7. Managing commercial waste

In recent years the management of commercial waste at household waste and recycling centres (HWRCs) has revolved around methods to prevent it from entering sites. However, as a result of local-authority budget reductions, and (in England) encouragement from the Government to accept waste from small businesses, councils are considering how they can use commercial waste inputs to generate income, improve service to business communities and, ultimately, protect the provision of HWRCs for residents. This section looks at why commercial waste input should be controlled, how to prevent abuse and systems for the legitimate acceptance of commercial waste. WRAP’s Commercial and Industrial Waste and Recycling Bring Centre Guide provides more detailed guidance.

Commercial and industrial bring centres are most likely to be used by small businesses and micro-businesses, as they are less likely to have a contract in place to collect their waste. The sectors that those businesses are working in will vary from area to area. It is important to understand which sectors your customer base covers as this will have implications for:

- the types of materials that you might offer for separation;
- space required;
- opening hours and peak flow times;
- seasonal peaks and troughs in production of commercial waste;
- the frequency with which commercial customers might use the centre; and
- your marketing strategy for commercial customers.

Sites accepting commercial waste that are currently in operation have found that users are often from retail, building, glazing, gardening and landscaping, small manufacturing, hotels and restaurants, and the professional and service sectors.

1.1 Why control commercial-waste input?

HWRCs are facilities for householders resident in the area to dispose of household waste. If commercial waste enters the site unchecked the problems that arise include:

- congestion on site, which may deter householders;
- the practicalities of segregating commercial and household waste, and associated reporting problems;
- additional service vehicles being required on site;
- the costs of additional disposal;
- effects on the morale of site staff if they know abuse is taking place and they are not supported in taking preventative action; and
- commercial waste not being segregated into different recyclable waste streams, thereby affecting the recycling rate of the site.

All of these factors mean that commercial waste should be controlled. If commercial waste remains unchecked, other measures to improve the efficiency of the site are likely to be less effective.

| Evidence and recommendations | The ineffective control of commercial input, and particularly the reliance on height barriers alone to attempt to control it, is known to have a negative effect on HWRC |

...
1.2 Recommendations from the Government’s waste policy review

As mentioned in Section 5.10, the Government published its Review of Waste Policy in England in June 2011. In it, the Government encouraged local authorities to consider allowing small businesses to dispose of waste at HWRCs, with the aim of making it easier and more cost-effective for SMEs to recycle. The review stated that the Government is ending the Landfill Allowance Trading Scheme (LATS) in England, which removes a (perceived) barrier to local-authority service provision in this area.

However, the review does acknowledge that SMEs are not always aware of available recycling services and of their legal responsibilities. Therefore, any local authority accepting commercial waste at an HWRC will need to ensure that commercial customers are compliant with the relevant waste legislation (see Section 7.4.4 below).

1.3 Accepting legitimate commercial waste

WRAP’s Commercial and Industrial Waste and Recycling Bring Centre Guide shows that the estimated cost of clearing fly-tipping in England was £45.8 million in 2009/10, with 947,000 incidents recorded. Of course, not all fly-tipped waste will be from commercial or industrial sources, but providing an effective facility for commercial waste and recycling may help to reduce the overall number of incidents. Provision of a commercial-waste and recycling centre (CWRC) using existing HWRC infrastructure can result in savings for local authorities, because the cost of acceptance at HWRCs is likely to be less than that of clearing up an incident. Indeed, charges to traders will generate income, as will the sale of some of the recyclable materials delivered by traders.

The issue of commercial-waste acceptance needs to be addressed on a site-by-site basis: some sites are simply not appropriate for accepting commercial waste, often through being too small or too vulnerable to abuse by traders not wishing to pay for disposal.

Local authorities looking to introduce commercial-waste services at HWRCs should consider the impact this may have on any commercial-waste and recycling collection service they provide. It is probable that some collection service customers would decide to use CWRC facilities at an HWRC, reducing the number of customers and the tonnage collected on commercial waste and recycling rounds. You should try to assess demand, and conduct market and competitor analyses, before introducing a CWRC. The commercial collection team at the local authority should be well-placed to help with such as assessment.

