

02 July 2019 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

Despatched: 24.06.19



Cleaner & Greener Advisory Committee

Membership:

Cllrs. Andrews, Barnett, Bayley, Dr. Canet, Carroll, Collins, Foster, G. Darrington, Griffiths, McArthur, Pearsall and Raikes

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Appointment of Vice Chairman		
3. Minutes To agree the minutes of the meeting of the Direct & Trading Advisory Committee held on 9 October 2018, as a correct record.	(Pages 1 - 6)	
4. Declarations of Interest Any interests not already registered.		
5. Actions from Previous Meeting (if any)		
6. Update from Portfolio Holder		
7. Referral from Cabinet or the Audit committee (if any)		
8. Role of the Advisory Committee and Key Challenges	(Pages 7 - 8)	
9. Resources and Waste Strategy for England - Government Policy Paper	(Pages 9 - 76)	Richard Wilson Tel: 01732 227262
10. Work Plan	(Pages 77 - 78)	

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

DIRECT & TRADING ADVISORY COMMITTEE

Minutes of the meeting held on 9 October 2018 commencing at 7.00 pm

Present: Cllr. Dickins (Chairman)

Cllr. Mrs Bayley (Vice Chairman)

Cllrs. Esler, Kelly, Maskell, McGregor, Pett, Raikes and Thornton

An apology for absence was received from Cllr. Barnes

Cllrs. Dr. Canet, Eyre and Krogdahl were also present.

12. Minutes

Resolved: That the Minutes of the Advisory Committee, held on 3 July 2018 be approved and signed by the Chairman as a correct record.

13. Declarations of Interest

There were no additional declarations of interest.

14. Actions from Previous Meeting

There were none.

15. Referrals from Cabinet or the Audit committee

There were none.

CHANGE IN ORDER OF AGENDA ITEMS

With the consent of the Committee, the Chairman advised he would give his Portfolio Holder update before the work plan.

16. Bradbourne Lakes - Sevenoaks

The Chairman welcomed Jennette Emery-Wallis, of Land Use Consultants (LUC) who gave a presentation on the results of the Public Consultation carried out in August 2018 on 'The vision for Bradbourne Lakes'.

In presenting the report the Chief Officer Environmental & Operational Services explained that the funding for the priority works identified in the vision for the Bradbourne Lakes was outside the Council's ten year budget and therefore external funding would need to be applied for in order to wholly or partially fund the required works to implement the vision. The report therefore sought approval to commission consultants to develop a full vision costed plan in order

to be able to seek external funding.

The Chairman exercised his discretion and allowed John Ingram from Bradbourne Residents' Association and Christina Rose to address the Committee. Cllrs Dr Canet and Krogdahl also addressed the Committee. All were keen, as many local residents were, to see improvements to the area as soon as possible.

In response to various points and questions raised it was explained that in order to be successful in many of the external bidding processes, a robust vision and holistic strategy was required and the Council did not have the necessary in-house expertise for making such applications. Any restoration works, if funding was sourced, would need to be carefully planned to ensure improvements were delivered in a holistic and considered manner, and prioritised to obtain the best outcomes for the funding that could be made available. Any improvements or new facilities provided would have on-going maintenance liabilities and would need to be factored in. Commercial sponsorship could be investigated however it was doubtful it would bring in the necessary funds for restoration. A Community Infrastructure Levy (CIL) application was a possible part funding stream open to the project.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: that it be recommended to Cabinet that

- a) the results of the Public Consultation be noted and the Land Use Consultants (LUC) be commissioned to develop a full vision costed plan and external funding opportunities explored, and for grant applications to fund the proposed improvement and restoration works be submitted; and
- b) the Consultancy works (at an estimated cost of £60,000) be considered as a growth item for the 2019/20 budget.

17. Budget 2019/20: Service Dashboards and Service Change Impact Assessments (SCIA's)

The Chief Finance Officer presented a report, which explained that this was the second stage of the budget process and ensured that all Members of the Advisory Committees had a role to play in the governance of the Council and the budget decision making process. He explained that since the current financial strategy was introduced in 2011/12, over £7 million of savings had been agreed.

To continue to have a balanced budget position and remain financially self-sufficient, a net savings requirement of £100,000 per annum was included in the budget. The Chief Finance Officer also advised Members that other pressures may come out later in the budget process such as when the Local Government Finance

Settlement was announced in December. These may result in additional savings being required.

Growth and savings proposals were included in the report and Members were asked for their suggestions for further growth and savings applicable to the Committee, which would be considered by Cabinet, before finalising the budget for 2019/20.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) the growth proposals identified in Appendix D to the report (SCIAs 2,3,4,5,6) applicable to this Advisory Committee, be considered;
- b) the savings proposals identified in Appendix D (SCIAs 7,8,9,10) applicable to this Advisory Committee, be considered; and
- c) there were no further suggestions for growth and savings.

18. Kent Joint Municipal Waste Management Strategy

The Kent Resource Partnership Manager presented a report which updated Members on the recent refresh of the Kent Joint Municipal Waste Management Strategy (KJMWMS) and sought formal adoption of the strategy up to 2020/21.

Members sought reassurance that adoption of the strategy would not inhibit the Council's current practice of weekly collections. It was advised that partner authorities were allowed to adopt their own collection methods. The Chairman suggested amending the wording of the recommendation by adding the following wording 'subject to the Chairman and Vice Chairman of the Kent Resource Partnership being advised that Sevenoaks District Council would continue to be led by the residents it serves, and supported by other evidence, in providing its unique in Kent 'all out' weekly refuse and recycling collections without separate food collections.'

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

The Chairman moved and it was

Resolved: That it be recommended to Cabinet that the refresh of the Kent Joint Municipal Waste Management Strategy (KJMWMS) up to 2020/21 be adopted subject to the Chairman and Vice Chairman of the Kent Resource Partnership being advised that Sevenoaks District Council would continue to be led by the residents it serves, and supported by other evidence, in providing its unique in Kent 'all out' weekly refuse and recycling collections without separate food collections.

19. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

The Assistant Environmental Health Manager- Environmental Protection Environmental Health, presented a report which advised Members on the introduction of the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018, which came into force on 1 October 2018 and sought agreement to a fee structure and enforcement approach. Members took the opportunity to ask questions of clarification. It was advised that there would be promotion/information on the changes in InShape and on the Council's website.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) the changes by the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 be noted;
- b) the associated fee structure as set out in paragraphs 52 and 53 of the report, produced in accordance with DEFRA guidance, be agreed; and
- c) the enforcement approach be agreed.

20. Annual Review of Parking Management 2019-20

The Parking Manager presented a report which sought approval of the proposed parking management proposals for public consultation. It was proposed to consult on freezing all charges on and off street across the district with the exception of a moderate increase to Bradbourne car park to keep abreast of inflationary pressures. Town centre parking in Sevenoaks was at capacity and a number of changes to the management of on and off-street parking could be made but it was recognised that the temporary closure of Buckhurst 2 had made it difficult to make as full an assessment as desired of the likely parking picture post-Spring 2019, so the scope of the proposals was limited. The focus of the report was on management not money and the recommendations if agreed, would mean that income would be less than budgeted in 2019/20. It was advised that this need not affect the delivery of a balanced ten-year budget (and therefore the services the Council provided to residents) as deferred income could be recovered in future years. The report suggested considering formally adopting such a flexible multi-year approach, which would have the benefit of allowing the Council, as a local parking provider, to be more responsive to economic cycles as well as the needs of its customers and communities.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that

- a) the parking management proposals for 2019/20 be agreed for consultation; and
- b) a flexible multi-year approach be adopted, to allow the Council, as a local parking provider, to be more responsive to economic cycles as well as the needs of its customers and communities.

21. Update from Portfolio Holder

The Portfolio Holder, and Chairman, advised that: the development of Buckhurst 2 car park was on schedule; a new fulltime Amenities Officer had been appointed; and that he would be writing the formal Council response to the Kent County Council (KCC) Household Waste consultation which had been recently circulated adding that he would be suggesting ring-fencing any surplus for Districts to be able to make claims for fly tipping collections and enforcement.

22. Work Plan

The work plan was noted, with an update on the The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 pencilled in for the summer 2019 meeting. An update on the innovation in the out of hours service would also be brought to a future meeting.

THE MEETING WAS CONCLUDED AT 9.24 PM

CHAIRMAN

ROLE OF THE ADVISORY COMMITTEE AND KEY CHALLENGES

Cleaner and Greener Advisory Committee - 2 July 2019

Report of Chief Officer Environmental and Operational Services

Status For Information

Key Decision No

Portfolio Holder Cllr. Margot McArthur

Contact Officer Richard Wilson, Ext. 7262

Recommendation to Cleaner and Greener Advisory Committee: That the report be noted.

Introduction and Background

- 1 The purpose of this report is to provide details of the role of the Committee and the areas of responsibility including the key issues and challenges facing those areas.
- 2 The Terms of Reference are listed below and there will be a short presentation explaining the relevant service areas.

Terms of Reference

- 3 The following terms of reference are taken from the Council's Constitution.
- 4 Each Cabinet Advisory Committee shall:
 - (a) undertake policy initiation and development;
 - (b) consider such other matters as are referred to it by the Portfolio Holder;
 - (c) at the request of either Cabinet or the Audit Committee carry out specific research and development projects and to submit recommendations to Cabinet; and
 - (d) develop and approve its annual work plan ensuring that there is efficient use of the Committee's time.
 - (e) The Cabinet Member be requested to provide a report to each meeting outlining their activities since the previous meeting and any decisions they intend to take in the following three months.

RESOURCES AND WASTE STRATEGY FOR ENGLAND - GOVERNMENT POLICY PAPER

Cleaner and Greener Advisory Committee - 2 July 2019

Report of Chief Officer Environmental and Operational Services

Status For Information.

Key Decision No

Executive Summary: This report briefly outlines the contents of the DEFRA resources and waste strategy released on 18 December 2018 along with details of the consultations on some main policy areas that were carried out in Spring 2019.

Reponses to the consultations were all agreed with the Portfolio Holder for Direct and Trading Services prior to the submission deadline of 13 May 2019.

This report supports the Key Aim of Green Environment

Portfolio Holder Cllr. McArthur

Contact Officer Richard Wilson, Ext. 7262

Introduction and Background

- 1 The Strategy contains some proposals for significant changes in waste policy across the UK that could have some fundamental impacts on local authority operations. It also looks to enact some of the requirements of the EU Circular Economy Package that the UK has signed up to and agreed to implement in full.

Summary of Main Points

- 2 Extended Producer Responsibility (EPR)
 - Invoke the 'polluter pays' principle and extending producer responsibility for packaging, ensuring that producers pay the full net costs of managing packaging waste at end of life.
 - Reviewing the effectiveness of legislation designed to minimise packaging and encourage design for greater reuse and recycling.
 - Consult on introducing EPR for packaging based around certain principles.
 - Review of Packaging (Essential Requirements) Regulations to drive minimisation of packaging.

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- Consult (by 2021) on EPR for WEEE (electrical goods), Batteries and ELV (End of Life Vehicles).
- Consult on EPR (by 2025) for 5 waste streams including: textiles, bulky waste, tyres.

3 Deposit Return Schemes (DRS)

- Consult on introducing a DRS scheme for single-use drinks containers.
- Consider how to reduce the environmental impacts of disposable cups.

