

## Response ID ANON-7Z2F-RKE3-X

Submitted to **Circular Economy: Proposals for Legislation**

Submitted on **2019-12-18 15:57:16**

### 1. Reduce: tackling our throwaway culture

**1 Do you agree in principle that Scottish Ministers should have the power to set charges for environmentally harmful items, for example single-use disposable beverage cups?**

Yes

**2 Do you agree with the proposal to prioritise introduction of charges for single-use disposable beverage cups?**

Yes

**3 Are there any others items that these new powers for environmental charging should be applied to in the future?**

Yes

**If yes, please specify. :**

Charging should be viewed as one mechanism to drive out the use of single use items, and to support the use of recyclable, refillable and new product alternatives.

Charging as a mechanism to drive consumer and retailer/producer long term change should be applied and considered as part of wider EPR reform to support product recovery systems.

Specific materials could include take away food packaging, plastic garden pots and difficult to recycle products like energy saving light bulbs that tend to be missed by WEEE schemes.

### 2. Reuse: encouraging use and reuse to prevent waste

**4 To strengthen monitoring, measurement and reporting of waste across all sectors, do you agree with the principle that Scottish Ministers should have the power to require mandatory public reporting of:**

Yes

Yes

**5 Do you agree with the proposal to prioritise introduction of mandatory public reporting for businesses of:**

Yes

Yes

**6 Are there any other items, such as textiles and clothing, that mandatory reporting requirements on waste and surplus should be expanded to in the future?**

Yes

**If yes, please specify.:**

Yes this should apply to textiles, clothing and all soft furnishing to drive down surplus production, increase reuse and recyclability, drive product innovation, and encourage more sustainable production and consumption.

The proposed new UK-wide electronic waste tracking service aims to address this by improving the capture of data on the movement of waste. The RMA consider that all waste tracking data should be part of this larger project which has been developed by DEFRA.

**7 Do you have any suggestions on how to encourage the reuse and redistribution of unwanted surplus stock, such as clothing and textiles?**

Yes

**If yes, please specify.:**

EPR reform on all clothing and textiles to include soft furnishings such as carpets, mattresses, duvets, curtains etc., should be used to drive down surplus production, increase reuse and recyclability, drive product innovation, and encourage more sustainable production and consumption.

This will require a whole supply chain approach and investment to ensure design, manufacture, recovery, opportunities for re-manufacture and reuse are optimised, and that these mechanisms are incentivised to drive progress. Supply chain carbon impact statements, and financial positive and negative mechanisms to drive producer/retailer/consumer production, selling and buying behaviours. 'Environmental Stewardship and Carbon Reduction' should be

inherent in Consumer Choice. Consumer education to drive the 'Circular Pound' should be financially supported via EPR and other taxation mechanisms.

Waste Data Tracking and Data Reporting will be critical for supporting this.

### 3. Recycle: maximising value of materials

#### 8 Do you agree with the principle of enabling Scottish Ministers to place additional requirements on local authorities in order to increase rates and quality of household recycling?

Yes

##### If yes, what should these 'additional requirements' be?:

Local Authorities should be required to collect a core set of materials to improve the consistency and resulting quality of the 'feedstock materials'. This core set of materials should include materials that can be widely recycled in practice and for which there are end markets.

The collection and reprocessing systems for those core materials should be based on optimised and consistent collection systems, material standards and consumer education based on improving existing collection mechanisms and reprocessing infrastructure to minimise any economic and or carbon impacts made as a result of changes to the range of materials to be collected. Further funding and investment may be required to support existing collection and reprocessing plants (MRFs) to manage additional and/or new materials.

Any additional requirements would need to be adequately funded via EPR reform and other funding mechanisms to ensure there is on-going financial support to improve both the amounts and quality of capture.

There also needs to be a comprehensive a strategic approach to Contamination Management across Scotland to ensure contamination policies can be successfully implemented and supported to drive increased quality. This activity requires sustained funding to ensure there are enough officers on the ground to enable contamination management to be a proactive, rather than reactive mechanism in the longer terms. Consumers should be encouraged to 'save as you recycle' with powers for local authorities to impose penalties on non-conforming households/properties. Establishing comprehensive baselines of contamination maps for local authority areas to allow targeted and funded interventions which focus on specific areas/material streams aligned to market demand could help support improved quality of capture.

There is also a need for sustained communication and educational funding for both national and local campaigns, on an annual basis. A National Recycling Campaign should focus on high level overarching messages that should be directly linked to local activity on the ground.

