



The Duty of Care

What this means and how it affects your business

Love the streets you trade in



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Under part II of the Environmental Protection Act 1990 anyone who produces, imports, keeps or stores, transports, treats or disposes of waste has a duty to take all reasonable steps to keep it safe.

The Duty of Care applies to all businesses, and if it is broken you may be prosecuted and fined an unlimited amount. We want to ensure this does not happen to your business.

How can we help you?

The law says you must “take all reasonable steps” to fulfil the duty and complete an annual Waste Transfer Note. What is “reasonable” depends on what you do with your waste. For example, you must stop waste escaping from your control by storing it safely and securely and you must also prevent it from causing pollution or harming anyone. The following steps may be considered reasonable in meeting the Duty of Care.

1. Keep waste in a suitable container. Avoid leakage of fluid and grease by first wrapping food and vegetable matter in paper. If you put loose waste in a skip or on a lorry, cover it and ensure it is well lit at night.
2. As commercial waste collection is not included in your business rates you must pay for an authorised waste collector to remove your waste from your premises. Please note that the waste generated by your business will not be collected with household waste – you will breach the Duty of Care if you allow this to happen.
3. If you give waste to someone else, which may include a contract cleansing company, check they are an authorised waste carrier.
4. You must describe the waste in writing each year using a form called a Waste Transfer Note. Your authorised waste collector will provide you with one which will cover all your waste transfers for one year. By law you must keep a copy of your Waste Transfer Note for up to 2 years.

Collection timings

Collection timings depend on individual contracts. This keeps the Royal Borough clear of unnecessary obstructions. Please remember that you are only permitted to place your waste on the street at certain times of the day. Morning collections start at **7.00**, evening collections begin at **16.30** and night collections at **21.30**. You must place your waste out no more than **30 minutes** before collection takes place.

However, collection times are different in the below streets:

Beauchamp Place, Brompton Road, Earl's Court Road, Fulham Road, Gloucester Road, Holland Park Avenue, Kensington Church Street, Kensington High Street, King's Road, Ladbrooke Grove, Notting Hill Gate, Old Brompton Road, Pembrooke Road, and Sloane Street.

Please check your contract to confirm your collection times and ensure your waste is collected.

Enforcement Officers patrol the streets on your behalf to ensure the Duty of Care is adhered to, and waste is placed out for collection at the right time. If you suspect someone is breaking the law, call the Environment Agency on 08708 506 506.

For all your commercial waste needs

Tel: 020 7341 5106

Email: commercial.waste@rbkc.gov.uk

Web: www.rbkc.gov.uk