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**Corff Cynrychiolwyr Yr Eglwys yng Nghymru**  
**The Representative Body of The Church in Wales**

# Separating waste for recycling and tightening food waste regulations from 6 April 2024

## Changes to recycling law

This note highlights your church's legal requirements in relation to the recycling of waste.<sup>1</sup>

As a church, you may already be recycling as much waste as possible, as well as trying to be creative in reusing items safely during church activities, such as for play group activities.

From 6 April 2024, non-domestic recycling law is changing in Wales:

<https://business.senedd.wales/mglIssueHistoryHome.aspx?lId=42201>

**All churches and church halls** – as well as other non-domestic premises – will be required to sort waste for recycling more thoroughly to enable greater recycling rates and avoid the issue of potential cross-contamination.

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<sup>1</sup> Part of this document is based on an advice note from Cytûn, Churches Together in Wales, which we reproduce with thanks.

# How the changes will affect your church

From 6 April 2024, recycling will need to be separated into six different recycling containers by the owner/manager of premises, or by the operator of an activity, being held on the premises.

## The six separate containers are:

1. Glass
2. Plastic, metal and cartons and other similar packaging (note: the supply of many single-use plastic items was banned on 30 October 2023)
3. Paper and card
4. Food waste (see further below)
5. Unsold\* small electrical equipment
6. Unsold\* textiles

\* “Unsold” is defined as an unused consumer product. Initially, Categories 5 and 6 above are unlikely to apply to churches (or charity shops) which sell second-hand goods. However, Welsh Government intends to apply the recycling requirement to all textiles within three years, and all small electrical equipment within two years, so your church may wish to prepare for this change now.

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***Please note:* It will be illegal to send waste in any of the above categories to incineration or landfill, and it will be illegal to send wood waste to landfill (although it can still be incinerated).**

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The full definitions of each of the six categories, as contained in the regulations, are included as an appendix below. Further guidance is available on the Welsh Government website: <https://www.gov.wales/changes-workplace-recycling-guidance-workplaces#127756>.

## Placing the incorrect waste in the incorrect container could lead to a fixed penalty notice (fine)

Local authorities could issue such fines, although Welsh Government says that the intention is to remind and educate first before applying penalties. The managers and trustees of multi-use premises – such as many church buildings – should therefore ensure that all users are aware of the new regulations.

Hazardous waste (such as batteries, solvents, pesticides, and so on) will – as now – need to be disposed of safely and separately from the recycling containers.

## Definitions of household and commercial waste

Places of worship (including church and chapel halls and the like used in connection with a place of worship) are eligible for free household waste collection under the [Controlled Waste \(England and Wales\) Regulations 2012](#). For churches, the only exceptions are likely to be church cafes or shops which operate on a commercial basis, and residential centres, which need to arrange commercial waste collection. The 2012 regulations remain in force in Wales.

However, even those premises eligible for free household waste collection will need to separate their waste into six containers as described above. It will be for the local authority to determine how these are collected – whether free of charge by its commercial waste collection service, or (as now in most cases) by its household waste collection, and how to deal with the differences in separation requirements between domestic premises (homes) and these new regulations.

Churches may be approached by local authorities seeking to transfer them to their commercial waste collection service from April 2024. If so, **churches should ensure that this collection will continue to be free of charge, and if necessary refer the local authority to the 2012 regulations.**

## Tenants and hirers of buildings

Many church premises are, in whole or in part, sub-let to tenants. The Code states *For a site with multiple business occupancy ... where there is a single contract for waste collection managed by the owner or a facilities management agency, we would expect the tenancy agreement to include a requirement for the parties to comply with the separation requirements* (para 5.11). The Code does not go into detail regarding Hiring Agreements or similar, which are used by many church premises. However, the principle stated in the Code is clear: *You are responsible for all wastes that are presented for collection from your premises. This includes, but is not limited to, wastes produced by staff, visitors and contractors* (para 7.12). This means that **detailed engagement will be necessary with all users of your buildings**, and you may wish to consider including clauses relating to separation of waste into your hiring agreements.

## Bins and containers for waste

The Code of Practice states *At the point you present your waste for collection (for example kerbside collection), in order to comply with the separation requirements you will need a separate container for each recyclable waste stream. This is not the case in respect of internal bins for occupiers, staff, visitors etc as it is recognised that in some circumstances this will not be practical or achievable. It is considered good practice to provide separate containers for each recyclable waste stream wherever waste is collected on your premises.* (paras 7.14-7.15).