Ring fenced funding for on-going communications to support consumer behavioural change is needed. Proper enforcement of the obligations on retailers in UK packaging law to promote recycling should be more rigorously enforced.

In part the lack of improvements for both the quality and quantity of recyclate capture over recent years has been due to the lack of any funding support for communications, or educational, enforcement or awareness officers, as part of a cohesive and strategic consumer communications campaigning approach.

#### 9 Do you agree with the principle of greater consistency in household recycling collections in different local authority areas?

Yes

#### 10 Do you consider that we should move away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation?

Don't know

#### 11 Do you consider that householders' existing obligations are sufficient?

No

#### 12 Are there any other measures that you consider Scottish Government should take to help accelerate the rate and quality of household recycling in Scotland, taking account of experience and approaches elsewhere and existing householder behaviours?

Yes

##### If yes, please specify.:

EPR should fund in full local authority collection systems. This should include:

Ring fenced funding for on-going communications to support consumer behavioural change. In part the lack of improvements for both the quality and quantity of recyclate capture over recent years has been due to the lack of any funding support for communications, or educational, enforcement or awareness officers, as part of a cohesive and strategic consumer communications campaigning approach. Sustained communication and educational funding for both national and local campaigns, on an annual basis. A National Recycling Campaign should focus on high level overarching messages that should be directly linked to local activity on the ground.

There also needs to be a comprehensive a strategic approach to Contamination Management across Scotland to ensure contamination policies can be successfully implemented and supported to drive increased quality. This activity requires sustained funding to ensure there are enough officers on the ground to enable contamination management to be a proactive, rather than reactive mechanism in the longer terms.

If there are sufficient communications to ensure customer understanding and engagement, and a strategic practical and workable contamination policies operating to optimise quality of capture, then once these have been implemented to further drive household behaviours consideration should be given to introducing direct variable charging mechanisms 'save as you recycle schemes' to further drive recycling. These need to be considered as part of a strategic approach to motivate and achieve householder behavioural change, not introduced in a 'piece-meal' way.

Consider what further measures could be applied to Consumer Responsibility as a natural evolution of Extended Producer Responsibility.

Implement all plastic collections under the recycling charter (dual stream) supported by system and technology innovations such as Project Beacon in Tayside supported by Zero Waste Scotland and the Tay Cities Deal.

Encourage simplified collective trading mechanisms and support for Scottish recyclates to support price stability and quality improvements.

#### 4. Improving enforcement

**13 Do you agree that Scotland should have the power to seize vehicles suspected of waste crime, similar to the rest of the UK?**

Yes

**14 Do you agree Scottish Ministers should have powers to introduce a new fixed penalty regime for littering from vehicles?**

Yes

**15 Do you agree with the introduction of a new system that stipulates that the registered keeper of a vehicle is ultimately responsible for criminal offences such as littering from or in relation to their vehicle (for example by passengers or people using that vehicle at that time)?**

Neither agree nor disagree

#### 5. Assessing impact of bill proposals

**16 Taking into account the accompanying Equality Impact Assessment (EQIA), are there any additional likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above?**

Please specify.:

N/A

**17 Taking into account the accompanying Business and Regulatory Impact Assessment (BRIA), do you think that the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any business or sector?**

Please specify.:

No comment

**18 Do you think that the proposals contained in this consultation are likely to have an impact on the environment? If so, which ones and how?**

Please specify.:

System wide carbon accounting processes must be improved, implemented and reported.

An internal Scottish carbon trading scheme should be investigated to stimulate innovation and incentivise carbon efficient systems.

Introduction of a Scottish level Carbon tax and trading scheme.

#### 6. Proposals for secondary legislation

**19 Do you agree with the proposal that procurement strategies published by relevant public bodies should include consideration of activity which supports the circular economy and action on climate change?**

Yes

**20 Do you agree with the proposal to increase the minimum charge on single-use carrier bags from 5p to 10p?**

Neither agree nor disagree

**21 Do you agree that the initial 5p minimum charge on single-use carrier bags has had a positive impact on the environment?**

Neither agree nor disagree

#### Conclusion

**22 Do you have any other comments that you would like to make, relevant to the subject of this consultation, that you have not covered in your answers to other questions?**

**Please provide any comments.:**

In relation to Q9. Do you agree with the principle of greater consistency in household recycling collections in different local authority areas? We have the following additional comments we wish considered:

Yes in principle, but Local Authorities are best placed to understand and provide the most appropriate collection systems and collection regimes to optimise the capture of consistent collections from their areas. The recognition that one size does not fit all is important, and that variability due to housing stock, access issues, geography, socio-economic factors must be taken into account.

