is closed; this is a failure in your Duty of Care.

If your waste collector regularly fails to meet the terms of your contract, you may want to consider setting up a new contract with a collector who can meet your requirements.

### **Enforcement**

If trade waste bags or containers are left in public for more than 1 hour or outside the collection windows enforcement action will be carried out which may lead to a fine of up to £1,000.

### **Support available**

This will be a big change for Edinburgh and we know it may take time for some businesses to adapt how you manage your waste. We have worked very closely with all the trade waste carriers who operate in Edinburgh and we want to work with local businesses to help you

make the changes necessary - if you are a business affected by these changes you will receive a letter and leaflet explaining the new requirements and how you can meet them.

## **Fire Safety Guidance**

The Fire and Rescue Service advise that businesses affected by changes to their waste procedures should update their risk assessment. It is the responsibility of the duty holder to manage these.

<http://www.scotland.gov.uk/Topics/Justice/public-safety/Fire-Rescue/FireLaw/FireLaw>

<http://www.scotland.gov.uk/Topics/Justice/public-safety/Fire-Rescue/FireLaw/FireLaw/GeneralGuidance/FireSafetyRiskAssessment>

<http://www.scotland.gov.uk/Resource/0040/00402262.pdf> ( Guidance booklet)

A fire safety risk assessment will help determine the chances of a fire occurring and the dangers from fire that the premises pose for the people on them by taking an organised and methodical look at the premises; the activities undertaken within the premises; the potential for a fire to occur; and the harm it could cause to the people in, and around, the premises. It is important to remember that it is not the responsibility of the Fire and Rescue Service to undertake a risk assessment; their role is the provision of advice and enforcement of the fire safety legislation. Nobody knows as much about your business/activities as you. Use your own knowledge and experience and that of your colleagues and employees to help identify key issues and practical suggestions for improvements.

Please note that even if no change is required, there is still a need to evidence that it has been assessed and that this is recorded and dated.

## **Food storage guidance**

Food businesses must have adequate provision for the storage and disposal of food waste and other refuse. To comply with the collection windows, it will be necessary to temporarily store food waste within food premises. The following will help you to comply with food hygiene and health and safety requirements and protect against rodent and insect pests:

1. Any changes to your food waste storage and handling procedures must be risk-assessed. This should taken into account the individual circumstances of your premises, the waste you store, the impact that it will have and the level of risk involved.
2. Encourage a litter conscious attitude and code of conduct amongst staff at every level. Train new staff to follow these guidelines.
3. Ensure bins are a sufficient size for the quantity of waste produced.
4. Food waste and refuse must be removed from designated food handling areas regularly.
5. Internal refuse stores must be away from food storage/handling areas.
6. Food waste must be stored in closable, rigid pest and leak proof containers.
7. Food waste must not be allowed to accumulate or decompose. It should not be stockpiled for more than 2 days. This time can be extended if refrigerated refuse stores are provided or if storage areas are very cold during the winter months.
8. Plastic refuse sacks can easily be ripped open by gulls or other vermin when presented on the street. To reduce the risk of this, food waste must only be presented on the street in a sealed, rigid container.
9. Areas used as refuse stores must be designed and managed in such a way as to enable them to be kept clean and free of animals and pests. Walls and floors must be washable/easy to clean.
10. Carry out regular clean ups, including the rear of premises, car parks and delivery and storage areas.
11. Waste cooking oil must be up-lifted by a SEPA approved carrier for recycling. It must not be poured down drains and must be kept separate from other food waste.
12. Under Waste (Scotland) Regulations (2012) it is no longer legal to discharge food waste to a public drain or a sewer by using, for example a macerator.

13. Hand hygiene is essential when handling food waste. Staff must always wash their hands thoroughly after handling waste.

14. You should, wherever possible, avoid manual handling of loads if there is a possibility of injury. If manual lifting is the only option then there are a number of things that can be done to reduce the risk of injury to people, including;

- making the load smaller or lighter and easier to lift,
- improving the environment – e.g. better lighting, flooring or air temperature can sometimes make manual handling easier and safer,
- Ensuring the person doing the lifting has been trained to lift as safely as possible.