4 Consistent Collections

- Consult on legislation to allow Government to specify a core set of materials to be collected by all local authorities and waste operators. Timings for introduction will be subject to discussions at spending review.
- Consult on which materials should comprise this core set, and which collection systems would be most effective at preserving material quality. The consultation will be carried out in parallel with the consultation on reforms to the existing packaging waste regulations.
- Consult on introducing non-binding performance indicators for the quantity of materials collected for recycling and minimum service standards for recycling.
- Potentially legislate for mandatory separate collections for business.
- Consult on legislation to require weekly separate food waste collections for all householders and appropriate businesses (from 2023).
- Consider whether householders with gardens should have access to free garden waste collections.
- Possible amendment of waste regulations so that Household Waste Recycling Centres (HWRC's) perform a more effective role in resource efficiency and explore further measures, such as setting reuse targets for local authorities, requiring them to set their own targets, or requiring reporting to encourage provision of reuse facilities.
- Review Controlled Waste Regulations and consult on amending them in relation to HWRC regarding charging and opening hours, with possible minimum service standards for HWRCs being set.

5 Waste Crime

- Consult on reform of regulations for duty of care, carrier/broker/dealers, hazardous waste, and international waste shipments.
- Guidance on use of Fixed Penalty Notices (FPNs) that came into force on 7 January for household duty of care.

- Launch of a web-based fly-tipping toolkit hosted by the National Fly-Tipping Prevention Group.
- Consult on mandatory use of electronic waste transfer details.

6 Food Waste

- Consult on mandatory food waste reporting, targets and distribution by food businesses.
- Publish a new food surplus and waste hierarchy as statutory guidance.
- Hospitality and public sectors need to produce food waste strategies.
- A review of current recommendations on date labelling in 2019.
- Production of guidance for retailers on whether to sell fresh produce loose or packaged.

7 Plastics

- To consult on a tax on plastic packaging not containing at least 30% recycled content and increasing the plastic carrier bag charge to 10p and extending it to small shops.
- Consult on banning the most problematic plastic products (e.g. straws, cotton buds, stirrers).
- Improve the regulation of waste movements, both domestic and for exports, including plastics.
- Launch a call for evidence on standards for bio-based and biodegradable plastics.
- Investing in Research and Development to tackle plastics.

8 Other proposals relevant to local authorities:

- Two-tier working - review the effectiveness of current arrangements for local authority waste management. (This is not reorganisation or a move to unitaries).
- Recycling Credits - two tier cost sharing will be reviewed subject to how packaging reform unfolds.
- Consideration of a UK eco-design mechanism to drive up product standards for the most resource intensive product groups.
- Possibility of a UK Ecolabel post EU exit.
- Promote longer lifetime products through guarantees, extended warranties, and better disclosure.
- Produce guidance on what to do with data-rich SMART devices at end-of-life.
- Drive progress in local authorities (esp. urban ones), through joint working and reviews of HWRCs and the regulatory system.

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- Improve waste infrastructure.
- Make it easier to achieve 'end of waste' status.
- Periodic reviews of Waste Data Flow so it continues to be user friendly.

Key Implications

Financial

Some of the policies, if enacted following consultation, will have financial implications, particularly on separate food waste collections and free access to garden waste collections.

Legal Implications and Risk Assessment Statement

Implementation of policy measures will need to be by amendment to existing legislation.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

This report is for information only but as a strategy provides the direction of travel the Government wishes to take on waste policy for the future.

Consultation responses were agreed with the Portfolio Holder for Direct and Trading Services and submitted by the deadline of 13 May, on the following:-

- Extended producer responsibility
- Consistency in household and business recycling collections
- Introducing a deposit return scheme, and
- Plastic packaging tax.

The responses are included as appendices to the report. The Council also signed up to responses issued by the Kent Resource Partnership.

Background Papers

DEFRA Resources and Waste Strategy 2018

Appendices

A - Response to Consultation on Extended Producer Responsibility (letter format)

B - Response to Consultation on Consistency in Household and Business Recycling Collections

- C - Response to Consultation on Introducing a Deposit Return Scheme
- D - Response to Consultation on Plastic Packaging Tax (Supported LARAC response and KRP response)

Richard Wilson

Chief Officer Environmental and Operational Services

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Sent as e-mail attachment to
 packaging@defra.gov.uk

Date: 13 May 2019

Dear Sirs

Response to Defra Consultation - Extended Producer Responsibility (EPR)

Sevenoaks District Council is a waste collection authority in Kent. We write to confirm that, we broadly agree with the response provided by the Kent Resource Partnership, of which Sevenoaks District Council is a member.

However, for reasons outlined below, **we do not support the imposition of collection services that must meet a minimum standard requirement.** Nor could we endorse the introduction of any other measures, which might produce a similar impact on our collection service and residents. This variance from the Kent Resource Partnership's representation is particularly in relation to Question 26 and is reflected in our response to the parallel consultation, 'Consultation on consistency in household and business recycling collections in England'.

By way of background, Sevenoaks District Council collects refuse and recycling in two sacks, one co-mingled recycling and the other residual waste. Most importantly, both of these collections take place from each household every week throughout the year. Glass is collected from bring banks and with food waste (which is placed in the residual waste stream for incineration) minimisation is encouraged through regular communications.

Were the kerbside collection of food waste, glass or any other material, which cannot be co-mingled, mandated we would insist the significant capital and revenue cost of meeting that additional burden would be met by the Government in perpetuity. Furthermore, the clear expectation of the Council and residents of the Sevenoaks District would be that any such new collections take place on a weekly basis throughout the year and would not be introduced to the detriment of their existing weekly refuse and recycling service.

It is also worth noting that any measures which would require the provision of additional containers, be they sacks with their many advantages over bins, or bins, would also increase the complexity of our straightforward two bag, everything every week, approach.

The existing provision is extremely well liked by residents and this distinction from neighbouring authorities is well recognised.

Therefore whilst Sevenoaks District Council endorses and very much shares the Government's commitment to the environment, we believe the outcomes expected from the standardisation of waste collections could be better achieved with less cost by remaining faithful to the 'localist agenda' and without threatening the service Sevenoaks District Council provides those it exists to serve.

Yours faithfully
 Sevenoaks District Council

Chief Executive Dr. Pav Ramewal

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Appendix B

Consultation on consistency in household and business recycling collections in England

About you

1. What is your name?

Ian Finch

2. What is your email address? ian.finch@sevenoaks.gov.uk

This is optional, but if you enter your email address then you will be able to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

3. Which best describes you?

Please tick only one option. If multiple categories apply to you please choose the one which **best describes you** and which you are representing in your response. (Required)

- Local Authority**
- Waste management company
- Business representative organisation/trade body
- Product designer
- Manufacturer
- Distributor
- Retailer
- Reprocessor
- Community group
- Charity or social enterprise
- Independent consultancy
- Academic or researcher
- Individual
- Other (please provide details ...)

4. If you are responding on behalf of an organisation, what is its name?

Sevenoaks District Council –Waste Collection Authority
Member Council of the Kent Resource Partnership

5. Would you like your response to be confidential?

Yes / **No**

If you answered 'Yes' above, please give your reason:

Part 1 Measures to improve the quantity and quality of household recycling collected by local authorities

Consultation questions on dry recycling

Proposal 1

Q5 Setting aside the details of *how* it would be achieved, do you agree or disagree with the proposal that local authorities should be required to collect a set of core materials for recycling?

- Agree – local authorities should be required, to collect a core set of materials
- Disagree – local authorities should not be required, to collect a core set of materials**
- Not sure/don't have an opinion

No objection to a core set of materials being identified for recycling be that through kerbside or bring bank collection or household waste recycling centres.

Q6 We think it should be possible for all local authorities to collect the core set of materials. Do you agree with this?

- Agree
- Disagree – If you disagree please provide further information and evidence as to what circumstances it is not practicable to collect the full set of materials**

No objection to a core set of materials being identified for recycling but allowable collection methods should include bring bank collection or household waste recycling centres and not just kerbside only.

Q7 What special considerations or challenges might local authorities face in implementing this requirement for existing flats and houses in multiple occupancy?

Some challenges associated with recycling at flats are noted below: -

- **Insufficient storage space for citizens;**
- **Insufficient bin storage space at flats/HMOs;**
- **Transient population;**
- **Language barrier (especially for those citizens who don't speak English as their first language);**
- **Lack of ownership (e.g. a minority of citizens' incorrect behaviour could result in contamination and therefore demotivate others to demonstrate the right type of behaviour); and**
- **Access roads for waste collection vehicles.**

Over the last few years, guidance from WRAP has supported Local Authorities. Recent research from Resource London / LWARB has been taken forward to look at how to support citizens living in flats to recycle well. Full report outlined below – <https://resourcelondon.org/wp-content/uploads/2019/02/Recycling-in-reality-report.pdf>

Q8 What other special considerations should be given to how this proposal could apply to flats? Please provide additional information on your answer.

We do not consider the habitual monitoring and the application of fines appropriate. While measures need to be considered to support those citizens who don't care about recycling, and who are easily able to 'mask' their behaviours when using communal bins, a measured approach is recommended.

Q9 Do you have any other comments to make about Proposal 1? Please use this space to briefly explain your responses to questions above, e.g. why you agree/disagree with proposals.

See additional text under Q5. There is also a need for appropriate waste infrastructure in the local area to be able to bulk and reprocess the materials within a reasonable distance and cost effectively.

Proposal 2

Q10 Do you believe that all of these core materials should be included or any excluded?

	This should be included in the core set	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Glass bottles and containers	<input type="checkbox"/> NO but we support separate collection from bring bank sites.	<input type="checkbox"/>	<input type="checkbox"/>
Paper and card	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bottles	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Plastic pots tubs and trays	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Steel and aluminium tins and cans	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>

Q11 What, if any, other products or materials do you believe should be included in the core set that all local authorities will be required to collect?

	This should be included in the core set from the start of Consistency	This should be included in the core set but phased in over time	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Food and drinks cartons	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bags and film	<input type="checkbox"/>	<input type="checkbox"/> YES (linked to delivery of UK	<input type="checkbox"/>	<input type="checkbox"/>

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		Plastics Pact)		
Other materials (please specify)		Black Plastics	Dry cell batteries – not practical or economical	

Q12 If you think any of these or other items should or should not be included in the core set immediately please use the box below to briefly explain your view. **The initial core set of materials needs to be deliverable by councils whilst ensuring recycling rates increase robustly. For most materials (e.g. paper, metals and plastic bottles) the issue is increasing the capture of these items. Please refer to statements under Q10 and Q11 relating to mixed dry recycling. For plastic pots, tubs and trays these are recommended to be included in the core set from the outset as 76% of councils collect these, and there are only 'local issues' (e.g. a pre-existing contract with a waste management company) that needs to be challenged and overcome. For plastic films the situation is more complex. It is recommended the UK Plastics Pact (and the Ceflex project) work hard to enable solutions for collections and that these be implemented nationally as soon as confidence in the system allows.**

Any collection of mixed dry recyclables must be supported by waste infrastructure e.g. MRF specifications can vary to only process either a twin-stream or co-mingled and this must be consistent across the country. An opportunity for industry investment into infrastructure could be realised with consistency of dry recyclates across the country.

Q13 If you think these or other items should be considered for inclusion at a later stage, what changes would be needed to support their inclusion?

We have noted black plastics could be phased in over time - we recognise technology developments have/are being made to recycle black plastics but in the meantime, may be best to not be included with the core set until all across the supply chain are in agreement – this would lead to less confusion for citizens.

We have noted plastics bags and film could be phased in as part of the core set. This could be one of the key areas of work for the UK Plastics Pact.

Kerbside collection of dry cell batteries is not required it being impractical and uneconomical – See Q11.

Q14 Do you have any other comments to make about Proposal 2?

We encourage investment in local reprocessing infrastructure with the aspirations of the Circular Economy Package, as also noted in our answer to Q9.

Proposal 3

Q15 Do you agree that the core set should be regularly reviewed and, provided certain conditions are met, expanded?

