



WLGA Consultation Response

Reducing Single Use Plastic in Wales

22 October 2020



CLILC • WLGA

INTRODUCTION

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales. The three national park authorities and the three fire and rescue authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
3. The WLGA welcomes the opportunity to respond to the Welsh Government's consultation on Reducing Single use Plastics in Wales. This response has been informed by the knowledge and expertise of Local Authority Members and Officers.
4. WLGA supports the efforts of Welsh Government to tackle the issue of single use plastics. In light of current circumstances, though, there are some concerns that the speed with which these measures and the associated legislation are sought to be introduced may result in un-intended consequences and the potential for issues being overlooked.
5. In addition, enforcement of such a ban could be problematic if it is considered how many outlets for the sale or use of these SUP exist in Wales which would need to be inspected, monitored and potential enforcement action instigated

Question 1 - Do you support our proposal to ban each of the single use plastic items listed above? If not, please give reasons and where possible evidence to support this view.

6. The principle of preventing Single Use Plastic (SUP) items from damaging the environment is to be supported. How this can be achieved may not be through a ban alone, a more holistic approach is required
 - i. Ban on the manufacture and use of SUPs with some permitted exceptions
 - ii. Changing the behaviour in the use and responsible disposal of SUP after use
 - iii. Promotion of alternative, re-usable, non-plastic items with a view to the replacement and removal of SUP items
 - iv. Extension of EPR to facilitate responsible disposal of SUPs

Question 2 - Do you agree the potential environmental and social benefits of our proposals will outweigh the potential impacts on people in Wales? Please give reasons and where possible evidence to support this view.

7. It is irrefutable that the removal of these items will prevent them entering the environment and waste streams, thus preventing littering and plastic pollution.
8. During the Covid-19 crisis, the social and environmental benefits of litter reduction in general have been noticeable.
9. The research suggests that there are only a limited number of businesses involved in the production and manufacture of the identified SUP items with low impact upon jobs in the sector, however the broader socio-economic impact of post-Covid job losses and the yet unknown consequences of future EU Trade negotiations have not been addressed.
10. Furthermore, the proposed UK Legislation on the UK Internal Market may render a ban inoperable if all or any of these products are accepted and produced elsewhere in the UK for sale or use in the UK.
11. A ban would bring benefits across all of Wales, whereas the impact on people will be more localised/specific for the individuals concerned, with the possibility of making special provisions to accommodate the needs of those individuals

Question 3 - Do you agree with our assessment of the potential benefits and impacts our proposals will have on businesses, including manufacturing, in Wales? Please give reasons and where possible evidence to support this view.

12. The assessment of potential benefits and impacts the Welsh Government proposals will have on businesses, including manufacturing is dependent upon retooling and commencing production of alternative biodegradable/renewable products, the speed of changeover and the establishment of contracts to supply. Further analysis and assessment is essential.

Question 4 – Should oxo-degradable plastics be included on the list of items to be banned? Please provide evidence to support this view.

13. Yes. These plastics are designed to breakdown into smaller particles of plastics which would ultimately be broken down- the process still introduces plastic particles into the environment which can be ingested by terrestrial and marine organisms and enter the food chain.

Question 5 – Do you believe the COVID-19 pandemic has resulted in changes to the market that are currently not accounted for in our research? Please give reasons and where possible evidence to support this view.

14. The sanitary, and health and safety precautions imposed to curb the spread of the virus have increased the use of single-use disposable products to prevent cross contamination particularly in the food and drink outlets.

15. Restrictions on food outlets being able to offer indoor eating has perhaps increased the offer of takeaway meals instead of 'consume-on-premises' which has increased the use of some of the containers being used to keep meals hot/warm in transit.

Question 6 – Do you agree with the exemptions we are proposing and how can we make them as clear and practicable as possible to apply? Please give reasons and where possible evidence to support this view

16. Exemptions need to be valid and reasonable
17. See paragraph 25 below as to who would be in breach of the ban. If a person can be exempt and therefore need to be able to use SUP straws it follows that SUP items will need to be manufactured or imported, thereby current manufacturers would have to make the decision as whether it is economically viable to continue SUP production (especially for such a niche market), or to re-tool.
18. If there is a ban, would the production and manufacture of SUPs have to be under licence?
19. Specific conditions and actions need to be addressed
 - i. Safe and appropriate disposal – to have exemptions and continue to throw away in the same way as currently - merely extends the problem and keeps the items in the litter and pollution.
 - ii. The principle behind the ban is to remove the single-use plastic items from circulation as waste and rightly so.

