

WLGA CONSULTATION RESPONSE on EPR and DRS

9th May 2019



CLILC • WLGA

Welsh Local Government Association

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities and three fire and rescue authorities are associate members.
2. The WLGA is a politically led cross-party organisation, with the leaders from all local authorities determining policy through the Executive Board and the wider WLGA Council. The WLGA also appoints senior members as Spokespersons and Deputy Spokespersons to provide a national lead on policy matters on behalf of local government.
3. The WLGA works closely with and is often advised by professional advisors and professional associations from local government, however, the WLGA is the representative body for local government and provides the collective, political voice of local government in Wales.

Introduction

4. Wales has made significant progress in the more efficient use of resources. It currently has one of the best recycling rates in the world and extensive kerbside services that are well understood and used by the public. There has already being significant investment in those services from the public sector. The WLGA are keen to stress that any changes in the systems around resource management do not undermine that position and do not lead to duplication and waste.
5. However, there remain many challenges if Wales is to achieve its aim of being a zero waste nation.
6. The services currently provided need to be delivered sustainably against a backdrop of long term funding cuts and austerity. This means clarity and security about longer term funding to allow better planning and to get away from annual budgetary pressures. It is fundamental that any EPR/DRS deliver on this essential requirement, and are transparent about how the resources flow to individual local authorities.
7. There are concerns that there will not be any additional resources for waste services as current public subsidy will be switched elsewhere. As providers of a range of local services we can understand the temptation to do this but must be wary of the public response. This will be seen

as a potential stealth tax and this will be reinforced if it is only used to displace current public expenditure. There must be additional resources for local services flowing from this change and the public must see a difference.

8. The excellent services provided in Wales costs upwards of £230 million a year to provide, a cost borne entirely by tax payers. If these services are to remain viable then a more equitable way of funding those services must be developed. EPR must deliver long term certainty of funding for LA's. Therefore, we are fully supportive of the polluter pays principle being employed in all aspects of the costs of the management of waste.
9. There also need to be clear and viable end uses of the material collected for recycling. This is something that Local Government and Welsh Government have worked together on successfully previously and are examining the options for niche materials currently.
10. It is important to restate that recycling is only one element of resource efficiency, albeit an important one of the waste hierarchy. Consequently, greater emphasis has to be placed on waste prevention and minimisation. It is clear that current market operation does not incentivise this behaviour sufficiently and therefore change is required. Any EPR system has to be robust enough to drive this change.
11. The recent debates about climate emergencies only heighten the need for immediate and large scale change. The current approach requires substantial disruption to make a real difference. However, we are concerned that too much change is envisaged in too short a period with the wrong phasing. It is essential to get EPR in place and operating correctly before any possible roll out of DRS.
12. The WLGA welcomes these radical proposals from the UK government as a once in a life time opportunity to make a fundamental shift in our use of resources. It is essential that local government are central to the development of these schemes.
13. This document represents the WLGA response on the two critical consultations on EPR and DRS. The consistency consultation is one that is aimed at England. That is a debate that has already largely played out in Wales with a greater degree of consistency across a range of local authority waste services.
14. There is a key point here which is within those broad parameters of service design and consistency of products collected, that Local Authorities should be left to develop appropriate local services which meet local need. The Welsh collections blueprint is not mandatory for that reason, but can be appropriately adapted to local circumstance.
15. Local Authorities are best placed to develop those services and are democratically accountable for them. The WLGA will argue strongly that none of these proposals should allow industry or others responsible for EPR payments to dictate how services should be delivered locally.
16. In terms of the plastic tax we are broadly supportive but remain concerned about unforeseen consequences and enforcement. Any regulatory intervention in the market will have an impact on behaviour and consequently may lead to perverse outcomes. One example of this would be

where local authorities currently procure from local companies which produces wider economic, social and environmental benefit (e.g. air miles) for the community. If the change in legislation, then means that these companies cannot meet the requirement for recycled content at a competitive cost then this is a negative outcome. Especially if they are then squeezed out by a large multi-national who may not deliver on the social side for their employees.