- Yes**
- No
- Not sure/don't have an opinion

Q16 Do you believe that the proposed conditions a) b) c) and d) above are needed in order to add a core material?

- ~~Yes – but I would also add some (please specify which conditions you believe should be added ...)~~
- No – some/all should be removed (if some please specify below)
- No – some should be added and some should be removed (please specify which ...)
- Not sure/don't have an opinion

Q17 Do you have any other comments to make about Proposal 3?

With regards to Q15, this role could be fulfilled by the single not-for-profit body overseeing the transformed PRN system (Model 2 in the EPR consultation). This enables speedier consideration of issues, and implementation, than if the core set is regularly reviewed by the Government. However, the single body could work within a framework defined by the four nations and with their involvement. In all scenarios it should not be necessary for any updates to the core set of materials to need legislation. The proposed Environment Bill in 2019 should specify the conditions under which the core set can be reviewed and implemented.

Consultation questions on separate food waste collection

Proposal 4

Q18 Which aspects of the proposal do you agree and disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) at least a weekly collection of food waste	<input type="checkbox"/>	<input type="checkbox"/> YES – but if obliged to provide should be weekly.	<input type="checkbox"/>
(ii) a separate collection of food waste (i.e. not mixed with garden waste)	<input type="checkbox"/> *YES	<input type="checkbox"/>	<input type="checkbox"/>
(iii) services to be changed only as and when contracts allow	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>

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(iv) providing free caddy liners to householders for food waste collections	<input type="checkbox"/> *YES	<input type="checkbox"/>	<input type="checkbox"/>
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***As long as funding is available from Government, as outlined with the consultation.**

Q19 Are there circumstances where it would not be practical to provide a separate food waste collection to kerbside properties or flats.

- Yes – the lack of space within flats could present a practical issue when providing a separate food waste collections. Small terraced houses with no storage could also be an issue as there would be a lack of space.**
- No
- Not sure/don't have an opinion

Q20 Do you have any other comments to make about Proposal 4 including on circumstances where it may not be practical to provide a separate food waste collection?

If a separate weekly food waste collection were to be imposed 100% funding by government in perpetuity would be needed.

We welcome government's statement on pages 27/28;

'Given the additional costs involved in separate food waste collection the government will ensure that local authorities are resourced to meet new costs arising from this policy including upfront transition costs and ongoing operational costs'

We would be keen to understand how this would work in practice, especially with ongoing operational costs including waste disposal infrastructure required to deal with food recycling collections e.g. waste transfer station storage on site and then being hauled to a reasonably located Anaerobic Digestion plant.

Proposal 5

Q21 If you are responding on behalf of a local authority, what kind of support would be helpful to support food waste collection? (tick as many as apply)

- I am not responding on behalf of a local authority
- Specific financial support (e.g. set up and ongoing costs, including compensatory payments to councils who have committed investment to food recycling services)
- Procurement support, (e.g. free advice on renegotiating contracts; centralised purchasing of containers)**
- Communications support, (e.g. free collateral that can be adapted and used locally)**
- Technical support, (e.g. free advice from a consultant about round re-profiling)**
- Other – we advocate a partnership approach involving the whole packaging/food value chain to support local authorities. Additionally it is imperative councils' Recycling & Waste Departments end-up with more financial resources as a result of the set of Defra consultations. 100% funding by government in perpetuity would be needed. To that end, we are clear that PRN funds to local authorities must be ring-fenced to the Recycling & Waste Departments AND that those departments existing funding from Council Tax and any other sources is also protected.**

- Other – as previously mentioned, support towards the appropriate waste infrastructure required across the country e.g. Anaerobic Digestion plants.

Q22 Do you have any other comments to make about Proposal 5?

Refer to Q20.

Proposal 6

Q23 What are your views on this proposal?

For citizens to recycle and long-term behavioural change to be maintained, there must be reassurance that the material they are recycling is genuinely recycled. Negative media stories (whether perceived fake or real) can create long-term damage to citizens recycling behaviours. If media reported that the recycling materials citizens had taken time and effort to segregate was being combined, it not only potentially effects the citizens motivation to recycle this waste stream but others too.

Consultation questions on collecting garden waste

Proposal 7

Q24 Which aspects of the proposal do you agree or disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) a free garden waste collection for all households with gardens	<input type="checkbox"/>	<input type="checkbox"/> DISAGREE	<input type="checkbox"/>
(ii) A capacity to 240l (bin or other container eg sack)	<input type="checkbox"/>	<input type="checkbox"/> DISAGREE	<input type="checkbox"/>
(iii) A fortnightly collection frequency (available at least through the growing season)	<input type="checkbox"/> AGREE	<input type="checkbox"/>	<input type="checkbox"/>
(iv) ability to charge households for additional capacity/collections/containers over the set minimum capacity requirement	<input type="checkbox"/>	<input type="checkbox"/> DISAGREE	<input type="checkbox"/>
(v) this new requirement to start from 2023 (subject to funding and waste contracts)	<input type="checkbox"/>	<input type="checkbox"/> DISAGREE	<input type="checkbox"/>

Q25 Do you have any other comments to make about Proposal 7?

Part 1 above: We support that councils should retain their ability to charge a fee to citizens for collections of green garden waste (separately from food waste) from homes.

Part 2 above: We support that citizens should be able to purchase the size of bin that matches their needs (e.g. a very large garden may need a bigger bin than 240 litres or multiple bins). Alternatively, if a Council wishes to offer a smaller bin of 140 litres or compostable paper sacks as part of its customer offer, then that should be allowed.

Part 3 above: Fortnightly collection of garden waste throughout the year. Collection for only part of the year is confusing and may result in irresponsible disposal of waste.

Part 4 above: We support that councils should continue to be permitted to charge citizens for additional collection services, not just those that are in addition to the proposal for a minimum capacity requirement.

Part 5 above: Allowing councils to continue with existing collection and charging arrangements for separate green garden waste collections means there is no need to wait until 2023 to implement a revised scheme as proposed.

This policy could also demotivate citizens from composting at home, increase carbon emissions and traffic congestion.

Consultation questions on separate collection to improve quality

Proposal 8

Q26 Do you agree the proposed approach to arrangements for separate collection of dry materials for recycling to ensure quality?

- Yes
- No – Sevenoaks District Council’s mixed dry recyclable materials collection already delivers quality dry materials for recycling at value for money to the local taxpayer, recognising that we can achieve even more working with and improving communication with our residents.**
- Not sure/no opinion/not applicable

Q27 What circumstances may prevent separate collection of paper, card, glass, metals and plastics? Please be as specific as possible and provide evidence.

As outlined within the consultation document (pg.35), the following circumstances may prevent separate collection –

- **Collecting certain types of materials together does not affect their potential to undergo reuse, recycling or recovery operations and results in output from those operations which is of comparable quality to that from separate collection;**
- **Separate collection does not deliver the best environmental outcome;**
- **Separate collection is not technically feasible taking into account good practice in waste collection;**
- **Separate collection would entail disproportionate cost, taking into account costs of adverse environmental and health impacts of mixed waste collection and treatment, as well as potential for efficiencies from separate collection and revenues from secondary material sales and polluter pays principles.**

Q28 Do you have any other comments to make about Proposal 8?

Sevenoaks District Council understands the ambition but waste collections could be better achieved with less cost by remaining faithful to the 'localist agenda' and without threatening the service Sevenoaks District Council provides to those it exists to serve.

Consultation questions on bin colour standardisation

Proposal 9

Q29 Do you agree or disagree with this proposal?

- Agree – bin colours **should** be standardised for all waste streams
- Agree in part – bin colours should be standardised for some waste streams but not all (specify which ...)
- Disagree – bin colours need not be standardised for any waste streams**
- Not sure/no opinion/not applicable

We agree that bin labels could be standardised using the Recycle Now iconography and colours. If it is also possible to standardise bin colours then that is desirable, though we would not want a situation where existing bins across the country are rendered 'useless' overnight. We'd also add that it would be unfortunate if the principal aim of this consultation, namely consistency of recyclables, is undermined by a far less serious issue of the colour of bins. The recyclables prize is far more important at this time, and we recommend focusing attention on achieving that as a priority.

Q30 There would be potential for significant costs from introducing standardised bins colours from a specific date. What views do you have on a phased approach or alternative ways to standardising the colours of containers for different materials?

- Phased approach 1 – as and when waste contracts are renewed. Though it is more about the replacement of 'bin fleets' rather than waste contracts, though the two are sometimes synchronous (i.e. bins may last 10 to 15 years or longer whereas some waste collection contracts last for 10 years or shorter).**
- Phased approach 2 – as and when old/unserviceable bins are replaced – we struggle to see how a phased approach would work in a council's area. Presumably the bins would change colour on a house-by-house basis over a long time, which is a nightmare for the citizens to know which bin to put out that week, and also for the waste collector who will need to open bins of different colours at each household to see what is inside, which substantially delays the service and risks major contamination of recyclates. This could also significantly make good quality bins redundant (and therefore generate plastic waste), which would be contrary to the waste hierarchy. The costs of transitions would also be expensive.**
- Other ways please specify...

Q31 Do you have any other comments to make about Proposal 9? **There are alternatives to bins, for example sacks.**

Consultation questions on service standards

Proposal 10

Q32 Do you agree or disagree with the proposal to publish statutory guidance?

- Agree – government should publish statutory guidance.
- Disagree – government should not publish statutory guidance**
- Not sure/no opinion/not applicable

Q33 We propose reviewing the guidance every few years, revising it as required and then allowing sufficient lead-in time to accommodate the changes. Do you agree or disagree with this timescale?

- Agree
- Disagree – it should be more often.
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable**

Q34 Subject to further analysis and consultation we propose to use the guidance to set a minimum service standard for residual waste collection of at least every alternative week. Do you agree or disagree with this proposal?

- Agree
- Disagree – it should be **more often**
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable**

Q35 Do you have any other comments to make about Proposal 10?

Concerning Q32, Guidance by its nature is advisory but statutory 'guidance' implies legislative requirement not guidance or advice on best practice.

Concerning Q33, Since we would not support statutory guidance this question is not applicable.

Concerning Q34, Since we would not support statutory guidance this question is not applicable.

Consultation questions on communicating about recycling

Proposal 11

We will continue our support for Recycle Now and the tools produced by WRAP to help local authorities to communicate effectively on recycling.

Q36 Do you have any comments to make about Proposal 11? **We support it. Labelling of packaging is far more important than the colour of bins.**

Q37 What information do householders and members of the public need to help them recycle better?

1). Awareness of core set of materials for recycling, and collections days/times.

2). Labelling on packaging that provides a crystal clear choice of which bin that item goes into at the point of disposal – the recycling bin, or the waste bin. Eradicate the ‘Check locally’ option.

3). Community expectations of how citizens should use their recycling and waste services.

4). Clear, simple information on how to recycle items on a weekly collection basis. Clear information on how to recycle items when on-the-go.

Proposal 12

Q38 Do you agree or disagree with this proposal?

- Strongly Agree – government should work with local authorities and other stakeholders on this**
- Disagree – government **should not** work with local authorities and other stakeholders on this
- Not sure/no opinion/not applicable

Q39 Do you have any other comments to make about Proposal 12?

We believe it should be mandatory for information on ‘end destinations of recyclates (EDR)’ to be produced for citizens to see for themselves what happens to their recyclates. In 2012, the KRP were founding signatories to the Resource Association’s EDR Charter. Since then, the KRP has published its ‘Materials End Destinations Publications’ on an annual basis. These publications can be found here –

<https://www.kent.gov.uk/about-the-council/partnerships/kent-resource-partnership/governance-documents>

We encourage other councils and waste companies to sign-up to the EDR Charter too. Any public communications regarding end destinations should be relatable and digestible in a simple and engaging format.

