

Enforcement Waste & Recycling FAQ's

Why are we taking enforcement action?

Powys County council are taking action against any illegal disposal of waste to help keep Powys a clean and tidy place to live for all residents. We will take enforcement action against anyone continually breaking the law. Every occupier of any domestic property has a duty of care under Section 34 of the Environmental Protection Act (1990) to take every measure available to them dispose of their waste reasonably.

What offences are we enforcing?

We are enforcing several waste issues including:

- Wrongfully disposed of waste / Fly tipping
- Refuse & Recycling presented for collection on the wrong day
- Materials left at community recycling centre not left contained in a recycling bank
- Domestic waste put out for collection not contained in a wheeled bin or purple sack
- Not holding the relevant trade waste documentation

If I have received a letter, why are my details now kept on your database?

Your details are being held on the Powys Enforcement data base because they have been retrieved when collecting evidence from sites of wrongfully disposed of waste or recycling.

Details are being held to help the Awareness and Enforcement team to follow up any instances of illegal behaviour.

How long will you hold my details be on your database?

We will hold your details for 12 months from the time you have been sent a letter informing you of the offence and the fact we have your details.

What details do you have on record?

The data base only holds name address details along with where and when it was collected. In some instances we may hold evidence containing more details dependant on the nature of the evidence retrieved. An example of this would be household utility bills, bank statements, or invoice details. If you wish to know what details we hold you can request a detailed list.

Data protection Act 1998

Your details are being held in accordance with the above act.

If you would like to request a copy of the personal data held on the Waste & Recycling Enforcement database, you will need to provide a copy of 2 items of Primary identification documents (i.e. passport/birth certificate/driving licence) along with your request in writing, sent to Waste Awareness & Enforcement, County Hall, Llandrindod Wells LD1 5LG

It wasn't me?

Every occupier of any domestic property has a duty of care under Section 34 of the Environmental Protection Act (1990) to take every measure available to them to dispose of their waste reasonably. Waste containing personal information that is passed to others for disposal is still under your duty of care until it is passed onto a licensed waste carrier.

In the first instance there is no enforcement action taken. We would only take enforcement action after multiple instances of the wrongful disposal of waste or recycling.

What happens next?

No action will be taken unless more than one offence occurs. Your information is stored for 12 months, if no further incidents occur no further action will be taken other than the letter you have received.

If a second offence is recorded a member of the Waste Awareness & Recycling team will visit the property or a second letter will be sent.

If a third offence is recorded then a fixed penalty notice will be served. If payment is not received within the indicated time frame you risk being prosecuted for the original offence.