



DOCTOR DOES NOT KNOW BEST

<p>WHAT HAPPENED?</p>	<p>A non-practicing doctor used a small room in his home for occasional consulting activities. On two occasions the local council found items in the bins next to the property (empty syringe boxes, non-surgical latex gloves, business letters and appointment sheets among other items). The local council served a notice requesting copies of the waste transfer documentation but no response was received and a fixed penalty notice was issued. No payment for the notice was then received.</p> <p>The doctor was taken to court and then sought to appeal the original verdict. But the leave to appeal was dismissed.</p>
<p>OUTCOME</p>	<p>The doctor received a £100 fine for failing to comply with his duty to transfer commercial waste and a further £100 fine for a failure to furnish appropriate documents and was ordered to pay costs of £11,280.</p>
<p>CONTEXT</p>	<p>Although there was no argument that no more than 10% of the domestic dwelling was used for business use and that only for 1-2 days per week, the business premises was deemed the consulting room itself and the business had a duty to manage its waste and to keep appropriate records.</p>
<p>WHAT SHOULD HAVE BEEN DONE DIFFERENTLY?</p>	<p>Business cannot use a domestic waste collection service for commercial waste. The waste generated by the business should have been kept separate from the domestic waste and appropriate collection and treatment services and documentation should have been created and maintained.</p>