1.3.1 Space and containment

A major consideration when accepting commercial waste is whether to integrate the commercial-waste service with the household collections or whether to segregate all commercial waste. Table 7.1, summarised from the WRAP Commercial and Industrial Waste and Recycling Bring Centre Guide provides useful advice on the containment of commercial and industrial (C&I) waste.
Table 7.1: Types of commercial-waste service

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Benefits</th>
<th>Considerations</th>
</tr>
</thead>
</table>
| Fully integrated e.g. Fife Council | Service is fully integrated into the HWRC so residents and businesses use exactly the same facilities and containers. Commercial and household waste are mixed together. | • Easy to understand  
• No additional infrastructure required  
• Good for small sites | • How to identify commercial users and residents  
• More staff may be required to cope with the increase in use  
• How to calculate how much waste is from a commercial source entering the household waste stream |
| Separate areas e.g. Newport Pagnell HWRC, Milton Keynes | There are two distinct areas within the site so that commercial and household waste/recycling containers are separate. The centre may have two entrances, or just one entrance but two distinct drop-off areas. | • Having two areas provides a clear distinction between household and commercial waste  
• Waste deposited can be recorded separately  
• Instructions for using the centre can be tailored to each user group | • How to identify commercial users and residents  
• More space required  
• More staff will be needed to operate two areas  
• Cost of infrastructure, e.g. skips |
| Hybrid model e.g. some Somerset HWRCs | Some materials or items (e.g. waste electrical and electronic equipment, or WEEE) are collected together with household waste and some are collected separately. | • Flexibility depending upon the size of the site | • Can complicate reporting systems  
• Calculations may be required to determine the split of mixed materials |

1.3.2 Varying opening hours

HWRCs which offer a commercial-waste service tend to have the same opening times for their residential and business customers, unless dedicated staff are used as part of the operation.

For local authorities looking to reduce HWRC services, either by reducing opening hours or closing sites, it could be an option for HWRCs with a well-established commercial customer base to open to these customers during the week and to residents at weekends. This may enable staff levels to be reduced overall, while continuing to generate income (see Section 9.3).

1.3.3 Costs and charging

Any authority looking to introduce commercial waste to HWRCs run by private waste-management companies will need to examine and adjust their contracts as appropriate. Set-up costs could include:

• signage and marketing;  
• equipment purchase or leasing;  
• development of site layout plans;  
• IT requirements for monitoring;  
• installing a weighbridge;  
• installing an ANPR system;  
• permits; and  
• operating costs such as staffing and haulage.
The WRAP *Commercial and Industrial Waste and Recycling Bring Centre Guide* provides more detail, but Table 7.2 summarises the income that can be generated, and the different charging and payment mechanisms that can be used.

**Table 7.2: Income and charging options for commercial waste**

<table>
<thead>
<tr>
<th>Income</th>
<th>Charging options - site users</th>
<th>Taking payment and registering customers</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Customer charges (subscription fees or charge by volume or weight)</td>
<td>• Free recycling for some materials</td>
<td>• Cash or account systems</td>
</tr>
<tr>
<td>• Material sales</td>
<td>• Pay by weight</td>
<td>• Pre-registration</td>
</tr>
<tr>
<td>• Income-share between the local authority and contractor</td>
<td>• Pay by container, item or volume</td>
<td>• Registration at the CWRC</td>
</tr>
<tr>
<td></td>
<td>• Pre-payment of sacks</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Subscription</td>
<td></td>
</tr>
</tbody>
</table>

1.3.4 **Compliance**

It will be important for any commercial-waste customers to be compliant with all relevant regulations including:

- waste carrier’s registration;
- waste transfer notes; and
- hazardous waste consignment notes.

More information on waste carriers and waste transfer notes can be found on the Business Link website. Information relating to hazardous-waste management in England and Northern Ireland is available from the Environment Agency. Advice in Scotland can be found via the Business Gateway.

