

Response ID ANON-N7RC-R74K-2

Submitted to **Consultation on reforming the UK packaging producer responsibility system**
Submitted on **2019-05-13 11:22:27**

About You

1 What is your name?

Name:

Jamie Blake

2 What is your email address?

Email:

nicola.cross@barnet.gov.uk

3 Please provide information about the organisation/business you represent

Which of the following best describes you?:

Local government

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

London Borough of Barnet

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

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

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

Please answer below:

We are a waste collection authority, North London Waste Authority, is our joint waste disposal authority. We serve a population of 377,000.

5 Would you like your response to be confidential?

No

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

Background

6 Do you agree with the principles proposed for packaging EPR?

Yes

Please briefly state the reasons for your response. Specifically, if you respond No, please identify which principles you do not agree with and explain why.:

The government should apply these principles in full. We welcome the intent to make the new EPR system in the UK transparent and this principle must be kept through to the implementation of a new system in the UK. This extends to the cost of local authorities providing services and what is deemed "efficient" as there are particular challenges of increasing recycling in dense urban environments and this needs to be recognised in payment calculations and standards.

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

Yes

If you answered No, please state which outcomes you do not agree with.:

Yes. These outcomes will support the waste hierarchy, and environmental and financial efficiency of the system.

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

Yes

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

9 Which of these two classifications best fits with how your business categorises packaging?

Not Answered

If neither, please say why, and provide a description of how your business categorises packaging:

Not applicable

Part A: 1. Full net cost recovery

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

No, it does not fulfill the Polluter Pays Principle

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

At this stage, it is not possible to confirm if the definition fulfils the Polluter Pays Principle as it is unclear as to whether all operational costs and all supporting services costs have been covered in this definition. For example, a share of depot running costs.

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

Yes

If No, please briefly state the reasons for your response and state what waste you think full net cost recovery should apply to.:

12 Do you agree that packaging for commercial/industrial applications should be out of scope for full net cost recovery?

Yes

If No, please briefly state the reasons for your response.:

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

Yes they should

Please briefly state the reasons for your response.:

Packaging materials may end up in either scheme, and if producers subject to any DRS are obligated under a packaging EPR system this will ensure that the principle of full net cost recovery is maintained and no materials "fall" through the two systems.

Part A: 2. Driving better design of packaging

14 Do you agree with the development of an 'approved list' of recyclable packaging to underpin the setting of either modulated fee rates or deposits?

Yes

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

We want to ensure that the approved list mechanism is robust, transparent and accepted by the industry. For this to happen it is sensible to have input from the industry itself, but this should be done in such a way that it cannot be seen as those who will be obligated making it easier or less costly for themselves by adopting an approved list that is not fit for the intended purpose. We are also keen that there is coordinated approach in the period to 2023 so that council services are in a position to respond to producers' requirements when the new EPR system comes into effect.

15 Do you think the payment of modulated fees or the payment of deposits with the prospect of losing some or all of the deposit would be more effective in changing producers' choices towards the use of easy to recycle packaging?

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

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

We believe that both methods of paying fees could help bring about changes in packaging design so that products are easier to recycle. Given that the options are directly linked to a particular governance model it is difficult to assess them purely on the criteria of promoting product design change.

16 Do you think there could be any unintended consequences in terms of packaging design and use arising from:

Do you think there could be any unintended consequences in terms of packaging design and use arising from: - Modulated fees:

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

Do you think there could be any unintended consequences in terms of packaging design and use arising from: - Deposit (for recyclable packaging) and fee (for non-recyclable packaging):

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

One of the issues both systems might face is the imbalance between initial fees paid and the overall cost of the full net costs system. Both systems are likely to require a balancing each year of fees in, against costs out. We would prefer to see a system that might initially see producers contribute slightly more than the costs and then get a rebate back at the end of the period rather than a system that sees them make top up contributions. Local authorities will need surety of funding under the new EPR system and producers having to make top up payments to the fund could mean funding shortages to local authorities which could

then impact on services to residents. It is likely residents would hold the local authority to account in these instances even though the situation would not be of their doing.

