

# Waste Strategy Definitions Document

## Waste legislation and regulations

<https://www.gov.uk/guidance/waste-legislation-and-regulations>

### Area covered on this site include

EU Waste Framework Directive

Legal definition of waste guidance

Introduction to the waste hierarchy

The planning system via an update to [Planning Policy Statement 10: Planning for sustainable waste management](#)

Waste Electrical and Electronic Equipment (WEEE)

Packaging, packaging waste and packaging waste regulations

## Waste management plan for England

<https://www.gov.uk/government/publications/waste-management-plan-for-england>

The legal definition of waste is set out in the revised Waste Framework Directive. It is defined as “any substance or object which the holder discards or intends or is required to discard”.

Within this definition, waste streams are employed to categorise particular types of waste which may be produced by individuals or organisations. Primarily these are:

1. Municipal waste – household waste and commercial waste similar to household waste
2. Industrial (including agricultural) and commercial waste
3. Construction and demolition waste
4. Hazardous waste

## Quality Action Plan

### Proposals to promote high quality recycling of dry recyclates

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/221028/pb13875-qap-recycling.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221028/pb13875-qap-recycling.pdf)

The Action Plan is about the quality of “dry” recyclates (i.e. paper, glass, metal and plastic), though many of its principles also apply to the recycling of our food and

garden wastes. The waste streams it is addressing are household and commercial waste.

## **The Single Use Carrier Bags Charges (England) Order 2015**

<http://www.legislation.gov.uk/uksi/2015/776/introduction/made>

## **The Waste (England and Wales) (Amendment) Regulations 2012**

<http://www.legislation.gov.uk/uksi/2012/1889/introduction/made>

This legislation sets out the duties in relation to the collection of waste. It is commonly known as the TEEP test.

Under the legislation every waste collection authority must, when making arrangements for the collection of waste paper, metal, plastic or glass, ensure that those arrangements are by way of separate collection.

The duties in this regulation apply where separate collection—

(a) is necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery; and

(b) is technically, environmentally and economically practicable.”.

## **The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2012**

<http://www.legislation.gov.uk/uksi/2012/3082/introduction/made>

## **The Waste (England and Wales) Regulations 2011**

<http://www.legislation.gov.uk/uksi/2011/988/introduction/made>

## **Waste prevention programme for England**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/265022/pb14091-waste-prevention-20131211.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265022/pb14091-waste-prevention-20131211.pdf)

Prevention is better than cure. The role of waste prevention in moving to a more resource efficient economy.

Moving towards a more resource efficient, circular economy offers scope for innovation, sustainable growth and saving money, as well as reducing the impact on the environment.

Waste prevention includes many different types of activity, each contributing to making better use of resources. Action to reduce waste arisings and increase resource efficiency should therefore be a priority for all sectors of the economy.

This document sets out the Waste Prevention Programme for England. It articulates the actions for government and others which together will move us towards reducing waste.

The aim of the Programme is to **improve the environment and protect human health by supporting a resource efficient economy, reducing the quantity and impact of waste produced whilst promoting sustainable economic growth.**

## **EU waste management law**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1446646333107&uri=URISERV:ev0010>

### **WHAT DOES THE DIRECTIVE DO?**

It establishes a legal framework for treating waste in the European Union (EU). This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.

### **KEY POINTS**

- The legislation establishes a waste hierarchy: prevention, re-use, recycling, recovery for other purposes such as energy and disposal.
- It confirms the 'polluter pays principle' whereby the original waste producer must pay for the costs of waste management.
- It introduces the concept of 'extended producer responsibility'. This may include an onus on manufacturers to accept and dispose of products returned after use.
- It makes a distinction between waste and by-products (\*).
- Waste management must be carried out without any risk to water, air, soil, plants or animals, without causing a nuisance through noise or smells, or harming the countryside or places of special interest.
- Producers or holders of waste must treat it themselves or have it handled by an officially recognised operator. They require a permit and are inspected periodically.

- Competent national authorities must establish waste management plans and waste prevention programmes.
- Special conditions apply to hazardous waste, waste oils and bio-waste.
- It introduces recycling and recovery targets to be achieved by 2020 for household waste (50 %) and construction and demolition waste (70 %).

## **Business and commercial waste**

<https://www.gov.uk/managing-your-waste-an-overview>

This site gives guidance and information to businesses and commercial operators that create waste on how to manage their waste appropriately

1. Overview
2. [2. Duty of care](#)
3. [3. Licences and registration](#)
4. [4. Sorting and storage](#)
5. [5. Moving waste](#)
6. [6. Disposal](#)
7. [7. Reporting waste crime](#)
8. [8. Contacts](#)

## **Waste Duty of Care**

### **General Duty of Care**

Anyone who produces, imports, keeps, stores, transports, treats or disposes of waste must take all reasonable steps to ensure that waste is managed properly. This duty of care is imposed under section 34 of the Environmental Protection Act 1990.

<http://www.legislation.gov.uk/ukpga/1990/43/contents>

It also applies to anyone who acts as a broker and has control of waste. A breach of the duty of care could lead to a penalty of up to £5,000 if convicted in the Magistrates Court or an unlimited fine if convicted in the Crown Court.

### **Household Duty of Care**

Householders must ensure that household waste is properly disposed of. Household waste is defined in section 75(5) of the Environmental Protection Act 1990 and

includes waste from domestic properties, caravans and residential homes. The householder duty of care is provided by Section 34(2A) of the Environmental Protection Act 1990 (inserted by the Household Waste Duty of Care Regulations 2005). A breach of the household duty of care would also attract penalties up to £5,000 on conviction in the Magistrates Court or an unlimited fine if convicted in the Crown Court.