Consultation questions on end markets

Proposal 13

Q40 Please use this space to briefly explain any comments you have on the issues discussed in this section.

We believe it is in the national interest for the four nations to have National Plans to decrease UK reliance on foreign countries to process the UK’s recyclates and waste. To that end, we support the single not-for-profit body proposed in Model 2 of the EPR consultation having the responsibility to consider and make recommendations on domestic infrastructure that supports the ambitions of the four nations.

Consultation questions on non-binding performance indicators

Proposal 14

We propose developing a set of non-binding performance indicators for local authorities to use to monitor waste management and recycling and to highlight where services can be improved to delivery higher recycling and minimise waste. In addition to the headline household recycling rate for the local authority we would propose 4 additional indicators covering the yields of dry recycling, food waste for recycling, garden waste for recycling, and residual waste. We would also work with local authorities to develop these and other indicators to reflect areas such as quality or contamination levels and service delivery.

Q41 Do you agree or disagree that introducing non-binding performance indicators for waste management and recycling is a good idea?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q42 Do you agree or disagree that the proposed indicators are appropriate?

- Agree**
- Disagree (please expand ...)
- Not sure/no opinion/not applicable

Q43 Do you have any comments to make about Proposal 14 or examples of indicators currently in use that may be of assistance?

We support the proposed measures but wish to go further. Whilst this section focuses on local government only, we believe that all the data & performance systems relating to the flows of packaging need to align. This includes objectives, definitions and targets of (for example) Waste Data Flow, Fly Capture, the National Packaging Waste Database, and any new systems arising out of implementing packaging EPR proposals, and a potential GB or UK deposit return scheme. We suggest that the single not-for-profit body in Model 2 of the EPR consultation could have a major role to play in overseeing that all the data systems work harmoniously and efficiently together.

Consultation questions on alternatives to weight-based metrics

Proposal 15

We will look at metrics that can sit alongside weight-based metrics and will work with stakeholders to develop these as set out in the Resources and Waste Strategy.

Q44 Do you agree that alternatives to weight-based metrics should be developed to understand recycling performance?

- Agree – this has been identified as part of the KRP’s recently refreshed Kent Joint Municipal Waste Management Strategy (KJMWMS – web link [here](#) for**

information)

- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q45 Do you agree that these alternatives should sit alongside current weight-based metrics

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q46 What environmental, economic or social metrics should we consider developing as alternatives to weight-based metrics?

Another environmental metric could be the amount of CO2/methane avoided due to other disposal alternatives, rather than landfill. The KRP have made great strides with this. In 2007/08, the 13 Kent councils sent 53% to landfill – 2017/18 figures now show as little as 1% ends in landfill.

Consultation questions on joint working

Proposal 16

We want to support and enable greater collaboration and partnership working between authorities where this would accelerate the move to consistent collections and improve recycling and delivery of services.

Q47 Could greater partnership working between authorities lead to improved **waste management and higher levels of recycling?**

- Strongly Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q48 What are the key barriers to greater partnership working?

Page 49 of the consultation document outlines a number of possible barriers for councils when taking forward joint working. For over 10 years, the Kent Resource Partnership has built a track record partnership working. See KRP response

Q49 How might government help overcome these barriers?

Q50 Do you have any other comments to make about Proposal 16?

We agree that one of the barriers is proximity and access to waste infrastructure and as such this lack of infrastructure could be addressed by Government. This could be in the form of capital funding in the same way that it funds Highway Authorities to finance improvements and maintenance of the highways network. This could be seen as national infrastructure serving an essential part of the economy.

Part 2 Measures to improve recycling by businesses and other organisations that produce municipal waste

Consultation questions on measures to increase recycling from business and other organisations that produce municipal waste

Proposal 17

Q51 Do you agree or disagree that businesses, public bodies and other organisations that produce municipal waste should be required to separate dry recyclable material from residual waste so that it can be collected and recycled?

- Agree
- Disagree (why ...?) Businesses already have a responsibility to recycle. Sevenoaks District Council as a waste collection authority collects commercial waste from local businesses and organisations. Enforced separation of dry recyclable materials may create collection difficulties, increasing costs for businesses and discouraging smaller businesses to arrange commercial waste collections. Costs of investigation and prosecution of non-compliant businesses will fall on the local authority with little chance of full cost recovery through the courts.**
- Not sure/no opinion/not applicable

Q52 Which of the 3 options do you favour?

- Option 1 mixed dry recycling and separate glass recycling; no food waste collected for recycling
- Option 2 mixed dry recycling and separate food recycling; no glass recycling
- Option 3 mixed dry recycling, separate glass recycling, separate food recycling
- Something else (please expand ...) Separate paper & card should be achievable for most businesses.**
- Not sure/no opinion/not applicable

Q53 We would expect businesses to be able to segregate waste for recycling in all circumstances but would be interested in views on where this may not be practicable for technical, environmental or economic reasons

- Yes – it should be practicable to segregate waste for recycling in most circumstances.
- No – some exceptions are needed for particular circumstances (please provide examples below). See answers to Q51 and Q52 above**
- Not sure/no opinion/not applicable

Q54 Should some businesses, public sector premises or other organisations be exempt from the requirement?

- Yes – See answers above**
- No
- Not sure/no opinion/not applicable

Q55 Do you have any other comments to make about Proposal 17? For example, do you think that there are alternatives to legislative measures that would be effective in increasing business recycling?

Small businesses may seek to avoid commercial waste collection and disposal costs if more demanding requirements are introduced. While enforcement action can be taken the costs of investigation etc. are seldom recovered and impose a further burden upon Councils and tax payer. Better to educate and encourage businesses to recycle business paper and card, which can be readily separated and result in a saving to the business, rather than to impose an obligation to recycle all without sufficient resources to enforce against all that don't comply.

Proposal 18

Q56 Do you agree or disagree that businesses, public bodies or other organisations that produce sufficient quantities of food waste should be required to separate it from residual waste so that it can be collected and recycled?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q57 Do you agree or disagree that there should be a minimum threshold, by weight, for businesses public bodies or other organisations to be required to separate food waste for collection?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q58 Do you have any views on how we should define 'sufficient' in terms of businesses producing 'sufficient' quantities of food waste to be deemed in scope of the regulations?

If a minimum threshold is to be applied, businesses which are likely to generate enough food waste each day to make a collection technically, economically and environmentally practicable would be considered to be generating 'sufficient' food waste to require a collection.

Q59 Do you have any views on how we should define 'food-producing' businesses?

Businesses where food is the core business i.e. produced, packaged or prepared for consumption either on or off site could be defined as 'food-producing'. This could include processing and packaging businesses in addition to restaurants, cafes and takeaways. We feel all organisations which produce enough food waste to justify a food recycling service should be included, this would therefore include e.g. larger businesses where employees bring their own food on site and not just those categorised as 'food-producing'.

Q60 In addition to those businesses that produce below a threshold amount of food waste, should any other premises be exempt from the requirement?

- Yes
- No**
- Not sure/no opinion/not applicable

Agenda Item 9

Q61 Do you have any other comments to make about proposal 18?

Concerning Q56, we support this proposal as it then dovetails with the requirements citizens are expected to demonstrate within their households too. This consistency across household and business should help drive behaviour change in both sectors and therefore increase capture of food recycling. It would also likely help to normalise separating food for recycling.

Concerning Q57, the threshold needs to be per facility / building / office rather than on a UK business as a whole.

As a wider point and in accordance with the waste hierarchy, mandating food recycling should not be at the expense of encouraging food waste reduction. It is essential that food recycling (if mandated), would operate in parallel with other national initiatives to reduce food waste.

Proposal 19

If the proposals above are adopted, we would like to support businesses, public sector and other organisations to make the transition. In particular we would like to find ways to reduce the impact on small and micro businesses.

Q62 What are your views on the options proposed to reduced costs?

We generally support the principle of these options. There is a concern re. the option of collecting household waste and business waste together as there are no indicative plans on how the waste infrastructure may serve such a vast increase of material storage, bulking, haulage and end-processing capacity. It could also see a whole new sector to engage with regarding quality and would have data & infrastructure implications.

Q63 Are there other ways to reduce the cost burden that we have overlooked?
This cannot be considered a viable proposal without considering the disposal infrastructure to allow it to happen.

Q64 Do you have any other views on how we can support businesses and other organisations to make the transition to improved recycling arrangements?
See answer to Q55.

Business waste data

Proposal 20

Q65 Do you have any views on whether businesses and other organisations should be required to report data on their waste recycling performance?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q66 Do you have any other comment on Proposal 20?

Concerning Q65, agree though it may be that the organisation that is best placed to do

this in practice may be a waste management company acting on behalf of a business. Nonetheless, the onus should be on the business itself. It would also be helpful for the business to adopt a transparent approach.

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Consultation on introducing a Deposit Return Scheme in England, Wales and Northern Ireland

About you

1. Would you like your response to be confidential?

Yes / **No**

If you answered 'Yes' above, please give your reason:

2. What is your name? [Ian Finch](#)

3. What is your email address? ian.finch@sevenoaks.gov.uk

This is optional, but if you enter your email address then you will be able to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

4. Please provide information about the organisation/business you represent.

Which of the following best describes you?

(Please tick only one option. If multiple categories apply to you please choose the one which best describes you and which you are representing in your response.) (Required)

- Business representative organisation/trade body
- Product designer
- Manufacturer
- Distributor
- Retailer
- Waste Management Company
- **Local Authority**
- Reprocessor
- Community group
- Charity
- Social enterprise
- Independent consultancy
- Academic or researcher
- Individual
- Other

If you answered 'Other' above, please provide details:

What is the name of the organisation/business you represent? (Required. If you are responding on behalf of yourself please write 'individual')

[Sevenoaks District Council – Waste Collection Authority](#)

What is the approximate number of staff in your organisation? (If applicable)

5. Please provide any further information about your organisation or business activities that you think might help us put your answers in context.

(Optional)

Member Council of the Kent Resource Partnership.

6. Does your organisation have any recent experience of a DRS or related policy schemes? If so, can you please briefly explain your experiences? **N/A**
7. Are you content for the UK government, or in Wales, the Welsh Government, or in Northern Ireland, DAERA to contact you again in relation to this consultation? **Yes**

Basic principles for a DRS

8. 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

Please briefly state the reasons for your response. Where there are principles you do not agree with, please outline them here. Where available, please share evidence to support your view

All eight principles are important, especially the second principle. It is extremely important that if a well-designed DRS system is implemented, it forms part of a coherent system to improve resource efficiency, alongside producer responsibility obligations and existing kerbside collections.

Proposed models for a DRS system

9. 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.

Although supported in principle, PET bottles are collected via Sevenoaks DC's kerbside collections and so a DRS may move

higher-value recyclable materials away from the collection and disposal authorities, which will potentially increase costs of managing these materials and reduce income from material sales.

b. HDPE 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.

HDPE bottles (e.g. milk) are collected via Sevenoaks DC's kerbside collections and are not traditionally seen as a 'litter' issue. If there is scope to capture more HDPE bottles, it may be more sensible to boost citizen communications for using existing services.

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.

Although supported in principle, Aluminium cans are collected via Sevenoaks DC's kerbside collections and so a DRS may move higher-value recyclable materials away from the collection and disposal authorities, which will potentially increase costs of managing these materials and reduce income from material sales.

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.

Although supported in principle, Steel cans are collected via Sevenoaks DC's kerbside collections and so a DRS may move higher-value recyclable materials away from the collection and disposal authorities, which will potentially increase costs of managing these materials and reduce income from material sales.

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.

