

Business Waste – Presentation & Record keeping. What businesses should be doing.

This guide contains practical guidance on how business in England should manage their waste and the requirements they should follow. It reflects **current UK law** and the **Simpler Recycling regulations in force since 31 March 2025**. Make changes now and avoid a fine.

Business Waste Presentation Requirements (England)

1. Waste Presentation

Waste presentation refers to **how business waste is sorted, stored, contained, labelled, and put out for collection** so that it:

- Complies with legal requirements,
- Protects health and the environment,
- Does not contaminate recyclable materials,
- Can be safely and lawfully collected by authorised carriers.

It forms a core part of your **Duty of Care** under the Environmental Protection Act 1990.

2. Legal Framework (England)

Businesses must comply with:

- **Environmental Protection Act 1990 – Duty of Care**
- **Waste (England and Wales) Regulations 2011 (as amended)**
- **Environment Act 2021**
- **Simpler Recycling: Workplace Recycling Regulations (from 31 March 2025)**



These laws require businesses to **prevent waste contamination, store waste securely, and present segregated waste correctly** for collection.

3. Mandatory Waste Streams to Be Presented Separately

From **31 March 2025**, all workplaces in England (except micro-firms until 2027) must separate waste in the following categories:

You must always separate:

a. Dry recyclables

- Paper and cardboard
- Plastic
- Metal (cans, foil, aerosols)
- Glass

b. Food waste

- Preparation waste, leftovers, tea bags, coffee grounds

c. Residual (non-recyclable) waste



These categories **must not be mixed** when presented for collection – i.e. they should be in separate bins.

4. Containers and Bins – Presentation Standards

When presenting business waste, containers must:

- **Be appropriate for the waste type,**

- Be **sufficient in size and number** to avoid overfilling,
- Be **kept closed** when not in use,
- Prevent **leakage, escape, pests, or scavenging**,
- Be in **good, clean condition**.

There is **no prescribed bin size**, but bins must be suitable for the volume and nature of waste generated.

5. Labelling and Signage Requirements

Best practice (and often required by waste contractors):

- Clearly label each container with:
 - **Waste type** (e.g. “Food Waste Only”)
 - Simple visuals where possible
- Use **consistent colours or signage**,
- Include **“No contamination” instructions** on recycling bins,
- Provide guidance posters in staff areas.

Clear labelling helps meet Duty of Care obligations by preventing contamination.

6. Waste Storage Prior to Collection

Business waste must be:

- Stored in a **designated waste area**,
- Located away from food prep areas and drains,
- Not obstructing fire exits or public highways,
- Secured outside of collection windows (locked or enclosed).

Waste must **not accumulate excessively** or create odour, hygiene, or safety issues.

7. Presentation for Collection Day

On collection days, waste must be:

- Presented **only at the agreed time**
- Placed at the **agreed collection point**
- In the **correct container** (no loose bags unless agreed)
- Free from **cross-contamination** (recyclables must be clean and dry)

Waste that is incorrectly presented **may be rejected** and recorded as non-compliant.

8. Food Waste Specific Requirements

If your business produces food waste:

- It must be presented in a **separate, sealed container**,
- Containers must be **cleaned regularly**,
- No packaging, liquids, or non-food items should be included,
- Waste oil and fats must be stored separately.

Businesses that generate food waste **do not need to serve food** to be in scope.

9. Hazardous and Special Waste (If Applicable)

Hazardous waste must:

- Be **stored separately**,
- Be **clearly labelled**,
- Use **approved containers**,
- Never be mixed with general or recyclable waste.

Examples:

- Batteries,
- Chemicals,
- Fluorescent tubes,
- Waste electrical equipment (WEEE).

Additional documentation and presentation rules apply.