17. There is an issue in gaining certainty that the products do indeed contain the recycled content required. After Brexit it's not clear how trade agreements will be developed and therefore how this will be ensured. After all the whole purpose is to try and makes goods that are identical to ones using virgin material.
18. This may also increase the need for trading standards to regulate goods that come onto the market. This is a problem as resources going into this service have been cut by over 50% in Wales in the last five years and the capacity to do this work is lacking. This is perhaps another area that should be considered for funding through these new systems.
19. Our view on EPR is broadly positive. The impact on Wales by weight of obligated materials is around 31% whilst by volume its nearer 57%. Clearly volume is the more relevant metric here given its impact on the cost of services.
20. The detailed answers in the body of this response set out the nuances of that position. In broad terms the current consultation is wide-ranging enough to get general consensus but once the detail is developed there is likely to be greater debate.
21. The concept of polluter pays is sound and must be implemented in a way that incentivises positive behaviour adequately. There are already significant market drivers around cost, product design and desirability and product protection that must be weighed by the EPR system. The system must deliver full cost recovery for local authorities. It is important that EPR obligated companies are not allowed to set up parallel recycling systems for niche materials unless there is clear evidence that is the best solution holistically.
22. It must deliver the not insubstantial trick of being proportionate but rigorous, of allowing innovation but not incentivising perverse outcomes, and primarily allowing the delivery of long term reliable funding to local services so that they can be developed in an efficient and effective manner.
23. As stated earlier WLGA believe strongly that this is best left to Local Authorities to do. In terms of the governance models it is better to consider this in terms of the outcomes sought and to then consider governance structures. The consultation is fairly dense on this matter and at best leaves a degree of confusion over exactly what each model delivers and how. Whilst we indicate a preference for one of the governance models in the response our view is that this requires considerable further work tested against those delivery principles before any approach can be understood properly.

24. Those principles will include (but are not limited to); transparency, accountability to all stakeholders, robustness, proportionate, efficient and effective, sensitive to regional/local issues, adequately resourced, independent, and capable of driving resource efficiency throughout the waste sector and not just focussed on small tightly drawn targets.
25. It is also clear that resources are required to go into behaviour change campaigns and litter collections locally. It cannot be left to the industry to go it alone on these matters. There needs to be a more effective joint approach that utilises brand recognition and goodwill alongside local information and fully funded services. In terms of the cost of litter services it is important to note that most LA's have reduced expenditure on litter collections due to austerity. Often this is to levels not supported by local communities. Therefore, the true cost of litter services may be higher than set out in the consultation document.
26. The data requirements of any new system must also be fully funded; local government are already struggling with capacity to maintain waste data flow. Any additional requirements would need to be fully understood and costed. It is clear that for any new system to function that there would be additional data requirements on local government.
27. Wales is in a different place to the other Home Nations. We have more extensive food waste collections (universal), more residual restriction, more enforcement and communication activity and more infrastructure. This has been a costly process requiring extensive investment in both staff and resources from Welsh Government and Local Authorities.
28. The WLGA would be greatly concerned if the system as implemented did not recognise that in some way and disadvantaged Welsh LA's in any payment process. Full net cost recovery must mean just that. This does raise the issue of how longer term capital investment will be met through EPR, e.g. how will fleet be renewed. Clearly the investment required for the packaging element of services must be considered in some way.
29. This difference also means that Wales collects far more DRS type material than elsewhere. In broad analysis using the Suez policy calculator there would be 7% (by weight) of DRS material in the dry recycling stream and 1% in the residual for the one the go model. It is likely to be double this for the 'all in' model.
30. That presents some fundamental issues. Whilst we'd recognise the potential benefits around litter and behaviour change (as well as the potential perverse outcomes of consumers switching buying habits to cheaper but less sustainable materials) there are some concerns to be highlighted.
31. Principally all areas within Wales offer good and efficient kerb side collection methods for these materials. It appears that DRS in either form runs the risk of merely duplicating services, may lead to more litter from the scavenging of kerbside bags for DRS materials, result in loss of income that currently helps to cross subsidise services, and result in a complex system that will require significant resources to regulate. Consequently, we are not currently convinced that either model of DRS will service a purpose in Wales.