Although supported in principle, glass bottles are collected via Sevenoaks DC's 'bring bank' network. A DRS will move higher-value colour-separated cullet away from our collections, which will reduce both income from the sale of these materials and increase our costs of managing those materials not returned via a DRS.

As a way of providing Government with supporting evidence, over the past few months the 13 Kent councils forming the Kent Resource Partnership have worked together with Suez, Anthesis, LARAC and Project Integra to develop the Resource And Waste Policy Impact Calculator (RAWPIC) – further details [here](#) for information.

Reflecting on the impact assessment, it was estimated a return rate of 85% for DRS obligated materials. RAWPIC therefore estimated the tonnage of obligated material that the Kent councils were likely to lose from their kerbside services.

Table 1. Kerbside and estate dry recycling and residual waste tonnages pre and post an "All in" DRS with a return rate of 85% within all 12 district councils in Kent.

	Recycling Tonnage				Residual Tonnage			
	Pre DRS	Post DRS	Difference (Tpa & %)		Pre DRS	Post DRS	Difference (Tpa & %)	
Paper & card	57,838	57,838	0	0%	32,276	32,276	0	0%
Cartons	143	143	0	0%	0	0	0	0%
Targeted plastic (bottles and PTT's)	11,528	8,514	-3,015	-26%	26,095	23,186	-2,909	-11%
Plastic Films	0	0	0	0%	22,084	22,084	0	0%
Glass	30,984	14,133	-16,851	-54%	9,176	4,847	-4,329	-47%
Metals	6,566	5,651	-915	-14%	8,687	8,068	-619	-7%
Contamination and non-target materials	9,638	9,638	0	0%	0	0	0	0%
Remaining residual waste	0	0	0	0%	152,213	152,213	0	0%
Total	116,697	95,917	-20,780	-18%	250,530	242,673	-7,857	-3%

*Tonnages input for Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are based on future projections.

Table 2. Kerbside and estate dry recycling and residual waste tonnages pre and post an "On-the-Go" DRS with a return rate of 85% within all 12 district councils in Kent.

	Recycling Tonnage				Residual Tonnage			
	Pre DRS	Post DRS	Difference (Tpa & %)		Pre DRS	Post DRS	Difference (Tpa & %)	
Paper & card	57,838	57,838	0	0%	32,276	32,276	0	0%
Cartons	143	143	0	0%	0	0	0	0%
Targeted plastic (bottles and PTT's)	11,528	10,499	-1,029	-9%	26,095	25,102	-993	-4%
Plastic Films	0	0	0	0%	22,084	22,084	0	0%
Glass	30,984	23,215	-7,769	-25%	9,176	7,180	-1,996	-22%
Metals	6,566	6,507	-59	-1%	8,687	8,647	-39	0%
Contamination and non-target materials	9,638	9,638	0	0%	0	0	0	0%
Remaining residual waste	0	0	0	0%	152,213	152,213	0	0%
Total	116,697	107,839	-8,858	-8%	250,530	247,501	-3,029	-1%

*Tonnages input for Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are based on future projections.

Key Considerations (from the tables above)

- For the 'all in' scenario there is likely to be a total loss of ~20,800 tonnes (18% reduction) of obligated materials from the dry recycling and a loss of ~7,900 tonnes (3% reduction) of obligated material in the residual waste.
 - For dry recycling, this loss in tonnage mainly comes from the removal of ~16,900 tonnes of glass (54% reduction), with ~3,000 tonnes of targeted plastic (26% reduction) and ~900 tonnes of metals (14% reduction) being lost to the DRS.
 - For residual, the loss in tonnage also mainly comes from the removal of glass with ~4,300 tonnes (47% reduction) being lost, as well as ~2,900 tonnes of targeted plastics (11% reduction) and ~600 tonnes of metals (7% reduction) also being lost to the DRS.
- For the 'on-the-go' scenario there is a significantly smaller tonnage lost to the DRS from the dry recycling and residual services. In dry recycling services there is likely to be a loss of ~8,900 tonnes (8% reduction) of obligated material, and a loss of ~3,000 (1% reduction) of obligated material from residual collection.
 - For dry recycling, this loss in tonnage mainly comes from the removal of ~7,800 tonnes of glass (25% reduction), with ~1,000 tonnes of targeted plastic (9% reduction) and ~60 tonnes of metals (1% reduction) also being lost to the DRS.
 - For residual, the loss in tonnage also mainly comes from the removal of glass, with ~2,000 tonnes (22% reduction) being lost, as well as ~1,000 tonnes of targeted plastic (4% reduction) and ~40 tonnes of metals (<1% reduction) also being lost to the DRS.
- Metals show a significant decrease in obligated tonnage between the 'all in' and 'on-the-go' scenarios due to a high amount of metal cans being sold in multipacks and therefore not obligated in the 'on-the-go' option.

f. Other (please specify)

10. 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.

As Tetrapak are not traditionally considered usual litter items, it may therefore be best to capture these products under the reformed UK packaging producer responsibility system.

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

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.

11. 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

12. 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.

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.

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.

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.

e. Milk containing 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.

As for the reasons outlined in Q9b, milk containers may be best to be collected via local authority kerbside collections. There may be also hygiene issues with collecting via a DRS system should the handling/disposal of these materials be infrequent.

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.

As for the reasons outlined in Q9b, soya, rich almond and oat drink containers may be best to be collected via local authority kerbside collections. There may be also hygiene issues with collecting via a DRS system should the handling/disposal of these materials be infrequent.

- 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.

As for the reasons outlined in Q9b, milk containers may be best to be collected via local authority kerbside collections. There may be also health & safety issues with collecting via a DRS system should the handling/disposal of these materials be infrequent.

- h. Other (please state which):

13. 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**

- 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.

In line with the waste hierarchy, the use of disposable cups should be discouraged. Coffee cup recycling is a high-profile waste stream, which is difficult to recycle due to the composite nature and regularly littered. We believe maximum capture of materials should be encouraged and therefore it may be worth considering including these items within an EPR system – this may lead to strong measures brought in to push action on cups recycling.

14. Do you agree with the proposed material flows as described 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

The material flow shows all the material being returned to the return point/retailer, which then forward this to collection systems. The material which a citizen places in the kerbside collection is not shown in the diagram. It is also unclear what the 'Counting Centre' is e.g. is it a Materials Recycling Facility (MRF) or a new facility?

Expenses are paid to the 'Collection System' and the 'Counting Centre' – what role, if any, does the collection & disposal authority have for kerbside collected materials?

15. Do you agree with the proposed financial flows as described 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

As referenced in the consultation, Local Authorities would need to be paid for the DRS materials collected, bulked, hauled and disposed of.

Overlap with the packaging producer responsibility system

16. Should producers obligated under a DRS be:

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

17. 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'? **N/A**

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

Deposit Management Organisation (DMO)

18. Do you agree that the DMO should be responsible for meeting high collection targets set by government?

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

Having responsibility will provide greater incentive to achieve targets. Dovetailing with our response to the EPR consultation, the single-body (as outlined in model 2) could work with the DMO or be a wider body, which incorporates the DRS system and these responsibilities.

19. Should the DMO also be responsible for meeting high recycling targets set by government?

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

20. Should unredeemed deposits be used to part-fund the costs of the DRS system?

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

Most of the packaging from the unredeemed deposits will have ended up as litter or disposed/recycled via kerbside collections, bring banks, recycling centres or in the residual waste, falling to councils to manage. It would therefore be appropriate for the funds from the unredeemed deposits to be directed to councils to cover the costs of collecting, reprocessing and disposing of this material. In accordance with the Circular Economy principles, we would also encourage funding be directed towards enhancing local reprocessing facilities.

As a way of providing Government with supporting evidence, over the past few months the 13 Kent councils forming the Kent Resource Partnership have worked together with Suez, Anthesis, LARAC and Project Integra to develop the Resource And Waste Policy Impact Calculator (RAWPIC) – further details [here](#) for information.

The RAWPIC provided Kent councils with an indicative value of unredeemed deposits within kerbside collections by calculating the total number of units of each obligated material that are likely to remain (the material not captured via DRS). Indicative figures are based upon an 85% DRS return rate of obligated materials and potential £0.15 deposit price. A breakdown of unredeemed deposit value by material type for an 'all-in' and 'on-the-go' scenario can be found below: -

Table 3. Obligated tonnage remaining within kerbside collections of all 12 district councils in Kent after an "All in" DRS with an 85% return rate and a £0.15 deposit value, and the associated range of unredeemed deposit values.

Material stream	Remaining DRS obligated tonnage			Total	
	Recycling tonnage	Residual tonnage	Total tonnage	Total unredeemed deposit value (min)	Total unredeemed deposit value (max)
PET Plastic bottles	532	513	1,045	£5,405,850	£6,033,150
HDPE Plastic bottles**	0	0	0	£0	£0
Aluminium cans	149	99	248	£2,490,150	£2,787,300
Steel cans	13	10	23	£0	£0
Glass bottles	2,974	764	3,738	£1,655,100	£2,142,450
Cartons***	0	0	0	£0	£0
Totals	3,667	1,387	5,054	£9,551,100	£10,962,900

*Tonnes input for Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are based on future projections.

**HDPE plastic bottles show 0's due to 100% of them being associated with the dairy industry which is not in scope for the "All in" scenario.

***Cartons show 0's due to them not being scope for the "All in" scenario.

Table 4. Obligated tonnage remaining within kerbside collections of all 12 district councils in Kent after an “On-the-Go” DRS with an 85% return rate and a £0.15 deposit value, and the associated range of unredeemed deposit values.

Material stream	Remaining DRS obligated tonnage			Total	
	Recycling tonnage	Residual tonnage	Total tonnage	Total unredeemed deposit value (min)	Total unredeemed deposit value (max)
PET Plastic bottles	182	175	357	£1,980,900	£2,195,250
HDPE Plastic bottles**	0	0	0	£0	£0
Aluminium cans	10	7	17	£174,600	£195,450
Steel cans	0	0	0	£0	£0
Glass bottles	1,371	352	1,723	£801,450	£1,111,500
Cartons***	0	0	0	£0	£0
Totals	1,563	534	2,098	£2,956,950	£3,502,200

*Tonnes input for Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are based on future projections.

**HDPE plastic bottles show 0’s due to 100% of them being associated with the dairy industry which is not in scope for the “On-the-Go” scenario.

***Cartons show 0’s due to them not being scope for the “On-the-Go” scenario.

Key Considerations (from the tables above)

- The value of unredeemed deposits has been given as a range due to the number of units within a tonne of each material stream being variable.
- For the ‘all-in’ scenario there is ~5,100 tonnes of obligated material remaining within the dry recycling and residual waste collections. This equates to between ~£9.5m and ~£11m of unredeemed deposits.
 - The majority of this unredeemed deposit value comes from PET plastic bottles, with a value of ~£5.4m to ~£6m.
 - Glass bottles have the highest tonnage of obligated material remaining within the kerbside collections (~3,700 tonnes), but due to its high weight, this only equates to an unredeemed deposit value of ~£1.7m to ~£2.1m.
- For the ‘on-the-go’ scenario there is ~2,100 tonnes of obligated material remaining within the dry recycling and residual waste collections. This equates to ~£3m to ~£3.5m of unredeemed deposits.
 - The majority of this unredeemed deposit value comes from PET plastic bottles, with a value of ~£2m to ~£2.2m.
 - Like in the ‘all-in’ scenario, glass bottles have a significantly higher tonnage of obligated material remaining within the kerbside compared to the other material types due to the extra weight, but a relatively lower unredeemed deposit value of ~£0.8m to ~£1.1m.
- Aluminium cans show a significant reduction in tonnage between the ‘all-in’ and ‘on-the-go’ scenarios due to a high amount of metal cans being sold in multipacks and therefore not obligated in the ‘on-the-go’ option.