Question 7 – Are there other exemptions we should consider in relation to all of the single use plastic items in our proposal? If so, please provide evidence to support this view.

20. The need for any additional exemptions would need to be rigorously, yet sympathetically investigated with an agreed process and clear criteria as to the grounds for an exemption.

Question 8 – Do you agree the proposed timescale for the implementation of the bans provides sufficient time for businesses of all types to adapt? Please give reasons and where possible evidence to support this view.

21. As referred to in paragraph 4 above, the timescale is problematic given other pressures. The scenario we currently find ourselves in, the uncertainties of EU transition, Trade or no-Trade deals, in addition to the ongoing Covid-19 crisis and recovery, the UK Government introducing the UK Internal Market legislation will all have a potential

influence upon the ability to implement the proposals, and on businesses and their future economic survival.

Question 9 - Do you agree with the proposed use of Civil Sanctions?

- 22. If a ban were imposed there would be a need for a deterrent for breaches
- 23. Practicality of enforcement and imposition of Civil Sanctions may render the ban unenforceable, especially in light of other pressures on enforcement staff in local authorities for the foreseeable future.

Question 10 - Do you agree Local Authorities should enforce the bans?

- 24. There is a certain logic that an organisation or body which already has an enforcement role could enforce the bans. There would need to be clarity as to who and what is the focus of the ban, is it the end user? Is it the retailer? Is it the manufacturer?
- 25. Enforcement agencies' current capacity is already being stretched, there is further anticipated enforcement and inspection as a consequence of Brexit. It should not be assumed that, because an enforcement body is already undertaking 'enforcement', it can therefore take on additional enforcement duties without an appropriate and adequate uplift in the level of funding and capacity..
- 26. It would need to be determined whether the ban is on the use of the single-use plastic -in which case infringement of the ban would be on the user. Should the ban be applied to the supply of SUP's? If, however, the ban is on the manufacture of the SUP then the manufacturer would be in breach of the ban. There are far fewer manufacturers and suppliers than users in Wales.
- 27. Who would establish and confirm that someone is exempt? Associated with that, who will be responsible for providing the item, should it be the responsibility of the individual to provide their own by being 'prescribed' the exempt item, or is there an expectation that retailers/outlets will have to retain a stock 'just-in-case'?

Question 11 – Should wet wipes be included in future proposals for further bans or are there other measures which should be introduced to address them, for example Extended Producer Responsibility? Please give reasons and where possible evidence to support this view

- 28. Please refer to paragraphs 6 and 7 above. In paragraph 6, the potential for this to be incorporated within EPR proposals is supported. Paragraph 7 refers to the environmental problems when SUPs are discarded. Wet wipes have been shown to cause problems within the environment so the principle of preventing them getting into the environment should be supported.

29. It should be noted, however, that wipes have been used effectively during the Covid-19 crisis to clean surfaces and adequate alternatives would need to be readily available.
30. There have been recent reports and evidence of facemasks being indiscriminately discarded and subsequently being found in the marine environment; in street litter and in the countryside and the same applies to wet wipes. In paragraph 4 reference is made to un-intended consequences of a ban...

Question 12 – Are there any other items that should be included in any future proposals to tackle single use plastics? Please give reasons and where possible evidence to support this view.

31. There will no doubt be other SUP items which may be highlighted, each would need to be assessed and where appropriate an holistic resolution determined.

Neville Rookes, Policy Officer (Environment) and **Tim Peppin**, Director of
Regeneration and Sustainable
Development

Neville.rookes@wlga.gov.uk ;

Tim.peppin@wlga.gov.uk

Welsh Local Government Association

Local Government House

Drake Walk

Cardiff

CF10 4LG

Tel: 029 2046 8669