32. In addition, in Wales there are also statutory recycling targets for Local Authorities with the potential for significant fines if these targets are missed. These targets are in excess of EU targets and have largely been delivered by local authorities. Any DRS is likely to remove materials from the LA performance but more importantly are likely to remove income from this material. This would then have the impact of increasing the EPR costs for industry and the consumer for the remaining materials. Consequently, the WLGA feel that at the very least that DRS should only be introduced after EPR is implemented and understood better. It is our belief that the cost of setting up a DRS system would be disproportionate to the benefit not least because we feel the disamenity figures in the consultation document require further examination. Consequently, the resources would be better directly at front line services.
33. In conclusion it is a real concern that the complexity of the changes being envisaged by these three consultations cannot be properly mapped and understood against the backdrop of significant change in the UK's trading position (and regulatory framework). Therefore, we would urge caution and suggest that the EPR proposals require prioritisation to ensure that sustainable local services remain in place over the longer term before any implementation of DRS.

EPR Responses to Selected Questions Relevant to Welsh Local Authorities

Question numbers represent the questions within the consultation and so will not be sequential within this document.

Q6. Do you agree with the principles proposed for packaging EPR?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

We are in agreement with the **principles** proposed for a packaging EPR but from a local authority perspective would like to highlight that:

- Producers should take responsibility for those items they place onto the market
- EPR should drive producers to prevent waste and enhance recyclability of packaging where possible, supporting our overall recycling rates and providing a consistent approach to labelling
- The term ‘unnecessary packaging’ should be clearly defined
- The funding mechanism must be simple and transparent and local authorities (or the public) should not be unfairly penalised. Local authorities currently receive limited direct financial support for managing packaging waste and should receive additional funds to cover the cost of collection, recycling, disposal, the clear-up of littered and fly tipped packaging, and communications relating to recycling and tackling littering.

Q7. Do you agree with the outcomes that a packaging EPR should contribute to?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

We are in agreement with the outcomes that a packaging EPR should contribute to but would like further evidence to support some potential benefits raised including:

- How an EPR for packaging could deter litter
- What focus will be placed on waste reduction
- The role of Biopackaging and how it will form part of EPR
- Funds targeted at achieving the outcomes, particularly funding to support communications

The performance of any new system cannot be benchmarked on the existing set up. This should also be taken into consideration

Q8: Single-use packaging-type items that primarily are sold as a product for use in the home such as foil, cling film, jiffy bags, paper cups and sandwich bags currently are not legally considered as packaging and do not fall within the scope of the current packaging waste system.

Do you think these types of items not currently legally considered as packaging should be in scope of the new packaging EPR system?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

We agree that items such as foil, cling film, jiffy bags, paper cups and sandwich bags should be included within the scope of the new packaging EPR system.

Inclusion of currently difficult to recycle materials should help to stimulate the market to drive both product design and also end of life treatment options.

Q10. Do you agree with our definition of full net cost recovery?

- (a) Yes
- (b) No, it does not fulfil the Polluter Pays Principle
- (c) No, it goes beyond the Polluter Pays Principle

Summary

We agree with the definition proposed of full net cost recovery and are pleased that it includes communications, administration, disposal and littering. We would like assurances that bring sites, HWRCs and other routes by which local authorities currently capture packaging materials are included.

Q11. Do you agree that producers should be required to fund the costs of collecting and managing household and household-like packaging waste, i.e. all consumer facing packaging?

- (a) Yes
- (b) No
- (c) I don't know

Summary

We agree that producers should be required to fund the costs of collecting and managing household and household-like packaging waste.

Many of our Local Authorities operate in rural areas where a Council operated trade waste and recycling collection is the only option available for many businesses. For some of these collections business waste or recycling is co-collected on the same vehicle as household waste or recycling. The rural nature of the area combined with the low density of businesses mean that it's operationally efficient and environmentally beneficial to combine the collections. Generally, an agreed household to non-household split of material is assigned to the overall tonnage collected. If different payment mechanisms are assigned for business waste containing household like packaging the administration of the system for local authorities may become overly complex.

With a consultation expected next year on compulsory recycling for Welsh business we'd expect the need for increased collections of recycling (and waste) from businesses by local authorities. We'd encourage further consideration of the payment mechanism and how this would be administered so that local authorities aren't unfairly penalised.