21. If unredeemed deposits are not used to part-fund the costs of the DRS system, do you agree they should be passed to government?

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

Unredeemed deposits could be spent into maximising kerbside or disposal infrastructure, communications campaigns and the reprocessing infrastructure. This would be a good example of the principle of full cost recovery aspect of EPR as outlined in the recent EU Circular economy package. This could contribute to reducing the burden on producers to put funds into Local Authorities through other EPR mechanisms proposed.

Please see our answer to Q20 for supporting evidence.

22. Do you have alternative suggestions for where unredeemed deposits could be allocated?

As mentioned above, unredeemed deposits could be allocated to support infrastructure requirements. Also communications campaigns which promote recycling and reduce litter into the environment.

Please see our answer to Q20 for supporting evidence.

23. 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.

If a DRS scheme is managed by a DMO, it would be sensible to include the bodies noted above on the management board. It may also be worth considering others across the supply chain too e.g. Local Authorities, Waste Management companies, Reprocessors etc.

24. 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.

25. Do you agree with the government's proposals that a DMO would:

- a. Advise government on the setting of the deposit level/s

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

- b. Set producer/importer fees

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

- c. Be responsible for tracking deposits and financial flow in the DRS – and ensuring those running return points are paid the deposits they refund to consumers

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

- d. Set and distribute the handling fees for return points

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

- e. Be responsible for ensuring that there are appropriate return provisions for drinks containers in place, and that these are accessible?

Yes

No

I neither agree nor disagree

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

- f. Be responsible for maintenance of reverse vending machines (RVMs) and provision of bags/containers to those running manual return points

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

- g. Own the material returned by consumers

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

- h. Reimburse those transporting returned drinks containers to recyclers/counting/sorting centres – and manage these contracts

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

- i. Fund counting sorting/centres – and manage the contracts for counting/sorting centres

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

- j. Be legally responsible for meeting the high collection targets set by government for drinks containers within scope of the DRS.

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

- k. Measure and report recycling rates to government

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

- I. Run communications campaigns to aid consumer understanding of the DRS

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.

If a DRS system was put in place, it may be worth considering national communications which dovetail with WRAP's Recycle Now campaign.

Producers

26. Do you agree with our proposed definition of a producer?

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.

27. Should there be a de minimis which must be crossed for producers and importers of drinks in-scope of a DRS to be obligated to join the scheme?

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.

Fairness

28. Should a de minimis be based on:

- a. Number of employees
 - i. If yes, how many employees?
- b. Sales figures
 - ii. If yes, what figure?
- c. Volume/weight of drinks put on the market
 - iii. If yes, what volume/weight?
- d. None of these
- e. **Other – N/A**

29. If there is a buy back scheme for recycled materials, do you have evidence for how this could be effectively run? N/A

30. In line with the principle of full net cost recovery, the government proposes that producers would cover the set up costs of the DMO? Do you agree with this proposal?

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

31. Should the DMO be responsible for co-ordinating the set-up of the DRS, including buying RVMs and an IT system?

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

Operational costs

32. Should producers of drinks within a DRS be responsible for DRS operational costs?

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

Retailers / return provisions

33. Which of the following should be obligated to host a return point?

- a. Retailers who sell drinks containers in scope**
- b. Transport hubs**
- c. Leisure centres**
- d. Event venues**
- e. None of these
- f. Other (please specify)

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

evidence to support your view

34. What might the impacts be on those hosting:

(a) Reverse vending machines? Where available, please share evidence to support your view. **Vandalism of the machine to either access deposited material or money if the machines provide payments. The incentive for retailers to host such a scheme could be questioned as there would be a requirement to invest in space, labour and administration. Whilst these costs are likely to be recovered from the DMO, surely retailers will be seeking a financial return?**

(b) Manual return points? Where available, please share evidence to support your view. **Counter error and would probably have to be counted again to be verified electronically in another location.**

35. Are there any Health and Safety-specific implications that may be associated with hosting return points?

Especially with regards to milk, soya, rich almond and oat drink containers for the hygiene reasons mentioned earlier on with our consultation response. Other issues may include storage of containers and impact of retail space.

36. Is there a de minimis level under which businesses who sell drinks in scope should be exempt?

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

Smaller businesses or those with limited opening hours could be exempt to minimise the collection costs of materials, which is likely to be low. This however has to be balanced against providing a comprehensive collection network in rural areas. Also please refer to our answer at Q34.

37. Should a de minimis be based on:

a. Floor size

i. If yes, what floor size? E.g. food vans which are mobile

c. Sales figures for drinks in scope

ii. If yes, what figure?

d. Number of employees

iii. If yes, how many employees?

e. None of these

f. Other (please specify)

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

Please refer to our answer at Q34.

39. Do you have alternative suggestions for return provisions that could be used to accept the return of drinks containers? Please provide details.

40. For consumers who would have difficulty returning empty drinks containers, what provisions could be put in place so that these consumers are able to return drinks containers and receive their deposit refund? If 'on-the-go' is targeted, these items would have been purchased whilst out so transport providers could support returns at different locations on their transport network, subject to our observations under Q35.

41. What provisions could be put in place for rural areas where there may be few small retail outlets spread over a wider area, in order to ensure that there are adequate return and collection facilities? Please refer to our answer at Q34.

42. Do you have evidence that would help inform us about whether there is potential for siting RVMs outdoors e.g. in parks, at existing outdoor recycling centres, on highstreets?

Collection Authority bring bank site space is very limited. From a Waste Disposal Authority perspective, there would be insufficient capacity at Household Waste Recycling Centres (HWRCs).

43. Should online retailers selling drinks in in-scope containers be obligated to pick up and refund DRS material?

Yes

No

Neither

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

Please briefly state the reasons for your response. Where possible, please provide supporting information.

This would be dependent on the packaging to be included with the DRS system. If the system is to target 'on-the-go' items only, the inclusion of online retailers may be inappropriate. This also links into whether multipacks should be included.

44. Should there be a de minimis under which online retailers would not be obligated to pick up and refund DRS material?

Yes

No

Neither

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

If yes, should a de minimis for online retailers be based on:

- a. Sales figures for drinks in scope
- b. Number of employees
- c. None of these
- d. Other (please specify)

45. Should certain businesses which sell drinks in in-scope drinks containers host return points, e.g. pubs, hotels, cafes? Please provide details.

Yes

No

Neither

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

Please briefly state the reasons for your response. Where possible, please provide supporting information.

If the aim of the DRS system is to maximise the capture of 'on-the-go' items, it may wish to consider including pubs, hotels and cafes as items would be purchased on site and enable citizens an opportunity to redeem their deposit easily.

46. Should there be an opportunity for retailers that don't stock drinks / those who may not be obligated to provide a return point to 'opt-in'?

Yes

No

Neither

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

Please briefly state the reasons for your response. Where possible, please provide supporting information.

Please refer to our answer at Q34.

47. Do you have any further views, comments or evidence in relation to retailers not already covered above?

On-trade Sales

should think we should consider.

48. How should a DRS account for 'on-trade' sites such as bars and restaurants Please refer to our answer at Q45.

The deposit

49. What do you consider to be the optimum deposit level to incentivise return of drinks containers?

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

Further research is required on this. The value needs to be high enough so that it can drive the desired behaviour change, without significant adverse impact on the commercial viability of the item or disproportionate impact on any social group.

50. Should the deposit level be a flat rate across all drinks containers covered by the DRS?

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

If a DRS scheme is implemented, it needs to be simple and easy for citizens to do the right thing. A single price will allow for a consistent message with less chance of ambiguity and minimise administration.

51. Should there be an alternative deposit level for drinks containers in a multipack, rather than each container carrying the same deposit?

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

This approach could cause confusion to citizens.

52. How do you think deposits should be redeemed? Please tick all that apply.

- a. Voucher (for deposit value, printed by the reverse vending machine or by the retail assistant at manual drop-off points)**
- b. Digitally (for example a digital transfer to a smartphone application)**
- c. Cash**
- d. Return to debit card**
- e. Option to donate deposit to charity**
- f. Other (please state)
- g. None of the above

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

All options noted above seem sensible. It should be the choice of the citizen how they wish to redeem their deposit, rather than dictated by a retailer.

Another option could include a loyalty card – this could incentivise retailers as it would

encourage citizens to continue shopping in stores. A slight caution with having cash as an option could be the practical difficulties, which could lead to theft /damage to the machines.

Sending material on for recycling and data recording

53. Should the DMO be responsible for ensuring that there is evidence that drinks containers have been recycled?

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.

54. In addition to reporting on collection rates, should the DMO also be obliged to report on recycling rates of in-scope drinks containers?

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.

Transparency

55. How do you think transparent financial flows in a DRS could be achieved most effectively?

Please explain your answer, providing evidence where available.

Monitoring and enforcement

The DMO

56. Would Environment Agencies in England, Wales and Northern Ireland be best placed to monitor/enforce a DRS covering England, Wales and Northern Ireland?

If no, why and is there another body that would be better suited to perform this function?

Yes

No

Neither

I don't know / I don't have enough information Please explain your answer

Funded from the system to enable robust enforcement. Not just from an environmental perspective but also financial probity too. There needs to be the right practical incentives to secure a robust network in the first instance.

57. How frequently should the DMO be monitored?

(This monitoring would look at, i.e., financial accounts, material flows, proof of recycling rates, setting of deposit level (if done by the DMO))

a. Annually

b. Bi-annually

- Other (please specify)

Annually in the first instance. EA then may wish to use its own discretion, based upon all its environmental priorities.

58. How often should producers be checked for compliance with the DRS (if compliance is obligated)?

a. Annually

b. Bi-annually

- Other (please specify)

59. Should enforcement focus on:

a. A sample of producers?

b. All producers? (Initially for 1 to 2 years to ensure operations are smooth – then could transition to a sample of producers)

60. Should any penalties (fines) on the DMO or producers/importers be set by the regulator appointed to monitor the DMO?

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.

Fraud

61. Are there any points in the system which you think would be particularly susceptible to fraud? Please state

Yes. There could be issues of fraud as items within a DRS system are moved across borders. There also may be labelling issues too.

Any credit/payment system gives an opportunity for money laundering.

62. Which labelling/markings on drinks containers in scope would best protect against fraud?

Please select all that apply:

- a. Deposit value amount**
- b. Marking indicating inclusion in DRS**
- c. Existing product barcode (containing DRS information when scanned)**
- d. Other (please specify)
- e. None of the above

Please explain your answer. We are particularly interested in evidence of effective fraud prevention in existing DRS systems.

From this aspect, comparisons with other countries is likely to be relevant and likely to be directly transferable. Labelling can serve two purposes – citizen information and then audit trail/repayment. OPRL could fulfil the citizen information aspect and the audit trail/repayment element would appear to suit inclusion in bar code type labelling. It is noted that high security labels would minimise fraud, the additional costs of using high security labels would need to be full evaluated to demonstrate if it is a cost effective control.

63. How could return via reverse vending machines (RVMs) best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions. Non cash payments may be considered as there is a form of traceability.

64. How could the process of manual returns best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions.

65. How could a DRS best protect against fraud across Devolved Administrations in the event of similar schemes with common underlying principles (but not one uniform scheme)? Ideally one uniform scheme would help eliminate some elements of fraud.

DRS Options – ‘all-in’ and ‘on-the-go’

'All-in' option

66. Should drinks containers over a certain size, for example beer kegs and containers used for water coolers, be excluded from an all-in DRS?

Yes

No

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

Not littered and already well collected by breweries and water suppliers.

