

ACP meeting January 25th 2022 1pm**Attendees: members, Defra (Department of Environment, Food and Rural Affairs), devolved administrations, regulators, WRAP (Waste and Resources Action Plan)****Venue: Virtual by Teams****Advisory Committee on Packaging (ACP) – Minutes**

<i>Attendees</i>	<i>Apologies for absences</i>
Deep Sagar - Chair Adrian Hawkes – Compliance schemes Alison Bramfitt – Filler/Manufacturer Andrew Bird – Local Authorities (UK) Andy Barnetson- Paper Emma Beal – Local Authorities (England) Emma Cook – Filler/Manufacturer Graham Fox – Filler/Manufacturer James Bull – Retailer John Dye – Wood Joseph Doherty – Waste Management Matthew Demmon - Glass Mike Baxter - Plastic Robert Fell – Steel Robbie Staniforth – Compliance schemes Stuart Hayward-Higham – Waste Management Tim Walker – Local Authorities (Northern Ireland) Linda Crichton – Defra Ian Atkinson - Defra Olive McMahon – Defra (Secretariat) Vicky Burt – Defra Andy Rees – Welsh Government Alex Hamilton – Welsh Government Howard Davies – Welsh Government Louise Clarke – Welsh Government Andrew Williams – Welsh Government John Kirkham – Welsh Government Lesley Roberts – Northern Ireland (NI) DAERA Lyn McLean – Environment Agency (EA) Andrew Thomson – Environment Agency Diane Carlisle – NI Environment Agency (NIEA) Charmaine Beer -- NIEA Bernard Gaffney- Scottish Environment Protection Agency (SEPA) Nat Chalamanda - SEPA John Davies – Natural Resources Wales (NRW) Helen Bird – WRAP	Karen Graley – Retailer Jack Ambler – DEFRA Charles Holmes – Scottish Government (SG) Robert Mclaughlin – NI DAERA Helen Little -- EA Allison Townley - NIEA

Items	Agenda Item	Actions arising
1.	Welcome, introductions, confirmation of attendance, previous minutes and actions <ul style="list-style-type: none"> The chair welcomed Welsh Government officials in particular. 	

	<ul style="list-style-type: none"> Minutes of October 2021 meeting were confirmed. 	
2.	<p>Chair's report</p> <ul style="list-style-type: none"> The Chair's written report was noted. Mike Baxter is chairing working group on two plastics consultations by Defra. Andrew Bird to chair working group on incineration and litter etc consultations by SG. The chair said Defra had published two more consultations including on digital waste tracking. If members wanted to respond, to express interest. 	
3.	<p>Welsh Government (WG) update</p> <ul style="list-style-type: none"> Andy Rees and colleagues presented WG's strategy and plans. Aim to achieve zero waste by 2050; focus on the Future Generations' Well-being Act; circular economy and refill. Ambition is to achieve highest municipal recycling rate in the world (currently no.3) WG requires separation of waste (except for glass/metal in specific circumstances). No tolerance for comingling On packaging, focus will be on 'Refill' to make Wales a refill nation Interested in labels that might be developed for refill and return Q : What was the motivation behind a ban on comingling? WG: compelling evidence to show that separate streams/multi-stream collection was the most environmentally effective approach. Evidence was challenged and reviewed and ultimately agreed upon. Broad acceptance from businesses on this approach (with some dissent) Q: what is meant by ambitious waste reduction targets? WG: Waste reduction targets set since 2010 including demolition, commercial and industrial waste (not statutory targets but are measured against) Q: are they considering the "correct definition of re-use"? WG: fruit and vegetable boxes do return to the grower/distributor. No specific refill targets as of yet – ultimate aim will be to track and measure this once everything can be digitally read including by consumers Recycling targets in Wales set by %age rather than weight so as not to disincentivise reuse/refill of materials Q: are there any plans to incentivise purchasing authorities/groups/categories to support Wales' plans for circular economy/embrace the plans in a more productive way? WG: very limited control over groups outside of public sector however WRAP are doing lots of work to influence spend in a more environmentally sustainable way ACP litter strategy consultation response: WG recommends input from environmental NGO to balance response Summary of 350 consultation responses to be published soon. Strong support for all five pillars. Part of response is about keenness to take a more robust approach to litter punishments Informal study group considering Code of Practice for local authorities' recycling On ACP's further input WG requests input and help on flexible plastics and what next should be addressed to get to 100% recycling Chair confirmed WG is welcome to use ACP as sounding board on issues: working groups would be formed for that 	<ul style="list-style-type: none"> WG to circulate slides to members ACP to consider flexible plastics work and what next.
4.	<p>Defra update</p> <ul style="list-style-type: none"> Linda Crichton provided update to meeting: 	