1.3.5 **Monitoring**

Section 7.4.1 discusses the different containment methods that can be used if commercial waste is accepted at an HWRC. When deciding whether to introduce provision for legitimate commercial waste on site, local authorities will need to consider whether the waste and recycling from household and commercial sources will be mixed, and if so, how to monitor the input. If there is a weighbridge and all commercial waste is recorded from weighbridge tickets, it will be relatively straightforward to report separate tonnages for inputs from household or commercial sources. Equally, even if the input of waste is not accurately weighed (for example, if a pre-pay voucher system is in place) but the waste and recyclables are disposed of in separate skips, the weight of each container leaving site can be recorded as being of commercial or household origin.

The Environment Agency has advised WRAP that there is no particular need for tonnages to be monitored separately, as long as waste transfer notes are recorded. However, local authorities will still need to report data on the WasteDataFlow system, which requires household and commercial tonnages to be reported separately. If the wastes are to be mixed and there is no weighbridge on site it may be possible to estimate the relative proportions of commercial waste and household waste.

Estimating the proportions of commercial and household waste requires regular monitoring and an understanding of the site’s customer base. If old data or assumptions are used, the information could be misleading. This was apparent in the 2009 Defra research, *Understanding Waste Growth at a Local Authority Level*, particularly where household and commercial waste is co-collected at the kerbside. WRAP in conjunction with NAWDO is producing a protocol for local authorities to use in assessing the quantities of household and commercial wastes when co-collected.
1.3.6 New sites

Local authorities may not want to accept commercial waste at HWRCs, regardless of whether separate containment is available and other potential barriers, such as potential congestion, can be overcome. However, depending on the availability of services for businesses, particularly SMEs, a local authority may want to convert a closing HWRC into a new CWRC. In this instance it will be important to plan the site in an appropriate location.

For new facilities, selecting the right location is an important factor in attracting customers. For existing sites such as HWRCs, the decision about location may be based on whether one or all existing HWRCs are suitable for accepting commercial waste, and appropriately located to attract business customers. Considerations include:

- **Convenience and customer density** Are there enough potential business users in the catchment area for the site?
- **Access** Is there good road access, including at peak times?
- **Competition** Are there non-local-authority sites and services nearby?
- **Planning issues** Is the site in an appropriately designated area? Does an existing site need to be expanded? Do existing planning and licensing agreements need to be reviewed?
- **Site infrastructure and space** What are the infrastructure requirements and is there enough space for containers and traffic?
- **Impact on existing services** Will opening a new site on a former HWRC result in changed opening hours or reduce the number of customers on commercial collection rounds?

Once the site is constructed, significant marketing activities will be required to raise awareness and encourage businesses to use it.

1.4 Preventing commercial-waste abuse

For sites to accept commercial waste they need to be able to control commercial inputs so that the material can be properly managed. In practice this means having the capability to prevent commercial inputs in certain circumstances. Moreover, it is likely that many sites will not be suited to accepting commercial-waste inputs, because they lack the space, equipment and staff to be able to manage legitimate commercial-waste inputs. There are a number of options available as discussed below.

1.4.1 Meet-and-greet staff

On-site staffing is discussed in more detail in Section 4.10. Any staff who are meeting and greeting site visitors should be able to challenge suspected traders. Obviously staff should ensure that they do not put themselves in any danger, but if safe to do so and commercial waste is suspected, they can ask the driver where the waste has come from. If the suspected trader becomes abusive and there is a threat of violence, staff should refer to the site operator’s health and safety policies (see Section 5.12.5 for further detail on health and safety).

If safe to do so, the meet-and-greet staff can refuse to allow the vehicle to dispose of waste and instruct them to use alternative disposal routes. Staff should be made aware of location details for alternative facilities. In other cases the staff may deem it safer to allow the waste to be disposed of, after getting the suspected trader to sign a disclaimer form to state the waste is household waste, as outlined in Section 7.3.5.

