

Regulatory Position Statement 060

The temporary secure storage of fly-tipped waste and waste from trash screens and public litter bins, other than at the site of production

If you comply with the requirements below, we will allow the temporary secure storage of fly-tipped waste and waste from trash screen clearance and public litter bins, at a site other than where it was produced, pending recovery or disposal of it elsewhere.

Background

The site where waste has been fly-tipped is the site of production. The same applies to waste which is cleared from trash screens on waterways or where waste has been placed in public litter bins. When someone collects them and takes them to a site to store them before they are collected for final recovery or disposal elsewhere, then that site requires an environmental permit.

Our approach

We will not pursue an application for an environmental permit for the activity where:

- You are the owner of the land or are responsible for clearing the land where the fly tipped material has been dumped, the trash screen has been cleared, or the litter bin has been located.
- You are also the owner of the land or responsible for the site where the waste is store.
- The total quantity of non-hazardous waste stored at any one site, at any one time does not exceed 20 cubic metres.
- The total quantity of hazardous waste stored at any one site, at any one time does not exceed 5 cubic metres.
- The waste is stored securely¹ and for no longer than six months.
- Any hazardous wastes are consigned in accordance with the Regulations².
- You meet the relevant objectives of the Waste Framework Directive;

'... ensuring that waste management is carried out without endangering human health, without harming the environment and in particular:

- (i) without risk to water, air, soil, plants or animals;
- (ii) without causing a nuisance through noise or odours; and
- (iii) without adversely affecting the countryside or places of special interest.'

¹'Securely' mean the waste cannot escape and unauthorised persons are prevented from accessing it.

²The Hazardous Waste (England and Wales) Regulations 2005.

Enforcement

In not pursuing an application for a permit, we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please see our [Enforcement and Sanctions](#) statement.

This statement is based on our understanding of the relevant legislation. It applies to England only. You can get advice on the approach being taken in Wales from Natural Resources Wales.

This regulatory position will be reviewed by October 2017.

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