Q13. We would welcome your views on whether or not producers subject to any DRS should also be obligated under a packaging EPR system for the same packaging items.

- (a) Yes they should
- (b) No they should not
- (c) I don't know

Summary

We agree that producers subject to any DRS should also be obligated under a packaging EPR system for the same packaging items. We believe that DRS is one component of the overall EPR framework and will help to capture a certain proportion of available materials.

Care should be taken with the structure of the systems so that they are complementary, and the payment mechanisms and operation do not drive perverse behaviour at any stage of the value chain. Double counting of payments needs to be avoided.

Q26. Do you agree payments to local authorities for collecting and managing household packaging waste should be based on:

- (a) provision of collection services that meet any minimum standard requirements (by nation);

Summary

Local Authorities should have the flexibility to satisfy local needs and not be restricted by standardisation. They should receive payments for collecting and managing household waste which should be related to broad minimum service standards

- (b) quantity and quality of target packaging materials collected for recycling;

Summary

We agree that payments to local authorities for collecting and managing household packaging waste should be based on quantity and quality of target packaging materials collected for recycling. Quality of materials collected can be challenging for some authorities and increased levels of communication support will be required to increase both quantity and quality.

A wide range of gate fees are in place across Wales, which are influenced by a huge number of factors from age of existing contract through to rurality and availability of local infrastructure. We would object to using an average gate fee at national level and would encourage a more regional approach.

- (c) cost of managing household packaging waste in residual waste

Summary

We agree that payments to local authorities for collecting and managing household packaging waste should be based on cost of managing household packaging waste in residual waste. The focus should

be on providing a fiscal incentive to recycle and a penalty to produce packaging that isn't easily recyclable (or designed for reuse).

Regular waste composition analysis would need to be funded to provide baseline data.

As mentioned previously gate fees should be averaged on a regional not national basis.

Q27. Do you think we have considered all of the costs to local authorities of managing packaging waste?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Please briefly state the reasons for your response and provide any information to support your view.

Summary

We agree that all of the costs to local authorities of managing packaging waste have been considered.

Q28. Do you agree with our approach to making payments for the collection of household-like packaging waste for recycling?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Please briefly state the reasons for your response and provide any information to support your view.

Summary

We broadly agree with the outlined approach to making payments for the collection of household-like packaging waste for recycling. As mentioned previously there needs to be a mechanism for acknowledge the inequality faced by some local authorities that need to provide trade waste and recycling services for rural communities with a private sector contractor that may be able to flex their delivery model in order to reduce their cost base.

Transparency throughout the system is essential to limit opportunities for potential fraud.

Q29. Should businesses producing household-like packaging receive a payment for the costs of household-like packaging waste in residual waste?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

We do not agree that businesses producing household-like packaging receive a payment for the costs of household-like packaging waste in residual waste

Q30. Are there other factors, including unintended consequences that should be considered in determining payments to:?

- (a) Local authorities? Please explain the reasons for your response and provide any information to support your view

Summary

There are a number of other factors, including unintended consequences that should be considered in determining payments to local authorities including:

Rurality groupings

These are currently based on the six rurality groupings developed by WRAP for use with English authorities. Not all Welsh authorities fit well into these groupings and there is a wide range of cost differences for collections between our urban and rural authorities.

DRS

The implementation of a DRS scheme may significantly alter materials collected at the kerbside making the overall cost of collection more expensive. Regular reviews of waste composition and changing cost of collection, treatment and disposal need to be considered if a DRS is implemented

Bring sites and HWRCs

Bring sites and HWRCs form an important part of the overall service infrastructure of an authority and provide opportunities for residents to take materials. Some local authorities also provide the opportunities for businesses to drop off waste materials for a fee. Bring sites form part of an authority's collection service and should be included within the overall calculations of cost of service. For HWRCs packaging collected should also contribute towards overall recycling rates. Further consideration would need to be given as to how household like packaging waste within residual waste deposited should be accounted for.

Trade Waste and Recycling collections

As mentioned previously many rural authorities' co-collect materials from businesses with those from households. A simple accounting mechanism needs to be considered so that authorities aren't penalised financially or overburdened with reporting.

(b) For the collection and recycling of household-like packaging waste?