67. If drinks containers over a certain size were excluded from an all-in DRS, what should the maximum cut-off size be?

> 3 Litres

> 4 Litres

> 5 Litres

Other

There should be no maximum size cut-off

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

Under 3 litres is most likely size of containers.

'On-the-go' option

68. 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

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

69. 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

Please briefly state the reasons for your response, including in which cases multipack containers should not be excluded from our definition of 'on-the-go'. Where available, please share evidence to support your view

Multipack containers may be purchased and returned to home. They may then used on-the-go. An example of this is for packed lunches.

70. 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

We believe further research data and information would be helpful and there would be merit to focussing on successfully delivering EPR and consistency before exploring a DRS option. But to summarise findings from the Kent councils RAWPIC report, please find below –

For an “All in” DRS there would be ~37,700 tonnes of obligated material within the kerbside and ~950 tonnes of obligated material within HWRCs. Should the DRS perform with an 85% return rate as described within the impact assessment, this could lead to ~28,700 tonnes of obligated material being removed from the kerbside and ~800 tonnes from HWRCs. This loss of material could lead to a potential reduction in net treatment and disposal cost of ~£1.4m for Kent County Council¹.

For an “On-the-Go” DRS there would be ~14,000 tonnes of obligated material within the kerbside and ~400 tonnes of obligated material within HWRCs. Should the DRS perform with an 85% return rate as described within the impact assessment, this could lead to ~11,900 tonnes of obligated material being removed from the kerbside and ~350 tonnes from HWRCs. This loss of material could lead to a potentially reduction in net treatment and disposal cost of ~£0.6m for Kent County Council¹.

From the analysis within RAWPIC, the introduction of either DRS scenario does not suggest that any councils have the possibility to remove any vehicles as a result of the removal of material from their collection rounds.

The RAWPIC analysis also reflects potential impacts to councils recycling performance. The possible implementation of a DRS would remove dry recyclables from the kerbside and could potentially cause an impact on the household recycling rate of councils in Kent. This impact could be significant as the materials that are currently highly targeted and recycled by councils through kerbside collections are the ‘easier to recycle materials’ e.g. plastic bottles, drinks cans etc. The table below estimates how the household recycling rates of the 12 Kent district councils could change, should an ‘all-in’ or ‘on-the-go’ DRS be implemented:-

¹ Calculated using a combination of default values within RAWPIC and average haulage costs provided by Kent County Council. These costs don't include any consideration of recycling credits.

Table 5. Expected change in household recycling rates in the 12 district authorities in Kent when the materials captured and recycled from an "All in" and "On-the-Go" DRS are removed from kerbside collections are not considered as part of their recycling rate.

Local Authority	Current household recycling rate 2017/18	Recycling rate after an "All in" DRS	Recycling rate after an "On-the-Go" DRS
Ashford Borough Council	56.6%	51.8%	54.6%
Canterbury City Council	43.5%	38.7%	41.5%
Dartford Borough Council	25.2%	22.4%	24.0%
Dover District Council	47.3%	41.6%	44.8%
Folkestone and Hythe District Council	45.3%	40.1%	43.1%
Gravesham Borough Council	40.7%	39.7%	40.5%
Maidstone Borough Council	51.1%	46.9%	49.3%
Sevenoaks District Council	38.1%	35.2%	36.8%
Swale Borough Council	41.2%	36.9%	39.5%
Thanet District Council	34.9%	31.0%	33.2%
Tonbridge and Malling Borough Council*	48.0%	43.9%	46.3%
Tunbridge Wells Borough Council**	48.4%	44.3%	46.6%

*Tonnes and recycling rates input in RAWPIC for Tonbridge & Malling Borough Council are based on future projections.

**Tonnes input into RAWPIC for Tunbridge Wells Borough Council are based on future projections.

There could be a situation where overall the tonnage capture increases across Kent (via existing collections systems and a DRS), but would show household recycling rates fall for councils. We would be keen to find a fair way to reflect performance accurately, without underdoing a lot of positive work councils have achieved by recycling over many years.

Summary of approach to Impact Assessment

71. Do you agree with our impact assessment?

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

On page 31, the IA notes the following –

'The proposed DRS system in the consultation suggests that the unredeemed deposits, held by the DMO, will be passed to Government....funds could be invested to deliver a net benefit to society'

The estimated figure for unredeemed deposits noted on page 31 is just over £535 million. Further clarity and explanation may be needed to better understand where this cash will go and what it will be used to deliver principles of a well-designed DRS system, including how cash could flow to Local Authorities.

A broader question is if it is estimated £535 million is captured via unredeemed deposits, where are these items going if not collected via DRS – e.g. is it expected some DRS items could still be littered?

72. Do you think more data is needed? If yes, please state where.

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

Government may wish to consider trials or large scale pilots before implementing a DRS system more broadly.

The UK seem to be in a unique situation in that citizens have a well-established recycling collection at the kerbside and now wish to consider the introduction of a well-designed DRS system. In countries, which currently implement a high performing DRS system – e.g. Norway, Netherlands –, they introduced a DRS system ahead of developing kerbside recycling collections. Therefore the UK would need to consider what the potential impacts could be to citizens given they have been so used to having a recycling service which offers such convenience. The desired changes of behaviours for citizens may need to be picked up in any trials or large scale pilots, should they be taken forward.

One of the key reasons cited for implementing a DRS is that it could reduce littering. Across the industry there seems to be consensus that currently there is limited robust data available to support (or otherwise) this position. This may also be an area where further data is required.

73. Are there other costs and benefits which we have not covered in our impact assessment?

As a high level impact assessment, it seems appropriate. The costs burdens/benefits for local authorities don't seem to be split according to the collection and disposal services, which would be useful later down the line.

74. Do you have further comments on our impact assessment? Please be specific. N/A

75. The dual objectives of a DRS are to reduce litter and increase recycling. Do you wish to suggest an alternative model that would be more effective at achieving these objectives? If so please briefly describe it, making reference to any available evidence

Funding for DRS systems could alternatively spent to maximise capture via councils recycling collection services – as outlined in our response to the EPR consultation, this could include focus on infrastructure needs and consistency in communications as key examples.

76. A potential option for introducing a DRS could be to start with the 'on-the-go' model, and then expand/phase roll-out to 'all-in'. Do you think this would be an effective way to introduce a DRS?

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

Further research would be required, as outlined within our answer to Q72.

Outcomes of what we are hoping to achieve

77. 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 - Further research required as noted in answer to Q72.

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 - Further research required as noted in answer to Q72.

c. Higher quality recycling

Yes

No

Neither

I don't know / I don't have enough information - Further research required as noted in answer to Q72.

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 - Further research required as noted in answer to Q72.

78. 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 - Further research required as noted in answer to Q72.

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

Alternative approaches

79. Do you think the outcomes of what we are hoping to achieve could be reached through an alternative approach?

Yes

No

I neither agree nor disagree

Other (please state)

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

Please explain your answer, providing evidence where available.

In principle, the reforms to EPR should provide full net cost recovering allowing great investment in key areas – including to Local Authorities – as well as potentially delivery the same benefits.

Please see our response to Q75.

80. Do you think an alternative approach would be a better way of achieving the outcomes?

Yes

No

I neither agree nor disagree

Other (please state)

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

Please explain your answer, providing evidence where available.

Please see our response to Q79.

Statutory local authority recycling targets in Wales

81. 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?

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

(Specific examples and any cost estimates, where applicable, would add value to this response).

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

(Specific examples and any cost estimates, where applicable, would add value to this response).

84. Are there any specific considerations associated with local authorities that collect waste from designated DRS return points that we should consider?
(Specific examples and any cost estimates, where applicable, would add value to this response).

Design of drinks containers

85. 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
- b. An additional producer fee for producers using unnecessary and/or difficult to recycle packaging
- 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.

Improvement in packaging design may be incentivised as part of EPR but in drafting the regulations consideration should be given as to whether there is scope for producers to reduce the impact on them by manipulating the system.

86. Who should be involved in informing and advising on the environmental cost of products? Select all that apply

- a. **Government**
- b. **Reprocessors**
- c. **Producers**
- d. **Local Authorities**
- e. **Waste management companies**
- f. **Other (please specify) – including environmental consultancies**

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

DRS and other waste legislation

87. Do you agree or disagree with our assessment of other waste legislation that may need to be reviewed and amended?

Agree

Disagree

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.

88. Do you have evidence to suggest that we might need to revise any other waste-related regulations as part of introducing a DRS? Please specify.

Further comments

In addition to this consultation, we are also carrying out social research with the public and other analytical research to support our evidence base for decision making.

89. Is there anything else we should be considering related to drinks container recycling and litter reduction which has not been covered by other questions?



**Plastic Packaging Tax Consultation
Final Copy**

Introduction

Q1. What is your name?

Q2. What is your email address?

Q3. Which best describes you? Local Authority

Q4. If you are responding on behalf of an organisation, what is its name?

Q5. Would you like your response to be confidential? Yes / No

If you answered 'Yes' above, please give your reason:

Plastic Packaging Within Scope of the Tax

Q6. Do you agree with the government's suggested approach to defining plastic in scope of the tax?

LARAC agrees with the approach and the principle of linking this to the Producer Responsibility regime. Having consistent definitions and approaches across the wider area of producer responsibility on packaging should aid those businesses and organisations involved.

Having a consistent approach across the wide area of producer responsibility also reinforces the links across to this policy area and should strengthen the work of organisations to develop packaging with high recycled content, that is easily recyclable and that they invest in the recycling collection and processing infrastructure in the UK that will enable their products and the materials used in them to be kept in economic use.

Q7. Do you agree with the government's suggested approach to defining packaging and packaging materials in scope of the tax?

LARAC agrees with the approach. If the driver behind the tax is to stimulate end markets and better design, then it is correct that composite packaging should not fall in the scope as the reprocessing journey for these products is different.

However, composite packaging is particularly difficult to recycle because of its design and lack of end markets, so LARAC believes a similar or higher tax should be placed on such products. There needs to be a stimulation of innovation for these products that sees them redesigned to make the collection, sorting and recycling of them much more economically viable.

Q8. Is the government's approach to components of plastic packaging consistent with the way businesses operate and packaging is created?

The government's approach appears sensible.

Q9. Which of the above options for defining plastic packaging for composite material items do you think works better for the purposes of the tax?

LARAC supports option one and defining if a product is in scope or not rather than placing a tax based on the percentage of plastic a mixed material product contains. LARAC would prefer to see a stance taken on what composite items are in scope that would encourage manufacturers to redesign composite products to make them easier to recycle and see an

increase in single material products. There should be a link with the consistent set of materials that the Government proposes local authorities collect.

Q10. Do you think alignment with the reformed Packaging Producer Responsibility regulations is important for the purposes of the tax?

Alignment with the Packaging Producer Responsibility regulations is likely to ease the burden on business and LARAC would support this. However, if doing this were to lessen the impact of the tax on design for recyclability, or stimulating end markets, then LARAC would advocate a divergence, where appropriate, to maintain these drivers. Access to viable economic end markets for plastics is crucial if the amount of plastic collected for recycling is going to be increased. The tax and links to the Producer Responsibility regulations must be designed and implemented in such a way that increases the processing capacity for plastics in the UK and creates the pull through needed to be able to significantly increase the collection of plastic packaging.

Driving Recycled Content

Q11. Do you agree with the government's suggested approach to defining recycled content for the purposes of the tax?

LARAC agrees that the tax should help to incentivise maximum environmental benefits. However, by including pre-consumer plastic within the definition it may mean that there is a disincentive to maximise the efficient use of the raw materials in the manufacturing process. Pre-consumer plastic waste is likely to be more cost effective to use than post-consumer plastic waste and this may then impact on the intended aim of promoting and creating end markets in the UK. This is a key link to the proposals on EPR and consistency and so LARAC is concerned that the inclusion of pre-consumer plastics on an equal footing with post-consumer plastics will not create the end market demand for post-consumer plastic that the government intends, meaning that collecting a consistent set of materials is less viable as the end markets may not exist for all of them.