The collection and reprocessing systems for those core materials should optimise the use of existing collection mechanisms and reprocessing infrastructure to minimise any economic and or carbon impacts made as a result of changes to the range of materials to be collected. Further funding and investment maybe required to support existing collection and reprocessing plants (MRFs) to manage additional and/or new materials.

In relation to Q10. Do you consider that we should move away from the current voluntary approach to Scotland's Household Recycling Charter towards a more mandated approach, whereby implementation of the Charter and its supporting Code of Practice becomes a statutory obligation? We have the following additional comments we wish considered:

The introduction of the DRS will fundamentally change the materials collected at kerbside and the frequency of collection for the different material streams and as such the Household Recycling Charter and supporting Code of Practice will need to be revised to reflect these changes as the impact on the quality and quantities of the 'out of scope materials post DRS is unknown. And in the longer term with forthcoming EPR reform this will also help to deliver change in the types of products placed on the market which again will impact on the materials collected as part of the Household Recycling Charter. A shift to dual stream systems by local authorities and commercial operators to enable all plastic collections will help to off-set reductions in DMR 'basket' values as a consequence of DRS. This transition may need some additional incentives due to the effort and costs involved in changing kerbside collection systems. However, as well as reducing local authority residual waste treatment costs and reducing the volumes of plastics that will be incinerated it will enable transformative plastics recycling systems such as Project Beacon to be implemented.

In relation to Q21. Do you agree that the initial 5p minimum charge on single-use carrier bags has had a positive impact on the environment? We have the following additional comments we wish considered:

Yes in terms of littering but not proven against the number and overall impact of using the stronger reusable plastic bags as alternative. Also no stipulation that the charge goes to an environmental cause or charity – this can currently be used by retailers in whatever way they see fit, plus a % goes to government as VAT.

In relation to Q22. We have the following additional comments:

Consultation could go further whole supply chain approach and investment to ensure demand side growth for recyclates, design, manufacture, recovery, opportunities for re manufacture and reuse are optimised, and that these mechanisms are incentivised to drive progress. This could include supply chain carbon impact statements, a carbon tax and other financial mechanisms to drive producer/retailer/consumer production, selling and buying behaviours.

'Environmental Stewardship and Carbon Reduction' should be inherent in Consumer Choice. Consumer education to drive the 'Circular Pound' should be financially supported via EPR and other taxation mechanisms.

Although targeting single use items is important and will help to reduce littering the Bill should link to the EPR agenda to help drive circularity through innovation in design, recovery, and support to drive consumer demand for more circular products, and then delivering the supply in Scotland.

In order to achieve a full circular economy each part of the supply chain has a responsibility not just one sector for example:

Producers - must have a responsibility to produce inherently recyclable material and also have a target of % recycled content.

Retailers - must have a responsibility to source and sell products that provide positive environmental stewardship and carbon reduction choice, and they should have a responsibility to communicate to the customer the importance of end of life responsibility whether via reuse or recycling.

Consumers - Consumer Responsibility should be a natural progression from Producer Responsibility to help drive positive consumer behavioural change.

Re-processor - the Waste Scotland Regulations (2012) stimulated the increase of materials captured for recycling but the legislation to increase the demand for the product has not been mirrored leading to the endless cycle of depressed recycle markets. EPR Reform and stipulation of recycle content should help stimulate demand and help to sustain markets.

**About you**

**What is your name?**

**Name:**

Dr Nicki Souter

**What is your email address?**

**Email:**

nicki@nickisouterassociates.co.uk

**Are you responding as an individual or an organisation?**

Organisation

**What is your organisation?**

**Organisation:**

Resource Management Association Scotland (RMAS)

**The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:**

Publish response only (without name)

**We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?**

Yes

**Evaluation**

**Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)**

**Matrix 1 - How satisfied were you with this consultation?:**

Neither satisfied nor dissatisfied

**Please enter comments here.:**

Consultation could go further whole supply chain approach and investment to ensure demand side growth for recyclates, design, manufacture, recovery, opportunities for remanufacture and reuse are optimised, and that these mechanisms are incentivised to drive progress. This could include supply chain carbon impact statements, a carbon tax and other financial mechanisms to drive producer/retailer/consumer production, selling and buying behaviours.

**Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:**

Very satisfied

**Please enter comments here.:**