	<ul style="list-style-type: none"> • Pushing hard to get all policy proposals (deposit return scheme (DRS), consistent collections and extended producer responsibility (EPR)) finalised and published as soon as possible • Aiming for early 2022 but specifically pre-election period which starts in March. In EPR no interim payments in 2023 to local authorities. Phasing from 2024. • Intention to make minor amendments to the Packaging Recovery Note (PRN) system to enable it to operate for a while longer. A new consultation for these to launch around the same time • Adrian Hawkes reported that a working group chaired by him compiled a list of suggestions on EPR transition which has been shared with Defra • Q: is intention for continuity's sake to do a further consultation (i.e. will industry be waiting until last minute to get new recycling targets)? • Defra: no further need to consult on targets, targets for 2023 will be brought forward once the Government Response is published. • Defra: some amendments may be needed to 2007 regulations to take account of the impact of the Scottish DRS. The status of this is uncertain as a result of Scottish DRS being delayed into 2023 • Q: What is rationale to delay funding coming into EPR system and what the impact of that is to things like carbon targets and time required for industry to get ready? • Defra: the consultation only proposed partial funding in 2023. Conscious of the practicalities of introducing from 2023 (the work necessary to mobilise a scheme administrator and get necessary infrastructure in place) and conclusion was better to go for a phased approach from 2024. It is believed that this will have a limited impact to overall scheme outcomes. 	
5.	<p>Compliance update</p> <ul style="list-style-type: none"> • Ian Atkinson presented. Overall on track to meet compliance targets despite concerns earlier in the year over glass remelt. • Dynamic report indicates that sufficient waste was collected and accepted for recycling; approximately 7.9m tonnes. Can't be more specific until final numbers are in for the year • Update from Matthew Demmon on glass remelt and rising prices in 2021: There was a question about the practice of carry over, when evidence was still needed in market for 2021 compliance. • Q: 20% of every tonne of waste in supply chain is made of unrecyclable packaging – that's against the backdrop of Resources and Waste ambition to work towards 100% packaging being recyclable, reusable? • Defra confirm this is an ambition rather than a statutory target • Defra will obtain waste export destinations report from now on and make it available to ACP and thus no freedom of information request necessary. 	
6.	<p>Work plan including consultations</p> <ul style="list-style-type: none"> • Chair asked if in addition to current consultation responses members wanted to work on a new item from the work plan for 2022 • Mike Baxter to chair working group on flexible plastics after two plastic consultations finished • Emma Cook to chair working group on chemical recycling. To collect published research as first step • Adrian Hawkes to consider if working group on EPR transition needs to meet. • Stuart Hayward-Higham to chair working group on response to waste tracking consultation. 	<ul style="list-style-type: none"> • Working groups to convene asap
7.	<p>Updates by exception</p> <ul style="list-style-type: none"> • Lesley Roberts provided a DAERA update • Areas of focus: green growth, environment strategy, takeaway cups 	<ul style="list-style-type: none"> • EA to explore feasibility of quarterly