Summary

We believe that all systems will need to be in place that are robust and transparent to ensure that producers only pay for the appropriate costs of dealing with packaging and that all waste collection providers for commercial premises (including local authority providers) pass on in full any costs they receive from producers.

Q31. Do you have any information that would help us to establish the costs incurred by local authorities and other organisations of cleaning up littered and fly-tipped packaging items?

Summary

Data in this area is limited in Wales and the Government should work with local authorities to carry out a range of data gathering exercises to obtain a better understanding of the costs incurred by local authorities regarding littering and fly tipping. Producers should meet the costs of this data gathering.

Q32. How do you think producer fees could be used to improve the management of packaging waste generated on-the-go?

Summary

We believe there are a number of ways in which producer fees could be used to improve the management of packaging waste generated on-the-go including:

- Funding for provision of on-street containers and relevant infrastructure
- Funding for communications to support on the go recycling

Q33. Do you have any information that would help us to establish the costs of collection and disposal of increased on-the-go provision?

Summary

Data in this area is limited in Wales and the Government should work with local authorities to carry out a range of data gathering exercises to obtain a better understanding of the costs incurred by local authorities regarding littering and fly tipping. Producers should meet the costs of this data gathering.

Q37. Should producer fees be used to support local service related communications delivered by local authorities?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

Yes, we support producer fees being used to support local service related communications delivered by local authorities.

Q38. Should producer fees be used to support nationally-led communications campaigns in each nation?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

National campaigns are important and should be supported but not at the expense of local initiatives.

Q39. Are there any circumstances where producers should be exempt from contributing to the cost of communications campaigns?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

No, we don't believe there are any circumstances where producers should be exempt from contributing to the cost of a communications campaign

Q40. Do you agree it should be mandatory for producers to label their packaging as Recyclable/Not Recyclable?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

We agree that it should be mandatory for producers to label their packaging as Recyclable/Not Recyclable? We would urge detailed consideration of the definition of recyclable to ensure that the packaging item is able to be recycled currently within the UK. Communications needs to support this so that the public clearly understand the labelling.

Labelling should also consider all forms of compostable packaging and how this is communicated on packaging.

Q41. Do you think that the percentage of recycled content should be stated on product packaging?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Summary

Yes, we agree that the percentage of recycled content should be stated on product packaging. This will provide a positive message to consumers.

Q87. Should stakeholders other than reprocessors or exporters be able to issue evidence of recycling?

- a) Yes
- b) No
- c) I don't know

Please briefly state the reasons for your response and provide any information to support your view.

Summary

We believe that the fewer places within the chain that can issue evidence then the less likely there is for unintended consequences or possible attempts to make commercial gains from the EPR system. By leaving the evidence point at the reprocessors/exporter/ point it also means that there is no need to adjust weights for non-target or rejected material, which should help simplify the system and make it more efficient

DRS Responses to Selected Relevant Questions

Q8. Do you agree with the basic principles for a DRS?

- Yes
- No

I neither agree nor disagree

I don't know / I don't have enough information

Summary

We agree with the principles of a DRS scheme but have reservations about its implementation for Wales and the potential effect on current recycling performance. We believe that a comprehensive EPR should be implemented successfully first and evidence reviewed prior to implementing a DRS. There are a number of significant impacts that Welsh Local Authorities may face if a DRS is implemented including:

Loss of materials at the kerbside

- Reduction in quantity collected which may affect gate fee/revenue, amount of vehicles and staff required, overall efficiency of system
- Inability to hit statutory recycling rates (unless data could be incorporated from DRS to WDF)

H&S challenges and damage to equipment

- Although litter collection by members of the public may be a benefit of a DRS system the approach to doing this may have H&S implications or result in damage to street furniture. Other countries have reported small numbers of people scavenging items from bins or kerbside containers. Non-DRS litter will still need to be collected

Any DRS implemented should focus on 'on the go' items and difficult to recycle materials.