17 Do you agree that the deposit approach should be designed to incentivise more closed loop recycling?

Yes

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

There are clear environmental benefits to closed loop recycling.

Part A: 3. Obligated producers

18 What do you consider to be the most appropriate approach to a single point of compliance, the Brand-owner or the Seller approach?

Brand-owner

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

We believe that this is the most suitable place in the supply chain to apply compliance. Given that other systems across Europe have a single point of compliance the evidence is clear that this is the most appropriate course of action.

We believe the seller may be in less of a position to drive better product design than the brand.

19 If a single point of compliance approach was adopted, do you think the de-minimis should be:

Don't know

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

The evidence appears to be inconclusive as to which option may be best. It is likely that there will be benefits in bringing more businesses into the EPR system but there comes a point where those benefits will start to be outweighed.

In line with proposals elsewhere the de-minimis may be better using tonnage-based criteria and not regarding turnover.

Equally there could be a danger that if the obligation is placed on wholesalers that small and micro businesses may suffer from excessive cost of compliance being passed on to them. We would not want to see small businesses put at a disadvantage if the obligation is placed on the wholesaler as an attempt to cover small businesses.

20 Should small cafés and restaurants selling takeaway food and drinks whose packaging is disposed 'on the go' be exempt from being obligated?

No

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

Given the costs to local authorities of litter caused by on the go material and the lack of it being recycled we would support an appropriate method of bringing these types of businesses into the new EPR system.

Consumers often say that they want to see more recycling and so small business can play a part in contributing to, and being seen to contribute to, increased recycling infrastructure.

21 If shared responsibility is retained, is Option A or Option B preferable for including smaller businesses or the packaging they handle in the system?

Option B (De-minimis threshold remains as is and obligations extended to distributors of packaging or packaged products)

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

Our preference is for a single point of compliance.

22 If you have stated a preference for A, do you think the de-minimis threshold should:

Not Answered

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

Not applicable.

23 Overall, do you have a preference for maintaining a shared responsibility compliance approach, or moving to a single point of compliance?

Single point of compliance

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

We believe that this will drive packaging design much more quickly than the shared system, and it is simpler and more enforceable.

24 Do you have a preference for how small businesses could comply?

Not Answered

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

We do not have a view on this proposal.

25 Do you think that requiring operators of online marketplaces to take the legal responsibility for the packaging on products for which they facilitate the import would be effective in capturing more of the packaging that is brought into the UK through e-commerce sales?

Yes

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

We believe that this material should be brought into a UK EPR system as it will be collected and treated/disposed of in the UK and therefore UK local authorities are currently bearing the cost of this packaging. Therefore, to follow through on the polluter pays principle and the concept of full net cost recovery, operators of online marketplaces must be obligated in the UK EPR system.

Part A: 4. Supporting improved collections and infrastructure

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

Do you agree payments to local authorities for collecting and managing household packaging waste should be based on: - provision of collection services that meet any minimum standard requirements (by nation):

Yes

Do you agree payments to local authorities for collecting and managing household packaging waste should be based on: - quantity and quality of target packaging materials collected for recycling:

Yes

Do you agree payments to local authorities for collecting and managing household packaging waste should be based on: - cost of managing household packaging waste in residual waste:

Yes

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

Yes, we agree that the payments to local authorities should be based on all the above measures, and the payments should meet all the local authority costs of providing the service including collection, sorting and disposal.

We believe the decisions on frequency of collection and volume of containment are local decisions. Local authorities should not have payments withheld if there are genuine reasons why they cannot meet the desired service standard.

Producers should receive the value that is obtained from the sale of packaging materials for recycling, as they are best placed to manage this risk. Payments should meet local authorities' gross costs of sorting and disposing of recycling, as well as the collection costs including for example the depot running costs.

We are concerned that the reference costs which will be used for making payments to local authorities will not properly reflect the cost of collection in London. Compared to other urban areas outside of London we have high wage costs, high costs for land, high number of flats, highly mobile populations and constraints on tipping and treatment arrangements. Any formula should therefore take account of the realistic efficiency that can be achieved and the actual value of key costs.