Site staff often know who is abusing the system and may be eager to prevent them from doing so. Officers will need to provide support when staff are challenging suspected traders but they may need to ensure site staff are not overzealous. Regular discussion and feedback on suspected commercial abuse between site staff and officers or contract managers will be useful.
1.4.2 Barriers

Previous research (Trade Waste Inputs to Civic Amenity Sites and the National Assessment of Civic Amenity Sites or NACAS) has found that where height barriers are introduced as the only commercial-waste control method, they are generally found not to work. This is because traders tend to find ways to get around them. If there is a height barrier or a van ban, traders may use estate cars or trailers, or park outside the site to overcome this problem. Therefore, this type of commercial-waste control needs to be used in conjunction with other control methods (such as disclaimer forms or automatic number plate recognition).

Some sites have manual barriers that the site operative performing the meet-and-greet function must raise, after discussing with the driver the type of waste they are disposing of. This type of barrier may be useful on relatively quiet sites. However, this system is not practicable if it results in extensive traffic queues, particularly if this affects non-site traffic.
If a raised barrier is to be used at the front of the site, it needs to be high enough to let large domestic vehicles in. If the height barrier is too low, site staff may end up leaving the barrier open, which could then allow vans driven by traders to enter the site unchallenged.

The popularity of people carriers and 4x4 vehicles means that any height barrier needs to be high enough to allow these domestic vehicles to enter the site. Generally, a height barrier of 2m (approximately 6ft 6in) should be adequate. However if the vehicle has any roof or rear attachments, such as a roof rack or bike rack, it may be too high for the barrier. Local authorities should make it clear on their website and on the barrier itself what the clearance height is.

1.4.3 Van bans

Whether there is a barrier in place or not, local authorities may want to enforce a van ban, based on the assumption that vans are predominantly commercial vehicles. If a van ban is in place, site managers should be encouraged to take responsibility for seeing all vans and requesting photo ID and proof of residency. This will prevent commercial abuse from outside the authority and will act as a deterrent for those who live within the area. The site manager can then use their discretion as to whether to allow the vehicle to dispose of its waste and could follow up with the use of a disclaimer form. If a resident has hired the van, they should be requested to provide proof of hire.

Introducing a van ban is likely to cause inconvenience for some site users and there may be some aggression towards staff when the system is introduced. If a local authority considers staff safety may be compromised during the roll-out of such a ban, they may want to employ security guards on site on a short-term contract to support staff and deal with difficult site visitors.

Example

Van users in Leeds can only use their vans to dispose of household waste on a Wednesday or a Saturday. This is to help ensure that commercial waste is not being disposed of illegally by businesses at HWRCs. Restricting van use to these times allows site staff to concentrate their efforts in controlling commercial abuse.

1.4.4 Automatic number-plate recognition

Automatic number-plate recognition (ANPR) systems can be very effective if they are used to their full potential. For example, the system can be set up so as to trigger an email to a staff member at the local authority, who can then follow up suspected commercial abuse (for example when a vehicle has breached a set number of visits over a given period). Alternatively, if the system does not provide alerts, a member of staff will need to be responsible for monitoring the ANPR data and highlighting any vehicles that are frequently entering the site.

It is worth bearing in mind that some council members may not be comfortable with the use of ANPR for fear of ‘monitoring’ residents. This and data protection issues may need to be considered when deciding whether to introduce it on site.

1.4.5 Disclaimer forms

Any site users suspected of bringing commercial waste to the site should be approached by staff and requested to fill in a disclaimer form to confirm that the waste is from their household and not of commercial origin. However, in any potentially threatening situation, staff should withdraw and take licence plate details for the vehicle being used by the abusive site user. Staff should then pass these details on to the appropriate contact at the council who will attempt to identify the home address of the site user. The council can then send the site user a warning letter, or conduct a home visit. In any event, the details of the vehicle
should be passed on to staff at all HWRCs in the authority area, with a view to banning the vehicle from using HWRCs in the future.

All ANPR or disclaimer systems require enforcement and follow-up activities to ensure that site visitors are aware that it is not acceptable to abuse the site.