Q9. Should the following materials be-in scope of a DRS:

a. PET bottles

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

If a DRS scheme was implemented, we would agree that PET bottles should be in the scope. We refer you back to our original comments on the suitability of a DRS scheme for Wales

b. HDPE bottles

Yes

No (Milk smells)

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support

Summary

If a DRS scheme was implemented, we do not agree that HDPE bottles should be in the scope. These bottles are not generally used 'on the go' and are not a common waste material in litter arisings. We believe that there is a good service infrastructure for these bottles which are usually consumed in the home. There may also be the potential for odour arising from the return of these materials within Reverse Vending Machines.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

c. Aluminium cans

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

If a DRS scheme was implemented, we would agree that Aluminium cans should be in the scope.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

d. Steel cans

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

If a DRS scheme was implemented, we would agree that steel cans should be in the scope. Potentially limited to 'on the go' products such as sports drinks. We don't believe that steel cans are generally consumed in great quantities outside of the home environment

We refer you back to our original comments on the suitability of a DRS scheme for Wales

e. Glass bottles

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

If a DRS scheme was implemented, we would agree that Glass bottles should be in the scope. Priority should be to reuse and refill bottles before recycling where technology permits.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

f. Other (please specify) None

Summary

None

Q10. Should the following materials be-in scope of a DRS:

a. Cartons e.g. Tetrapack

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

If a DRS scheme was implemented, we would agree that Cartons should be in the scope if there was a suitable method for collection of 'on the go' cartons.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

b. Pouches and sachets, e.g. for energy gels

Yes

No

Neither

I don't know / I don't have enough information

Summary

If a DRS scheme was implemented, we would agree that pouches and sachets should be in the scope if technology were available to collect and then reprocess this material.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

Q11. If a DRS were to be introduced, should provisions be made so that glass bottles can be re-used for refills, rather than crushed and re-melted into new glass bottles?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view

Summary

If a DRS scheme was implemented, we would agree that provisions should be made so that glass bottles can be reused for refills rather than crushed and re-melted into new glass bottles (if technically viable). Reuse should take priority over recycling and Welsh Government supports refill initiatives.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

Q12. Should the following drinks be in-scope of a DRS:

a. Water

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe water should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

b. Soft drinks (excluding juices)

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe soft drinks (excluding juices) should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

c. Juices (fruit and vegetable)

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe juices should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

d. Alcoholic drinks

Yes (some)

Yes (all)

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe alcoholic drinks should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

e. Milk containing drinks

Yes (some)

Yes (all) 100%

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe milk containing drinks should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

f. Plant-based drinks (such as soya, rich almond and oat drinks)

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe plant-based drinks should be in the scope of a DRS

We refer you back to our original comments on the suitability of a DRS scheme for Wales

g. Milk

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

No, we believe milk should not be in the scope of a DRS. Our comments link with our earlier comments on packaging type. Milk is usually contained in larger HDPE bottles and isn't generally consumed 'on the go'. These bottles are not common packaging found in litter arisings. We believe that there is a good service infrastructure for these bottles which are usually consumed in the home. There may also be the potential for odour arising from the return of these materials within Reverse Vending Machines.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

h. Other (please state which):

Summary

No additions

Q13. Do you think disposable cups should be in the scope of a DRS?

a. Disposable cups made from paper with a plastic lining (such as those used for coffee)

Yes

No

Neither

I don't know / I don't have enough information

Alternative options should be considered

Summary

Yes, we believe disposable cups should be in the scope of a DRS. We would like to highlight that reuse options should be prioritised where possible.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

b. Disposable cups made of plastic (such as those used in vending machines)

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view. The government is particularly interested in any evidence on whether or not it would be practical or cost effective to include disposable cups in the scope of a DRS.

Summary

Yes, we believe plastic disposable cups should be in the scope of a DRS. Where possible reuse should be prioritised.

We refer you back to our original comments on the suitability of a DRS scheme for Wales

Q16. Should producers obligated under a DRS be:

a. Exempt from obligations under the reformed packaging producer responsibility system for the same packaging items?

Summary

We believe that producers obligated under a DRS should not be exempt from obligations under the reformed packaging producer responsibility system for the same packaging items. An Extended Producer Responsibility system must provide the framework within which a DRS system fits – if it's implemented.

b. Also obligated under the reformed packaging producer responsibility system for the same packaging items?