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

No

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

There is no mention in the above payment systems in relation to litter and packaging that must be collected and treated from littering.

There is also no mention of collection costs of packaging in residual waste and this needs to be addressed. There is a recognition and a proposal to pay for the treatment and disposal of packaging in residual waste so the collection element of that also needs to be covered by the producer payments. This is right and proper under a polluter pays principle and the concept of full net cost recovery. We believe that this will also serve to ensure that producers are fully engaged in communications activities related to getting residents/consumers to separate out for recycling the packaging that they place on the market.

The transport costs relating to transport of recycling after sorting must also fall in definition of Full Net Cost Recovery as this is a cost that operators will pass onto local authorities as part of their overall operations.

As with the disposal payments a suitable, robust and fair manner of establishing the level of these payments will need to be agreed between all parties.

In addition as set out in responses to other questions we do not consider that the full collection costs have currently been included. The following should be included: depot and facility running costs, vehicle maintenance and a share of corporate overheads.

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

Yes

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

We would want to see the producer payments for household like waste reflect the concept applied to household waste and that they cover the full net cost of collection. As businesses pay for their collections and waste collectors make profits from these collections there needs to be a robust and transparent process in place for these payments.

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

No

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

We do not believe that businesses should receive a payment for the costs of household like packaging waste in residual waste. The waste collector should receive a payment for the collection and disposal of packaging waste in residual waste to ensure that the concepts of true producer responsibility and full net cost recover are applied consistently across all household and household like packaging. This should allow the waste collector to offer a price differential to businesses, between recycling and residual waste collections. As businesses pay for the costs of their waste services no further incentive should be required.

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

Local authorities? Please explain the reasons for your response and provide any information to support your view:

No additional comments to note.

For the collection and recycling of household-like packaging waste? Please explain the reasons for your response and provide any information to support your view:

None to note.

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

Please provide any information below:

No. Government should work with local authorities to undertake a set of comprehensive surveys and research reports to gain a better understanding of the costs incurred by local authorities regarding littering and fly tipping. The cost of this data gathering should be borne by producers as part of the move to EPR.

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

Please answer below:

In our local authority experience on the go recycling bins are very poorly used and the public do not use the correct bins for the correct materials, and so the bins end up contaminated with the wrong recycling materials and non-recyclable materials. A large public awareness campaign therefore needs to be undertaken, if we are going to see the behaviour change needed to make a comprehensive on the go recycling infrastructure viable. We suggest that DEFRA could set up a series of geographically defined pilots to determine the best way that funding could be spent.

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

Please answer below:

No. Data in this area is very scarce and the Government should work with local authorities to undertake a set of comprehensive surveys and research reports to gain a better understanding of the costs of on the go provision. The cost of this data gathering should be borne by producers as part of the move to EPR.

34 Do you agree that provision for the take back of single-use disposable cups for recycling should continue to be developed a voluntary basis by business prior to a government decision on whether disposable cups are included under an EPR scheme or DRS?

Yes

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

Yes, given the volume of single-use disposable cups currently thrown away. However, this short term approach should not detract from a more effective, long term solution to the issue of single use cups.

35 Do you think the recycling of single-use disposable cups would be better managed through a DRS or EPR scheme?

EPR

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

Single use cups are widely littered, and managing them is a significant cost to local authorities. Our preference is to see measures taken to encourage the application of the waste hierarchy, and prevention of this type of waste, encouraging people to move towards the use of reusable cups instead. A DRS is less likely to be effective in achieving this, than them being included in an EPR scheme. Being included in an EPR scheme will ensure that local authorities are appropriately resourced to manage cups that arise in the residual waste, recycling and street litter streams, and includes an incentive to consider packaging design to improve recyclability.

36 Do you think a recycling target should be set for single-use disposable cups?

Yes

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

In line with EPR for other packaging materials a target should be set for recycling disposable cups, but this should not undermine efforts to improve the reduction in overall single-use disposable cups.