**Example**

<table>
<thead>
<tr>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>In Cambridgeshire, a visit will be made within 48 hours to any suspected trader depositing waste, if possible by both the AmeyCespa monitoring officer and the relevant HWRC site manager. Taking the site manager allows confirmation that the resident is the same person who was on site. It also ensures the suspected trader is aware that action has been taken and there is management support. Persistent abusers’ vehicles may be blacklisted. Communication between sites ensures that such traders cannot simply try to gain access to another site if they are refused at a first. This approach has proved to be an, effective deterrent, particularly as word quickly spreads that suspected commercial abuse will almost certainly trigger an unwelcome home visit.</td>
</tr>
</tbody>
</table>

It is essential that staff record completed disclaimers in a database that is monitored frequently. Abuses of the system should be subject to an enforcement mechanism that in the first instance will result in a phone call or letter to the property in question. Should it be deemed necessary, a home visit should be undertaken and, in a worst-case scenario, recurrent commercial abuse could result in court proceedings. Any such successful prosecutions should be widely publicised in the local media.

Effectively enforcing the disclaimer mechanism in this way will send out a message to traders that abuse of the HWRCs will not be tolerated. It will also demonstrate to the site staff that they have the backing of managers at the council in their enforcement of the policy. This in turn could motivate them to increase efforts to exclude commercial waste from the facilities.
Section 1: Legal position regarding acceptance of commercial waste at household waste and recycling centres

It is illegal to dispose of waste from any form of commercial activity at a household waste and recycling centre (HWRC). The HWRC staff are required to prohibit the deposit of any commercial waste at this facility (except where it is in accordance with proper council charging procedures). The facility is for reasonable amounts of waste from domestic premises located within the parish/town/city/county of [ ].

Should the person delivering the waste maintain that the waste is of household origin then the waste will be accepted provided that the declarations in Section 2 and Section 3 are fully completed.

Section 2: Driver, vehicle and waste details

Name of HWRC where deposit took place …………………………………………………………………

Driver Name …………………………………………………………………………………………………………………

Address ……………………………………………………………………………………………………………………………

Vehicle Owner’s name ……………………………………………………………………………………………………………

Owner’s address …………………………………………………………………………………………………………………

Owner’s business …………………………………………………………………………………………………………………

Vehicle registration …………..

Make / model …………….. Colour …………………

Waste Full description of waste ……………………………………………………………………………………………

Estimated quantity of waste ……………………………………………………………………………………………

Form completed by site user? Yes / No Recycling Advisor’s signature …………………………………………………

Section 3: Declaration

I have read the information contained in Section 1 and can confirm that all of the details contained in Section 2 are correct and that the waste (described above) that I am depositing is from my household.

Name ……………………………………………Signature…………………………………………………………

Date waste deposited ………………………Time waste deposited ………………………………………
1.4.6 **Proactive intervention**

An example of a proactive approach to persistent commercial abuse is to join forces with other enforcement agencies to deliver a short-term but effective deterrent, as the Greater Manchester Waste Disposal Authority (GMWDA) example below demonstrates.

| Example | GMWDA suffered problems with site users who could not get their vehicle under the barrier parking on the street and walking on to the site with their waste. Some of these were suspected traders. The authority launched a multi-agency event, initially at one site, with the local authority’s environmental-management and environmental-health teams, the Department of Employment, the Vehicle and Operator Services Agency (VOSA), parking enforcement, and the police, including police community-support officers. The event aimed to challenge those people who were suspected traders, but who may also have been committing additional offences that the other agencies would be interested in preventing, such as driving and vehicle offences. Although one site was targeted initially at Stretford in Manchester, the success of the first event has lead to a second event in Droylesden, Tameside. GMWDA are planning a third event in Heywood, Rochdale.

The outcome of the events has been significant reductions in site abuse, with fewer drivers parking vehicles outside the targeted HWRCs and attempting to walk commercial waste under the height barriers. Partner agencies were also given the opportunity to deal with the other offences being committed by site users. |