Summary

We believe that producers obligated under a DRS should be obligated under the reformed packaging producer responsibility system for the same packaging items. An Extended Producer Responsibility system must provide the framework within which a DRS system fits – if it's implemented. It's important that if both systems are implemented that they work together to achieve mutual outcomes and do not drive unintended consequences

c. Other (please explain)

d. I don't know/I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

No comment

Q17. If producers were obligated under both a DRS and a reformed packaging producer responsibility system for the same packaging items, how could we effectively ensure that they would not be unfairly disadvantaged by a 'double charge'?

Summary

We believe that EPR must create the framework within which DRS fits (if it's implemented). EPR should drive the right behaviours throughout the value chain and provides a fiscal imperative for action. DRS if implemented should motivate consumers to do the right thing when 'on the go' DRS is focussed primarily on covering collection costs. Therefore, having to deal with EPR as well is not double charging – it's making producers pay for all the other costs generated.

Q23. If the scheme is managed by the DMO, which of the following bodies should be represented on the management board:

- a. Industry (drinks producers)?
- b. Government
- c. Trade associations representing those hosting return points (e.g. retailers, small shops, transport hubs)?
- d. Companies representing those hosting return points (e.g. retailers, small shops, transport hubs)?
- e. Other (please specify)

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

We believe that representatives of all stakeholders across the value chain should be represented on the management board with the addition of a local authority representation.

Q24. Should there be government involvement in the set-up/running of the DMO body?

Yes

No

Neither

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

Yes, we believe that there should be Government involvement in the set-up/running of the DMO body including from Wales, Scotland and Northern Ireland.

Q68. Do you agree with our definition of 'on-the-go' as less than 750mls in size?

Yes

No

Neither

I don't know/I don't have enough information

Summary

We don't believe there should be a size restriction for items. Many larger bottles of soft drinks for example might be consumed away from the home and shared with friends/family. We believe that the focus of the scheme (should it be implemented) would be that all items could be returned 'on the go'.

Q69. Do you agree with our definition of 'on-the-go' as excluding multipack containers?

Yes

No

Neither

I don't know/ I don't have enough information

Summary

No, we don't believe that multipack items should be excluded. These items can be used for community events or picnics by the public and could also be returned 'on the go'.

Q70. Based on the information above, and where relevant with reference to the associated costs and benefits outlined in our impact assessment (summarised below), which is your preferred DRS option?

All-in

On-the-go

Neither

I don't know / I don't have enough information

Please state the reasons for your response. Where available, please share evidence to support your view

Summary

As mentioned previously we believe that a DRS system for Wales should be deferred until after EPR is introduced. IF a system were to be introduced then we would favour the 'on the go' approach so that materials currently disposed of outside the home and/or littered could be captured without cannibalising existing household collection infrastructure.

Q77. Do you think a DRS would help us to achieve these outcomes? Please briefly state the reasons for your response. Where possible, please share evidence to support your view:

a. Reduction in litter and litter disamenity (include expected % decrease where possible)

Yes

No

Neither

I don't know / I don't have enough information

Summary

We understand that there is some evidence from other countries and states that have introduced a DRS system that litter and litter disamenity has decreased. Although it is difficult to quantify whether the introduction of a DRS system for Wales would achieve the same overall outcomes we do believe a DRS (if implemented) would help to achieve this. However, we are not convinced by the calculations within the consultation document on this issue. This disamenity figure goes a long way to make the business case for DRS and is not 'cashable' and subject to debate. We believe that the scale of the resource needed to set up a DRS system does not make sense and that resource could be better used for frontline waste services.

b. More recycling of drinks containers in scope of a DRS, especially those disposed of 'on-the-go'

Yes

No

Neither

I don't know / I don't have enough information

Summary

We believe that more recycling of drinks containers in scope of a DRS (if implemented) for 'on the go' items would be achieved.

c. Higher quality recycling

Yes

No 50%

Neither

I don't know / I don't have enough information

Summary

We believe that the Welsh Blueprint currently delivers high quality recycling. If a DRS system is implemented and items are cannibalised from the existing systems, it may reduce the overall quality of kerbside collections.

d. Greater domestic reprocessing capacity through providing a stable and high-quality supply of recyclable waste materials

Yes

No

I don't know / I don't have enough information

Summary

We don't believe that the levels of additional materials collected by a DRS operating in Wales would result in the requirement for additional reprocessing infrastructure to be developed for the materials commonly collected at the kerbside. However, if new items are included within a DRS system then there may be a requirement for new reprocessing infrastructure and we'd be happy to be involved in identifying the need and timeframe for this. There is a danger that the fragmentation of the system may lead to greater exports of material.