Waste transfer notes look like this:

A screenshot of a 'Duty of care: waste transfer note' form. The form is divided into several sections: Section A (Description of waste), Section B (Current holder of the waste - Transferor), Section C (Person collecting the waste - Transferee), and Section D (The transfer). Each section contains various fields for text entry and checkboxes for specific details. The form is titled 'Duty of care: waste transfer note' and includes a note to 'Keep this page and copy it for future use. Please write as clearly as possible.' The footer of the form indicates 'WRCJA version 1, August 2011' and 'page 1 of 1'.

10. Documentation and Compliance Checks

Businesses must:

- Keep **Waste Transfer Notes** (minimum 2 years),
- Use **registered waste carriers**,
- Ensure waste description matches what is presented,
- Take reasonable steps to prevent others breaching permits.

Incorrect presentation can lead to **fixed penalties, enforcement notices, or prosecution.**

Find the forms here - <https://www.gov.uk/government/publications/duty-of-care-waste-transfer-note-template>

11. Micro-Businesses and Exemptions

- **Micro-firms (<10 FTE staff)** have until **31 March 2027** to become fully compliant with the new legislation, but don't leave it until the last minute!
- All other Duty of Care storage and presentation rules still apply,
- Evidence may be required to demonstrate eligibility for delay.

12. Potential Fines

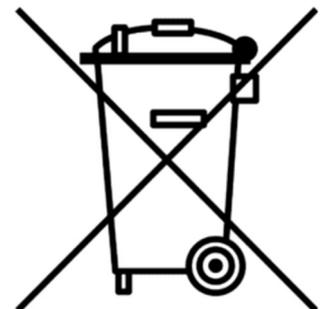
Failure to comply with commercial waste requirements can lead to a fixed penalty notice (FPN) under the Environmental Protection Act 1990.

There are two main FPNs:

- Failure to comply with a S34 waste transfer note producer notice (above) can lead to a £300 FPN for **each** transfer note not provided.
- If it appears to a Local Authority that the receptacles used by a business will cause a nuisance or be detrimental to the amenities of the locality, the authority may serve the business a notice, requiring the occupier of the premises to provide receptacles for the storage of the waste of a kind and number specified in the notice. Failure to comply with such a notice can result in a £100 FPN or prosecution.

13. Waste electrical equipment (WEEE)

The UK Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 (as amended) require businesses to ensure that electrical and electronic waste is kept out of landfill and instead reused, recycled, or treated safely; any organisation that manufactures, imports, sells, or uses electrical equipment has legal responsibilities depending on its role. Producers must register annually, report how much equipment they place on the UK market, fund its recovery and recycling, and correctly mark products, while retailers must offer customers a free take-back option for old electrical items.



Businesses that generate WEEE through normal operations must store it separately from general waste, use licensed carriers for collection, keep disposal records, and clearly prevent electrical waste being placed in

residual or general waste bins, with non-compliance risking fines, enforcement action, and environmental harm.



If you sell electrical items or produce electrical waste you can find more guidance here: <https://www.gov.uk/guidance/regulations-waste-electrical-and-electronic-equipment>

14. Good Practice Checklist

- Waste streams separated correctly
- Bins clearly labelled
- No overfilled containers
- Food and recyclables uncontaminated
- Waste stored securely
- Collection presentation follows contract terms
- Staff trained in waste segregation

More information is available:

- <https://www.gov.uk/guidance/simpler-recycling-workplace-recycling-in-england>
- https://assets.publishing.service.gov.uk/media/6274d74bd3bf7f5e3ade6090/Waste_duty_of_care_code_of_practice.pdf
- <https://www.gov.uk/dispose-business-commercial-waste>,
- <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice/waste-duty-of-care-code-of-practice>
- <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice/waste-duty-of-care-code-of-practice>

Better Business for All works to boost business productivity and growth by making it easier for businesses to access the regulatory support they need from Local Authorities such as Trading Standards, Environmental Health, Licensing, and others. BBfA also works with regulators to help them better understand the challenges faced by businesses.

I hope this guidance has been useful, further business support information can be found here: [Better Business For All | Hertfordshire Futures](#)