	<ul style="list-style-type: none"> • Carrier bag levy: will be a debate in assembly and due to be in force from 1st April 2022. Increased levy from 5p to 25p. Applies to all bags priced up to £5 and covers all materials. • DAERA happy to be the main devolved administration for ACP attention in its July 2022 meeting. • Lyn McLean provided update from EA. • EA gave an overview of monitoring and enforcement action. 9 producer visits, 3 higher risk. Monitored 23 reprocessors and 32 exporters. • Interventions: 7 suspensions, all for exporters using plastic material • 5 cancellations, 3 of which were reprocessors, 2 were exporters (majority also for plastics) • Focus has been on pursuing drop-offs which has had consequences to amount recorded and obligated for next year. Through ongoing operations work, 400 queries have been reduced to 35. Those remaining will have enforcement action pursued against them. • In relation to number of accreditations, a drop to 365 approved operators against 438 last year. • 204 audits carried out on reprocessors and exporters rated red and amber • In reply to question, EA agreed to explore if it could publish enforcement data quarterly instead of annually. • Bernard Gaffney provided update from SEPA. • Monitoring progress with compliance for schemes • No problems anticipated • Direct registrants 58/67 complied, non-registrants being chased • 30 accreditations approved for exporters. Some have not renewed their accreditation. Numbers down this year vs. last year • Some onsite reprocessor and exporter audits have been carried out in accordance with guidance • John Davies provided update from NRW. • No significant updates • Slight drop in reprocessors and exporters • One exporter application refused re issues with false information on application • No outstanding drop-offs or free riders at the moment • 2022 will hopefully see a move into site inspections after a desk based 2021 <p>Q: if a/some glass producers did not have sufficient PRNs in their account next January and they claimed too expensive, what would agency enforcement response/approach be?</p> <p>Regulators: despite market situation, expectation would still be for producers to comply with obligations. In the event of non-compliance the agencies would take the appropriate enforcement actions, taking into account factors around it/mitigating circumstances on a case by case basis</p> • Diane Carlisle provided update from NIEA. <ul style="list-style-type: none"> • Site visits to be recommenced this quarter • Producer drop-offs • Largely on track with overall compliance • 2022 drop-off on reprocessors 	<p>publication of enforcement</p> <ul style="list-style-type: none"> • WRAP to provide member volumes in Plastics Pact
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Q: Does there need to be further review into the drop in reprocessors given the ongoing situation with glass? Do we have any understanding of the reasons why a drop off in reprocessor/exporter numbers?
EA: Mixture of reasons including non-compliance but no specific reason identified.

Chair said a comparison between all regulators on resource available and enforcement action, subject to population, would be useful.

Helen Bird provided update from WRAP.

- UK Plastics Pact reported at end of November
- 10% overall reduction of plastic used in 2020
- Reduction in use of unnecessary or undesirable plastic
- Amount of plastic being classed as recyclable remains at 65% due to plastic bags and wrapping
- Front of store collections will be the critical step in getting more of this material recycled
- Increase in amount of recycled content in packaging but some concerns about capping of recycled content at 30%
- Consultation on ban on shrink-wrap, non-compostable teabags, PVC clingfilm, restaurant single use sachets, uncut fresh produce (e.g. whole apples etc)
- In reply to question, WRAP agreed to provide volumes for all producers in the UK Plastics Pact at inception and now (plastics and recycling) since the annual report only provides these for one category.

Written updates from Karen Graley, Andrew Bird, Emma Cook, Graham Fox, John Dye, Robert Fell, Andy Barnetson, Matthew Demmon, Mike Baxter, Stuart Hayward-Higham and Robbie Staniforth were noted. Additional updates discussed.

Plastic:

- echoed progress on front of store (FOS) recycling. One major retailer now recycling tens of 1000's of tonnes of material from FOS.
- HMRC's choice to classify silage wrap as packaging and not product has been problematic for various reasons.
- Plastics recyclers (APE) have been told that support they get for silage wrap collection will go down from £50/tonne to £10/tonne. Farmers have now said they won't pay the £60/tonne levy to fund APE scheme now that a £200/tonne tax has been enforced. Expectation that collection scheme will collapse from Monday 31/01/22

Glass:

- 2022 is UN International year of glass

Paper:

- Pressures on corrugated materials but supply largely maintained
- Significant drop in demand in last months of last year.

Metals:

- Tin plate in particular suffering from an increasingly pressurised market
- Rising energy costs also a factor in market pressure
- BEIS targets are currently about energy efficiency but may be separate targets for net zero – concern is the amount of capital that will be required to spend on these issues separately. Industry suggestion that targets be somehow combined to avoid crippling the industry with unmanageable pressure

	<p>Retailers:</p> <ul style="list-style-type: none"> • Pressure of industry readiness for new policies and legislative changes coming up <p>Compliance schemes:</p> <ul style="list-style-type: none"> • Ecosurety will publish annual results from Plastics Fund in June 2022. 	
8.	<p>Any other business</p> <p>Next ACP meeting: Monday 25/04/2022 1pm.</p> <p>It is intended that the next meeting be a hybrid meeting. It was requested if any ACP member could host. Member who can host a premises visit and meeting to contact the chair.</p> <p>Chair asked all to propose agenda items for the next meeting.</p>	<p>*ACP member able to host April meeting to contact the chair</p>