Part A: 5. Helping consumers do the right thing – communications and labelling

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

Yes

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

Local communications are key to proper use of recycling services by residents and need to be fully supported if increased recycling is to be realised and high recycling targets met. Quality also starts in the home and without support for communications at a local level the desire to increase the quality of materials collected will not be realised.

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

Yes

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

National campaigns are important and help to support local messages and vice versa.

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

No

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

We can not think of any reasons for exemption.

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

Yes

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

We support the mandated use of labelling indicating if packaging is recyclable or not. We would also want to see other "recycling labels" removed from packaging as these are often misleading and meaningless from a consumer recycling advice point of view.

Labelling needs to be clear and unambiguous. The recyclability of packaging should therefore be linked to the core consistency materials identified for collection at kerbside.

We believe that On-Pack Recycling Label (OPRL) should be taken forward as the mandatory label for recycling in the UK. It is already well recognised by consumers, has built up a wealth of consumer insight and knowledge and is widely backed and used by the retail and packaging industry already.

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

Yes

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

Yes, because it would reinforce consumer messaging about the outcome of recycling, but it must not detract from the primary communication of whether an item is recyclable or not.

42 If you responded yes to the previous question, how could recycled content information be provided to consumers?

Please describe briefly.:

The labelling could be colour coded like energy efficiency ratings.

43 Do you have any other proposals for a labelling system?

Please describe briefly.:

We support the use of OPRL going forward and believe development of another labelling system is needless and will initially be slow to take hold with consumers already used to the OPRL design.

44 Do you have experience to suggest an appropriate lead-in time for businesses to incorporate any mandatory labelling requirements?

Please describe briefly.:

No.

Part B: 6. Packaging waste recycling targets to 2030

45 In your view, are the estimates made in the Material Flow reports for packaging waste arisings the best available data?

Yes

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

The estimates made in the Materials Flow reports probably are the best data set available for packaging. The fact they are estimates and have such a wide band of assumptions show that a great deal of work needs to be done in this area to establish robust and reliable data for packaging waste. Greater efforts should be made to take this area forward and the governments should be prepared to impose a system if business does not provide acceptable solutions to this issue in a reasonable timeframe.

So, whilst we believe it is the best available data it is not good enough as a data set on which to base future policy and so work must be done to have a much more robust data set.

46 Are you aware of any other factors which may affect the estimates of packaging waste entering the waste stream?

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

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

47 In your view, are there other factors which may affect the amounts of obligated tonnage reported?

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

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

48 Do you agree with the packaging waste recycling targets proposed for 2025?

I neither agree nor disagree

Please briefly state the reasons for your responses and provide any information to support your view:

We would want to see targets set that deliver good environmental outcomes and stretch producers to invest in the collection infrastructure.

49 Do you agree with the packaging waste recycling targets proposed for 2030?

I neither agree nor disagree

Please briefly state the reasons for your responses and provide any information to support your view:

We would want to see targets set that deliver good environmental outcomes and stretch producers to invest in the collection infrastructure.

50 Please provide your views on the policies and actions that could help us achieve an even higher overall packaging recycling rate, for example 75%, as well as your views on the costs associated with doing so.

Please answer below:

To maximise the amount of packaging waste from households there will need to be a huge programme of behaviour change brought about through a variety of means. Local authority work shows that good communications can be effective in increasing recycling. However, it has also shown it will only go so far and we believe that in order to really maximise capture of materials a two step approach should be taken. Firstly, the enforcement options available to help compel use of recycling systems should be enhanced and local authorities given suitable means to have a threat for those that will not change contamination behaviours. Following this, forms of direct charging for household waste collections should be considered. Evidence from other countries has shown this to be a very effective policy instrument in bringing about behaviour change in households. Further research on this would need to be undertaken but the policy has the potential to be self-financing and so the costs to producers is minimised.

51 Do you foresee any issues with obtaining and managing nation specific data?

No

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

52 Should a proportion of each material target be met by "closed loop" recycling, e.g. as is the case for glass recycling targets?