Q78. Do you think a DRS, as set out in this consultation, is necessary in helping us achieve the outcomes outlined above?

Yes

No

I neither agree nor disagree

I don't know / I don't have enough information

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

We don't believe that a DRS system for materials currently collected at the kerbside should be introduced until a comprehensive EPR system has been implemented and outcomes have been reviewed. For difficult to recycle items that are not commonly collected at the kerbside and are consumed 'on the go' such as sauce sachets there may be an opportunity for a future DRS scheme. The business case for this would need to be clearly explored with consultation from local authorities.

Q81. Are there particular local authority considerations that should be taken into account when considering whether to implement either an “all-in” or “on-the-go” model?

Summary

In Wales we're proud to be leading the way in recycling and have a recycling culture. We believe there's always room for improvement and that a comprehensive EPR system provides the correct framework for driving recycling but also incentivising waste reduction, reuse and consumer responsibility. We believe that a DRS for Wales should be delayed until an EPR system has been fully implemented. Evidence would then be available indicating whether a DRS is necessary and which model it should take.

If a DRS is implemented, then we would recommend that an 'on the go' system is considered so that materials currently collected at the kerbside aren't cannibalised for collection. Both systems could have substantial impacts for local authorities across the services they run, ranging from staff and vehicles through to contracts and potential revenue generation and gate fees due to changes in material quantity and composition.

Q82. Are there specific considerations associated with your local authority that DRS policy makers should consider?

Summary

There are a number of significant impacts that Welsh Local Authorities may face if a DRS is implemented including:

- Loss of materials at the kerbside
- Reduction in quantity collected which may affect gate fee/revenue, amount of vehicles and staff required, overall efficiency of system
- Inability to hit statutory recycling rates (unless data could be incorporated from DRS to WDF)

H&S challenges and damage to equipment

Although litter collection by members of the public may be a benefit of a DRS system the approach to doing this may have H&S implications or result in damage to street furniture. Other countries have reported small numbers of people scavenging items from bins or kerbside containers. Non-DRS litter will still need to be collected

Q83. What benefits and/or disadvantages can a DRS provide to your local authority?

Summary

The benefits / disbenefits of the system depend on the approach taken. Disbenefits for local authorities include:

- Loss of materials at the kerbside
- Reduction in quantity collected which may affect gate fee/revenue, amount of vehicles and staff required, overall efficiency of system
- Inability to hit statutory recycling rates (unless data could be incorporated from DRS to WDF)

H&S challenges and damage to equipment

- Although litter collection by members of the public may be a benefit of a DRS system the approach to doing this may have H&S implications or result in damage to street furniture. Other countries have reported small numbers of people scavenging items from bins or kerbside containers (these have included people wanting to collect litter, and people expressly wanting to collect items to receive a deposit (including homeless individuals). Non DRS litter will still need to be collected.

Benefits could include:

- The ability to capture difficult to recycle materials 'on the go'
- Reduction in litter

Collection of items such as glass bottles for reuse and refilling rather than recycling

Q84. Are there any specific considerations associated with local authorities that collect waste from designated DRS return points that we should consider?

Summary

The following specific considerations associated with local authorities that collect waste from designated DRS return points should be considered.

The most efficient collections for a local authority occur when there's sufficient material available to achieve economies of scale. Collections would ideally be made when there's enough material available, this may not be compatible with the space available for storage.

Costs for collection and any other associated services should be covered by the system.

Material should not be allowed to be stored on the highway where shops (for example) do not have space available.

Q85. How should a DRS drive better design of packaging? Please select all that apply:

- a. Varying producer fees that reflect the environmental cost of the products that producers are placing on the market 100%
- b. An additional producer fee for producers using unnecessary and/or difficult to recycle packaging 100%
- c. Other (please specify)
- d. None of the above

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

Summary

We believe that driving better design of packaging should be delivered by a comprehensive EPR process rather than DRS.

FOR FURTHER INFORMATION PLEASE CONTACT

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