The Code makes the following specification with regard to the types of containers that can be used to present waste for collection: *These containers can be bins, bags, boxes, skips or other type of container as appropriate, taking into account the nature*

*of the waste and the requirements of your waste collector. For example, flexible plastic bags may not be suitable for separating items with sharp edges, or that are very heavy. It is acceptable to use containers that are internally subdivided by a permanent physical barrier, for example a bin with two or more physically separate compartments. The containers used must be sufficiently durable to maintain the required separation during subsequent handling and management of the waste. It is recommended that compartments in a container are made of a solid construction rather than flexible plastic that is likely to rip open, which increases the risk that the contents will mix with other waste streams. When the separately presented waste streams are collected they must be kept separate and not mixed with other streams, or any other wastes. (paras 7.3-7.4). There is also detailed guidance regarding the use of “survival bags” (with restrictions on how they may be used – para 7.5). The Code adds *Given that waste containers may need to be stored in publicly accessible locations, it is considered best practice to use lockable containers and to ensure these are kept locked to minimise the risk of accidental or intentional contamination* (para 7.8), and points out that the containers must be clearly labelled for collection. It is likely that different local authorities and other waste collectors will have slightly different detailed requirements, and **premises managers and Trustees should seek advice from their waste collector**, if it has not already been provided.*

**External bins:** The Code states *litter collected by the Local Authority ... from, typically, publicly accessible streets, pavements and open spaces, does not have to be presented separated when presented for collection. However, for the sake of a consistent approach and good practice it is recommended that separate litter bins for recyclable items are provided at any locations where litter bins are located so that Local Authorities can, wherever possible, arrange for litter to be recycled.* (para 5.7). However, where a bin is provided in a church garden, cemetery, play area or similar and the waste is then included in the church’s waste collection (rather than collected directly by the local authority from the public space), its contents is covered by the separation requirements.

## Food waste

The legal requirement to separate and recycle food waste will apply to premises that produce 5kg or more of food waste per week (if you produce less, it will be legal to put food waste in the general, non-recyclable, waste stream). However, it is good practice to separate and recycle all food waste, even small amounts, and this can be collected from churches free of charge as household waste. We would therefore encourage churches to do so.

## Food waste down sink or into public drain ban

In addition, **there will be a ban on disposing any amount of food waste down the sink or into a public drain or sewer.** This applies not only to pouring food directly into the sink or drain but means it will no longer be permitted to use equipment such as macerators, enzyme digesters or de-waterers. Churches should ensure that users of their premises are aware of this. You will not have to uninstall

any such equipment you have, but it is probably a good idea to uninstall or disconnect it, in order that it is not used by accident. Discharge of food waste into the public drains or sewers will be an offence and if this does happen, fixed penalty notices may be issued to the premises or operator concerned.

## **Appendix**

Definitions of the waste types (in all cases hazardous waste is excluded and must be disposed of separately)

### **1. Glass**

- Glass bottles used as packaging
- Glass jars used as packaging

### **2. Cartons and similar, metal and plastic**

a) Cartons and similar Fibre-based composite packaging, being packaging material, which is made of paperboard or paper fibres, laminated with low density polythene or polypropylene plastic, and which may also have layers of other materials, to form a single unit that cannot be separated by hand, limited to:

- Cartons
- Paper drinks cups with a low-density polythene or polypropylene plastic layer
- Rigid paper containers

b) Metal:

- Aluminium foil
- Aluminium food trays
- Aluminium tubes
- Steel and aluminium aerosols
- Steel and aluminium jar and bottle lids and caps
- Steel and aluminium tins and cans

c) Plastic

- Amorphous polyethylene terephthalate and crystallised polyethylene terephthalate plastic packaging comprising pots, tubs, trays, rigid and semi-rigid lids and clear cups except where the plastic contains carbon black pigment so that it is not near infrared detectable

- Amorphous polyethylene terephthalate plastic bottles except where the plastic contains carbon black pigment so that it is not near infrared detectable
- High density polyethylene and low-density polyethylene packaging comprising pots, tubs, trays and rigid and semi-rigid lids except where the plastic contains carbon black pigment so that it is not near infrared detectable
- High density polyethylene and low-density polyethylene plastic bottles, pumps and triggers except where the plastic contains carbon black pigment so that it is not near infrared detectable
- Polypropylene and expanded polypropylene plastic packaging comprising pots, tubs, trays, rigid and semirigid lids and clear cups except where the plastic contains carbon black pigment so that it is not near infrared detectable
- Polyethylene and polypropylene plastic packaging tubes **except**: where they are less than 50x50mm, where they have contained products used in construction works, where they have a metal layer, or where they are multi-monomer plastic
- Polypropylene plastic bottles, pumps and triggers except where the plastic contains carbon black pigment so that it is not near infrared detectable

### 3. Paper and card

All paper and card, **except**:

Fibre-based composite packaging, being packaging material, which is made of paperboard or paper fibres, laminated with plastic, and which may also have layers of other materials, to form a single unit that cannot be separated by hand

Hardback books

Padded polyethylene lined envelopes

Paper and card containing glitter or foil

Paper and card contaminated with food, paint, oil or grease

Paper and card that has been laminated

Paper towels, tissues, wet wipes, kitchen roll

Scratch cards

Shredded paper

Stickers and sticky notes

Till receipts

Wallpaper

Wax, silicone, greaseproof papers

## **4. Food waste**

All food waste (with some very limited exceptions)

## **5. Unsold small waste electrical and electronic equipment**

All unsold small waste electrical and electronic equipment (as defined above)

## **6. Unsold textiles**

- Clothing
- Non-clothing textiles including carpets and carpet tiles, leisure textiles (such as tents and tarpaulins), mattresses, rugs, soft furnishings (such as curtains, bedsheets, blankets, duvets, pillows, towels), underlay
- Packaging made from textiles