Yes

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

Yes, as it contributes to the circular economy. The additional costs of collection and sorting that may be incurred to deliver material for a closed loop application would need to be covered if closed markets are more costly to provide material for.

It may be the case that for some materials it is not possible to do this, and packaging producers and recyclers will be best placed to answer this question.

53 Should government set specific targets for individual formats of composite packaging?

Yes

If yes, what key categories of composite packaging should be considered?:

We believe that setting targets for individual formats will significantly improve sorting and recycling infrastructure for these products that are currently not easy for local authorities to find end markets for from kerbside collected material.

54 Do you agree with the proposed interim targets for 2021 and 2022 set out in Table 6?

Yes

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

We believe the proposed targets look like sensible stepping stones to the 2025 and 2030 targets.

55 Do you agree with the proposal to increase the allocation method percentage to 35% for 2021 and 2022?

I neither agree nor disagree

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

Not applicable.

Part C: 7. Governance Models

56 Overall, which governance model for packaging EPR do you prefer?

Model 2

Please briefly explain your preference.:

A single governance model simplifies the current regime of multiple competing compliance schemes. Model 2 is underpinned by modulated fees which we believe will be the best approach for changing producers' choices towards the use of easy-to-recycle packaging. The single organisation's primary responsibility should be to efficiently collect and transfer funding from producers to those carrying out the necessary collecting, sorting, recycling and communications activities. We believe that this approach is likely to lead to the lowest overall cost, will create the simplest system for local authorities to interact with and offer local authorities certainty over the medium to long term. Many other countries operate a single governance model.

57 If you had to modify any of the models in any way to make them better suited to achieve the principles and outcomes government has set for packaging EPR what changes would you suggest?

Please describe briefly.:

We believe that some general principles and ways of working should be present regardless of the model selected:

- The model must have the concept of full net cost recovery at its heart and so suitable level of funds must be captured from producers to ensure full costs flow back out to those collecting the materials.
- The systems within a model relating to "evidence" and payments must be as simple and transparent as possible.
- The model chosen should not introduce undue burdens on local authorities, especially if these are then not included in the funding.
- Cashflow is critical to local authorities.
- There cannot be a situation where there is a shortfall in the funds producers pay in and the costs to local authorities.

58 Do you have any concerns about the feasibility of implementing any of the proposed governance models?

Yes

If yes, please provide specific reasons and supporting information for each governance models that you have concerns about:

At this stage in the development of the governance models there are gaps which will need to be addressed and a sufficiently long lead in time will need to be given for the selected governance model.

59 Do you think that any of the governance models better enable a UK-wide approach to packaging producer responsibility to be maintained whilst respecting devolved responsibilities?

Please describe briefly.:

We believe Model 2 is likely to enable a better UK-wide approach. One single central body will be able to have that strategic oversight that will benefit the UK as a whole.

60 Stakeholders have suggested that a compliance fee mechanism similar to the arrangements currently in place under the WEEE producer responsibility scheme should be introduced if a competitive evidence market continues to operate such as in Model 1. Do you agree?

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

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

This question is for others to answer.

61 Should a Packaging Advisory Board be established to oversee the functioning of the EPR system and the compliance schemes in the competitive compliance scheme model 1 or do you think other arrangements should be put in place?

Packaging Advisory Board

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

We do not support Model 1. We do not know about the alternatives.

62 Please let us know your thoughts as to whether the proposed single management organisation should be established on a not-for-profit basis or as a government Arm's Length Organisation.

Please answer below:

We support on a not-for-profit basis.

Careful consideration is needed on the basis on which the organisation is formed, who operates it and its terms and conditions. There also needs to be good levels of transparency and a range of organisations represented such as producers and local authorities.

63 If such a management organisation is established as not-for-profit, one option is for government to invite proposals from potential operators and then issue a licence to operate for a defined period of time. Do you agree with this approach?

Yes

If no, would you like to suggest an alternative approach?:

64 Should a single scheme be established for household/household-like packaging and C&I packaging as described for model 2?