LARAC seeks evidence and reassurances from Government that the inclusion of pre-consumer plastics will not hinder the development of end markets for post-consumer plastics.

Q12. Are there any environmental or technical reasons to consider excluding any particular ways of recycling plastic?

LARAC has no view on this question.

Q13. Is there any way that the proposed approach to defining recycled content could encourage unintended consequences, such as wasteful manufacturing processes?

As stated above there is a danger that including pre-consumer waste may have the consequence of making initial manufacturing processes less efficient than they might be, so that a feedstock of recycled content is then created to avoid having to source post-consumer material.

Q14. Do you agree with the government's preferred approach of a single threshold, and why? If not, what alternative would be better, and what are the risks associated with this? Please explain your answer and provide any supporting information and evidence.

LARAC believes that the system should be as clear, transparent and simple as possible and so this would lend itself to a single threshold.

Q15. Assuming a single threshold, do you agree with a 30% threshold for recycled content and why?

Given that several businesses have already pledged to achieve a 30% level of recycled content, LARAC would argue that the level set is not stretching enough, given behaviour is already changing with it.

LARAC is also concerned that a 30% level may not be produce the pull through in post-consumer material given the concerns we outline above about the cost effectiveness of using pre-consumer material over post-consumer. If a 30% level is proposed LARAC would want assurances that suitable research has been done to establish that this will indeed stimulate end markets for post-consumer material to the point where a consistent set of materials being collected by all local authorities will have viable, sustainable and economic end markets to supply all the material to.

Q16. Are there any products for which it would be very challenging to increase the level of recycled content, and why? If so, please outline the effect of a tax on production decisions and consumption of these items.

LARAC would be keen to ensure that the design of this tax system did not lead to unintended consequences of packaging moving to other materials that are not able to be recycled and carry minimal recycled content. Whilst there may be legitimate situations where it will be challenging to increase levels of recycled content the tax should serve as an incentive to overcome these challenges or to prompt new designs that can incorporate more recycled content.

LARAC would urge a cross departmental approach throughout Government on this policy area and if there are barriers identified in the use of recycled content, for example in food packaging applications, work should be done to address these so that the widest available markets and uses are available to recycled content packaging.

Q17. Are there any products for which the use of recycled plastic is directly prohibited in packaging? If yes, please provide details on these products stating the relevant legislation and industry standards as well as the effect of a tax on production decisions and consumption of these items.

Food safety standards are very important and should not be compromised. However, LARAC would want to see other legislation that works against the principle of increasing recycled content reviewed and where possible, changed to provide a more joined up legislative system that supports environmental outcomes.

Q18. What evidence is currently held by liable manufacturers and importers on the levels of recycled content in their plastic packaging and how it might be able to meet the requirements of identifying recycled content levels?

LARAC would want to see a robust data system in place that would give consumers confidence that claims made by manufacturers of the levels of recycled content used were accurate and verifiable.

Q19. If you are an importer of unfilled plastic packaging or plastic packaging material, what information do you hold on the recycled content? What controls or assurance do you have over the accuracy of this information? How might you influence the level of recycled plastic content?

As above LARAC supports a robust and clear data system to support claims of recycled content use.

Setting the Tax Rate

Q20. Do you agree with the government's suggested approach of setting a flat rate per tonne of a plastic packaging product? Why?

LARAC agrees with the concept of setting a flat rate per tonne for the tax. We believe this will help align with the Packaging Producer Responsibility reforms and is most likely in the first instance to bring about change in packaging design and stimulate the end markets for plastic packaging that are so badly needed.

If the tax has the desired effect and design change occurs and more recycled content is used in packaging it could be, in the future, differential rates are applied to ensure further progress is made and that the recycled content percentage does not plateau at a point just above the threshold set. LARAC would also advocate a system that stimulates the use of post-consumer material in a positive manner, linking with Government policy on EPR and consistency from household packaging.

Liability for the Tax

Q21. Do you agree with the proposed points at which domestic or imported products would be liable for the tax? If not, at what point in the supply chain do you think the tax point should be and why?

The proposed points of tax liability appear sensible to LARAC

Q22. Are there any situations where the proposed tax points would be administratively, practically or legally difficult? Please explain any adaptations that might be necessary.

LARAC as no view on this aspect of the consultation.

Q23. If you are a business that produces or imports plastic packaging, how much of your yearly production, in tonnes, would you expect to be liable for the tax?

N/A

Q24. Do you provide (manufacture or import) plastic material which could be used as packaging without knowing the final use of the product? Is this a common occurrence?

N/A

Q25. Would you support extending joint and several liability for UK production, and for imports?

LARAC supports a robust system that is designed to avoid loopholes that remove the incentive to use greater recycled content. If the government believes this proposal will minimise avoidance of the tax, then LARAC is supportive of this.

Q26. Please outline any issues in relation to routine wastage or spillage that may have an impact on the tax liability.

N/A

Q27. Do you agree with the government's initial proposal that the tax at import should only apply to unfilled packaging? If not, what would the effects be? What alternative would you prefer and how would it work?

LARAC would seek reassurances that by applying the tax in this way it does not have the unintended consequence of moving filling operations abroad to avoid the tax. If other parts of the industry raise this as a serious concern through this consultation, then LARAC would look to the government to address those concerns in the design of the tax system and on which imported packaging the tax is applied.

Treatment of Exports

Q28. Do you agree with the government's suggested approach for crediting exports?

LARAC is concerned that by not taxing exported packaging the pull through of end markets for reprocessing plastic might not receive the stimulus that is envisaged in the consultation documents on Extended Producer Responsibility and Consistency. If viable and economic end markets for plastic recycling are not available there is no point in requiring local authorities to collect them as part of the consistency requirements. Therefore, LARAC would want the Government to consider the impact of not taxing exports on the development of processing facilities for recycling plastic.

Q29. Do you foresee any difficulties in providing appropriate records to demonstrate that packaging has been exported?

N/A

Excluding Small Operators

Q30. Do you agree that the government should seek to exclude small operators? If yes, what would the risks be if the government didn't do this?

LARAC appreciates the reasoning for excluding small business but would want to see the level set as low as possible in order to bring about the greatest change and a greater move to the use of recycled content in packaging.

Q31. Would Option 1a, Option 1b or Option 2 best meet the government's objective of excluding small operators from the tax whilst ensuring the tax has a strong environmental rationale?

Given the system is based on tonnage it would make sense to have the threshold on that basis and work with option 1a

Q32. What factors should the government consider when setting a threshold (either on volume or turnover) or a relief? Do you have any suggestions for appropriate levels? If so, please provide an explanation for why you believe this is appropriate.

LARAC does not have a suggestion of a threshold level but would reiterate the point above about it being as low as reasonably possible to ensure as big a change in behaviour as possible.

Q33. Would having a de minimis create any significant risks to the effectiveness of the tax at import (including, but not limited to, treatment of multiple imports from the same exporter/manufacturer/brand owner)? If yes, please provide evidence and suggest any additional legislative or operational countermeasures.

N/A

Q34. Do you anticipate any risks or issues that would arise from introducing a de minimis that aren't explored above? Please provide details.

N/A

Registration and Reporting

Q35. Do you agree that the registration and reporting requirements outlined are appropriate? If not, please specify why.

N/A

Q36. Please provide details of the estimated one-off costs for registering with HMRC.

N/A

Q37. Please provide details of the expected one-off and on-going costs of completing, filing, and paying the return.

N/A

Ensuring Compliance

Q38. Is the government's suggested approach to compliance proportionate and appropriate? If not, please outline any scenarios that you anticipate may require bespoke compliance powers or penalties?

N/A

Q39. Are our anti-abuse proposals sufficient to tackle the risk of fragmentation (abuse of the de minimis or universal relief) from UK based plastic producers?

N/A

Q40. Is our approach regarding assuring the accuracy of declared recycled content appropriate? If not, please share any other suggestions you may have.

N/A

Q41. Do respondents believe that using UK based agents for non-established taxable persons may help support compliance?

N/A

Q42. Are there any further compliance risks that have not been addressed in this chapter, please provide details?

N/A

Understanding Commercial Practices

Q43. If you are a business, what is your annual turnover?

N/A

Q44. Are you currently obligated under the Packaging Producer Responsibility system?

N/A

Q45. If you manufacture or handle plastic packaging, which sector(s) do you provide it to?

N/A

Q46. If you manufacture or handle plastic packaging, can you please provide an overview of the types of plastic packaging products as well as the tonnages and the levels of recycled content in each? Do you expect this to change over the next 5 years?

N/A

Q47. If you manufacture or handle plastic packaging, how much of this packaging is produced domestically, exported and/or imported?

N/A

Q48. If you process or handle recycled plastic, do you export or import any? If so, how much, and where from/to?

N/A

Q49. If you manufacture plastic packaging, can you please provide an overview of the prices of some of your plastic packaging products. Can you also provide information on how these costs break down according by material costs, labour costs, other operating costs and profit?

N/A

Q50. If you manufacture or handle plastic packaging, can you please describe how plastic packaging prices fluctuate? How much do prices vary, and what are the main causes, e.g. fluctuations in exchange rate, oil and other commodity prices, etc.?

N/A

Q51. If you manufacture or handle plastic packaging, how long does it take you (in months) to increase the recycled content of your product? What factors are important in determining this length of time?

N/A

Q52. If you manufacture or handle plastic packaging, would the tax incentivise you to speed up any current plans to increase recycled content? To what extent? How quickly?

N/A

53. If you manage waste, how long would it take you to set up the systems required to supply more plastic waste for recycling/recycle more plastic? How much could you produce?

Local authorities already have comprehensive systems in place to collect plastic packaging. At present there are issues with the sorting capability and end markets that restrict local authorities from collecting more types of plastic packaging. These issues will

need to be addressed for local authorities to provide more post-consumer plastic to the market in a cost-effective manner.

Local authority collections are a direct result of the packaging that is in the waste stream to be collected, the capability of MRFs to sort the plastics into the different polymer types and then having viable economic end markets for the MRFs to sell the material to. If the packaging is not easily recyclable, if the sorting capability is not there, and if the economic end market does not exist, local authorities are unable to increase their collections as the material would just end up going to disposal through Energy from Waste or Landfill.

Q54. If you manufacture plastic packaging, how would the tax affect the amount and price of product you produce? In cases where you weren't able to increase recycled content, would you pass the price of the tax down the supply chain?

N/A

Q55. Is there anything else you would like us to note about how your business operates and how you think it would be impacted by the tax?

N/A

Cleaner and Greener Work Plan 2018/19 (as at 31.5.19)

2 July 2019	29 October 2019	21 January 2020	17 March 2020
<p>Role of the Advisory Committee and Key Challenges</p> <p>Resources and Waste Strategy for England - Government Policy Paper</p>	<p>Licensing - Charging for pre application advice</p> <p>Annual review of parking management</p> <p>Bradbourne Lakes</p> <p>Kent Biodiversity Strategy</p> <p>2020/21 Budget preparations</p> <p>Air Quality Monitoring Progress Report</p>	<p>Sevenoaks Parking review results</p> <p>Review of Animal Welfare Licensing regime</p> <p>Kent Energy and Low Emissions Strategy</p> <p>Climate Change Risk and Impact Assessment</p>	<p>Emergency Planning update</p> <p>Follow up on consultation responses to Waste Strategy</p> <p>Air Quality Action Plan</p>

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