Yes

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

Because a single scheme can ensure a co-ordinated approach to data collection and reporting.

65 Or, should there be a separate system for managing compliance for household/household-like packaging and C&I packaging as described for model 3?

No

If yes: could model 3 work as described? Or would additional mechanisms be required to make this approach work effectively? Please indicate what these might be.:

If no: do you have suggestions for an alternative approach?:

We are supportive of Model 3.

66 Under model 4 are producers more likely to:

Not Answered

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

This question is for producers to respond to.

Part C: 8. Responsible management of packaging waste domestically and globally

67 Do you agree that government should seek to ensure export of packaging waste is undertaken in a transparent and environmentally responsible manner?

Yes

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

This supports the environmental protection and transparency objectives that are included in the Resources and Waste Strategy.

68 Do you agree that measures identified here would help ensure the export of packaging waste is undertaken in a transparent and environmentally responsible manner?

Yes

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

69 Have we missed potential measures that you believe need to be considered alongside those measures we have proposed?

Yes

If yes, please explain which potential measures should be considered.:

There is an opportunity to align the reporting requirements of reproprocessors and local authorities. Moving the point at which evidence is issued to the point at which packaging waste has actually been reprocessed will necessitate clear information sharing requirements further up the supply chain for reasons of transparency and reporting. If accredited facilities/exporters were required to submit data returns, which would be subsequently verified by the regulator, this information could be pre-populated within a portal such as WasteDataFlow, enabling material providers to record waste flow modelling based on audited data. This would ensure a consistency of reporting and link components of the supply chain for which data is currently imperfect.

70 Do you have any concerns about the feasibility and / or costs of implementing any of the proposed measures?

Yes

If yes, please provide specific reasons and supporting information for each measure that you have concerns about:

We are concerned about the transition period to the new EPR, as well as consistent collections and a potential DRS. This will be complex for producers and local authorities. We are also concerned about the sorting and cleaning of packaging. A blanket requirement to sort and clean, whilst giving surety regarding exports, may introduce needless processes and costs into the supply chain.

Part C: 9. A more transparent system

71 Do you agree that accredited reprocessors and exporters should be required to report their financial information?

Yes

Please briefly state the reasons for your response and provide any information to support your view. If you answered no, how would you suggest transparency is provided on how income from the sale of evidence has been used to support capacity building?:

Such reporting will confirm that income from the sale of evidence has been used to support capacity building. Supporting transparency is an EPR principle. However the system will need to be different from the requirement in the current PRN system as local authorities have no confidence in this system.

72 Should accredited reprocessors and exporters be required to generate evidence for every tonne of packaging waste that they process?

Yes

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

We believe this is required to support development of robust data and transparency. Supporting transparency is an EPR principle.

73 Should accredited reprocessors and exporters be required to report on the packaging waste they handle monthly?

Yes

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

74 Do you think that any additional measures to those already described would be required to ensure transparent operating of the evidence market in model 4?

Yes

If yes, please provide details:

Given the stated expectation in the consultation document that model four will operate in a similar manner to the current system we would have concerns if the issue of transparency is not fully addressed in the new EPR system.

75 Are there any additional requirements that should be placed on compliance schemes to ensure greater transparency of their operations and reporting?

I don't know

If Yes, please briefly state the reasons for your response and provide any information to support your view.:

76 Under a reformed system do you think compliance schemes should continue to be approved by the existing regulators or do you think a different approach is required?

Yes, approved as now

Please explain below:

77 Are there any additional requirements of a single producer organisation to ensure transparency of its operation and reporting?

Yes

If yes, please briefly state the reasons for your response and provide any information to support your view.:

There is more detail to be developed in this area.

78 Do you think there is a need to make more information on packaging available to consumers?

Yes

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

There is confusion about the current messaging on packaging, with confusion between messages about if the packaging is recyclable and where, and if the packaging has recycled content.

Part C: 10. Compliance monitoring and enforcement

79 Are there other datasets that will be required in order to monitor producers in any of the proposed models?

Yes

If yes please explain which datasets will be needed:

At this stage in the consultation it is not possible to know.

80 Is there a specific material, packaging type or industry sector whereby producing accurate data is an issue?

Not Answered

If yes, please provide further information on where producing accurate data may be an issue. :

81 Do you think a single database, as opposed to the current range of methodologies available, would be an effective alternative?

Yes

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

Yes, as it will bring consistency.

82 Do you agree that compliance schemes (models 1 and 3), the producer management organisation (model 2) or the scheme administrator (model 4) should be responsible for carrying out audits of producers, which should be reportable to the regulators?

Yes

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

Yes, as long as there are no conflicts of interest.

83 Do you support the broadening of legally enforceable notices to obtain required information?

Yes

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

We support this to ensure that the new EPR system in the UK is a move away from the current PRN system in terms of transparency.

84 Are there other enforcement mechanisms that should be considered which would be timely and effective to bring producers into compliance, for example in relation to free riders?

Not Answered

If yes, please explain which other enforcement mechanisms should be considered:

85 Are there any further data that should be required to be collated / collected via compliance schemes or a single management organisation?

Please provide brief details.:

86 Do you think a penalty charge, as described, is the correct lever to ensure packaging recycling targets are met?

No

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

We are concerned that a penalty charge related to a PRN will be a lack of reform of a system that all parties have agreed needs to be replaced. There does need to be suitable penalties in place to act as a deterrent to those who might look to avoid compliance with the new UK EPR system. The penalty needs to be set at such a level that it is more expensive than the cost of compliance, and by such an amount that non-compliance based on cost is not a viable option.

87 Should stakeholders other than reproprocessors or exporters be able to issue evidence of recycling?

No

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

The fewer places within the chain that can issue evidence then the less likely there is for unintended consequences or possible attempts to make commercial gains from the EPR system.

88 Are there any additional enforcement powers that should be applied to waste sorters, MRFs and transfer stations handling packaging waste?

No

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

89 Do you agree with the proposed amendments to enforcement powers relating to reprocessors and exporters?

Yes

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

90 Do you have any evidence to indicate that under any of the proposed governance models the likelihood of waste packaging being imported and claimed as UK packaging waste might increase?

No

If yes, please provide information on any evidence you have:

91 Is the current requirement for a sampling and inspection plan and subsequent auditing by the regulator sufficient to address any misclassification of imported packaging waste?

Not Answered

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

This is a question for others to answer.

92 Are there other mechanisms that could be considered that would prevent imported UK packaging waste being claimed as UK packaging waste under the proposed governance models?

Yes

If yes, please explain which other mechanisms could prevent imported packaging waste being claimed as UK packaging waste:

If accredited reprocessors are required to update a central database which incorporates a mass balance facility, this will enable the regulator to identify any anomalies. For example, if a reprocessor reports 100 tonnes of paper as recycled during a particular month, yet the evidence contained within the database from suppliers, having been corroborated by the regulator, identifies only 50 tonnes of material input this would highlight an issue requiring further verification with the reprocessor. This would also support a risk-based approach to enforcement. The model could work very similarly to Question 100 in WasteDataFlow, completion of which is a mandatory requirement for local authorities. As part of Question 100, a waste supply 'tree' is created which outlines the end destination of all output materials and this enables mass balances to be completed and anomalies highlighted.

11. Estimated costs and benefits

93 Do you have any additional data or information that will help us to further assess the costs and benefits (monetised or non-monetised) that these reforms will have?

Please answer below:

No

94 Do you have further comments on our impact assessment, including the evidence, data and assumptions used? Please be specific.

Please answer below:

No

12. Further comments

95 If you have any other views or evidence that you think we should be considering when reforming the packaging waste regulations, which you have not yet shared, please add them here.

Please answer below:

None.

Consultee Feedback on the Online Survey

96 Overall, how satisfied are you with our online consultation tool?

Not Answered

Please give us any comments you have on the tool, including suggestions on how we could improve it.: