

## Advisory Committee on Packaging (ACP) – Minutes

<b>Advisory Committee on Packaging Meeting</b>	<i>February 1st 2023, 1pm</i>
At Sibelco, Motherwell, Scotland and online	
<i>Attendees</i>	<i>Apologies for absences</i>
<p><u>Members:</u>            Deep Sagar – Chair            Matthew Demmon – Glass            Andy Barnetson – Paper            Mike Baxter – Plastic            Nicola Jones – Steel            John Dye – Wood            Sokhna Gueye – Manufacturer            Emma Cook – Manufacturer            Graham Fox – Manufacturer            James Bull – Retailer            Karen Graley – Retailer            Emma Beal – Local authorities            Tim Walker – Local authorities            Andrew Bird – Local authorities            Joseph Doherty – Waste management            Stuart Hayward-Higham – Waste management            Adrian Hawkes – Compliance schemes            Robbie Staniforth – Compliance schemes</p> <p><u>Officials:</u>            Ian Atkinson – Defra            Jack Ambler – Defra            Linda Crichton – Defra            Olive McMahon – Defra (Secretariat)            Helen Little - Defra            David Gell – Defra            Vicky Burt – Defra            Alex Hamilton – Welsh Government (WG)            Ruth Southern – WG            Charles Holmes – Scottish Government (SG)            Lesley Roberts – Northern Ireland (NI) DAERA            Janice Harris – DAERA            Lyn McLean – Environment Agency (EA)            Virginia Woolley – EA            John Davies – Natural Resources Wales            Bernard Gaffney – Scottish Environment            Protection Agency (SEPA)            Dianne Carlisle – NIEA            Mark Cherry - NIEA            Keith James - WRAP</p> <p><u>Circularity Scotland:</u>            David Harris - CEO            Donald McCalman – Programme Director            Simon Jones - COO</p>	Charmaine Beer – Northern Ireland, DAERA Louise Clarke - WG Nat Chalamanda - SEPA

Items	Agenda Item	Actions arising
1.	<p><b>Welcome, introductions, minutes of November 2022 meeting</b></p> <p>Chair thanked Matthew Demmon and Sibelco for hosting the meeting at Sibelco and for Circularity Scotland for attending and meeting members for dinner.</p> <p>Apologies were recorded and present members recorded.</p> <p>Minutes of the last meeting were approved.</p>	
2.	<p><b>Chair's report</b></p> <p>The Chair's written report was noted and accepted, with no comments.</p>	
3.	<p><b>Scottish Government update and Circularity Scotland (CSL)</b></p> <p>Charles Holmes introduced Circularity Scotland, deposit management organisation (DMO) of DRS, colleagues.</p> <p>David Harris, Donald McCalman and Simon Jones (COO) provided an overview of Scotland's Deposit Return Scheme (DRS) and CSL's progress. This included the size of the operation and sizeable amounts invested and membership fee applied.</p> <p>Discussion between members and CSL around deposit levels and levers for DMO to hit targets ensued.</p> <p>RF raised the possible implications of a flat rate deposit on multipacks for aluminium industry.</p> <p>CH confirmed that SG's decision is that all drinks containers should be in scope for return and therefore multi-packs are in scope of the scheme.</p> <p>RS requested more details of CSL's KPIs; CSL confirmed the return rate.</p> <p>JB raised outstanding questions (VAT, labelling, operational points) and exceptions process, and questioned whether the scheme had been considered from a carbon footprint perspective.</p> <p>Discussion ensued around VAT on deposits. Clarified that 20p includes VAT if applicable.</p> <p>AH raised the retention of unredeemed deposits and questioned whether they were built into scheme. DH confirmed this is part of the income stream for the DMO and has been built in.</p>	<p>CSL slides to be shared with members (OM).</p> <p>JB to follow-up retailer questions with CSL outside the meeting.</p>

	<p>AH asked what key things need to happen from now to implement scheme in the remainder of the UK.</p> <p>MB: tonnages collected as part of the Scottish DRS are not “PRNable”. Been told these figures will be netted off the overall obligation. CH confirmed Packaging waste recycling notes (PRNs) will not apply to Scottish DRS volumes and regulations would be modified. Because DRS payments are based on current year packaging supplied and recyclable obligations determined based on the previous year’s packaging supplied, unavoidable to have some period of mismatch. At the heart of the approach is that you shouldn’t pay twice. Material being discussed is small in volumes in 2023 – therefore it is not anticipated to have much of an impact on the PRN market in 2023.</p> <p>MB noted that there is a hurdle to achieving targets for 2023.</p> <p>GF noted that the PRN market is very volatile at present.</p> <p>Defra noted that targets have been held and not increased for 2023.</p> <p>Chair thanked SG and Circularity Scotland and wished them well for DRS. He highlighted members’ concerns on cross border impacts, effect on recycling targets/PRNs, local authority collections, benefit-cost and the timetable of implementation.</p>	
<p>4.</p>	<p><b>Defra’s update</b></p> <p>Defra noted government response to single-use plastics call for evidence now published as well as on DRS.</p> <p><a href="https://www.gov.uk/government/news/far-reaching-ban-on-single-use-plastics-in-england">Far-reaching ban on single-use plastics in England - GOV.UK (www.gov.uk)</a></p> <p>Defra provided update on Extended Producer Responsibility (EPR) activities including business readiness forums for industry and local authorities as well as webinars and other forums.</p> <p>Members noted that ACP feels excluded from ongoing work and discussion on EPR.</p> <p>David Gell introduced himself and Helen Little and provided an update of the key points in the DRS response including a brief overview of the powers that will be given to the DMO (deposit level, labelling specifics); takeback obligations; digital DRS; timelines and legislation.</p> <p>DG also noted upcoming stakeholder engagement forums.</p> <p>Chair requested that ACP membership be added to Digital Working Group. Defra noted that this is not a Defra led group but offered to provide relevant contacts.</p>	<p>Defra to circulate information on Sprints to members and contacts to the Digital DRS working group.</p>

	<p>DS requested update on the cost benefit analysis; Defra noted that the impact assessment is being worked on and reviewed.</p> <p>Questions were raised around feasibility of timetable by members.</p> <p>RF raised concerns over glass exclusion and implications for aluminium industry. Glass was in the most littered list; target for glass is softer for glass than it would be in DRS. Defra explained that the DRS targets are collection targets, the EPR targets are recycling targets.</p> <p>Defra confirmed that the 'most littered' list is being reviewed and remains under consideration.</p> <p>EB and AB registered concern over local authorities being excluded from DRS process. Suggestion that local authorities be allowed to claim deposits from collected DRS waste quantities were considered onerous.</p> <p>Members raised concerns around the labelling lead-in time not being long enough and the possible scarcity of reverse vending machines. Defra noted the risk and referred to research undertaken and continued monitoring of supply.</p> <p>Defra expressed intention to return to ACP on packaging waste recycling targets.</p>	
<p><b>5.</b></p> <p><b>5.a</b></p>	<p><b>Compliance and recycling obligations update for 2022-23</b></p> <p>Compliance year finished yesterday – stats will be out on 16<sup>th</sup> March. To be brought to next quarterly.</p> <p><b>Regulator updates:</b></p> <p>Lyn McLean and Virginia Woolley of EA provided update – all compliance schemes have met obligations. Likely that some direct registrants have not complied this year – but don't yet know how many. As of 25<sup>th</sup> January – remaining drop-offs was down to 34 from 509 in April. Majority of tonnage was for paper and plastic.</p> <p>MB noted that more emphasis should be placed on chasing up drop-offs and timely registration.</p> <p>Discussion ensued around volatility of pricing in PRN market. EA requested feedback from members when guidance is misconstrued. An example was given on <i>de minimis</i>.</p> <p>NRW: John Davies provided update. For reprocessors and exporters in Wales in 2023 there are 38 accreditations (up from 37 in 2002) and 2 further applications submitted late last year in the assessment process.</p>	<p>Defra to share interim data with commentary between now and March 16th.</p> <p>DAERA to circulate information around upcoming webinars.</p>

<p><b>5b.</b></p>	<p>SEPA: Bernard Gaffney gave an update. All compliance schemes complied and submitted COCs. Of 68, 4 direct registrants who did not comply – drop-offs being followed up.</p> <p>NIEA: Diane Carlisle gave an update. All compliance schemes complied in 2022. Of 111 direct registrants, 10 did not comply, of which 6 were total non-compliance. All registered later in year. 15 reprocessors and 16 exporters. 60 accreditations with 4 more to determine. Increase in Part C's (export facilitation)– 96 to date this year. 1 exporter suspended in November 2022.</p> <p><b>Devolved administration updates:</b></p> <p>Alex Hamilton noted ongoing WG consultation on the waste collection code of practice which closes on 15<sup>th</sup> Feb and offered to feedback questions to relevant team.</p> <p>Lesley Roberts of DAERA provided update – 2 x NI webinars. One to cover packaging and EPR requirements as well as DRS. Other to cover problem waste streams. Work on NI Waste Strategy progressing. In absence of executive, continuing legislative programme on EPR and DRS.</p> <p>WRAP provided update and presented key figures about the Plastics Pact and Business Pilots. The chair thanked Keith James for this. Noted that businesses have requested support and tools to help them segregate their waste streams. Piloting different approaches and combinations of tools.</p>	
<p><b>6.</b></p>	<p><b>Work plan</b></p> <p>Members noted and endorsed the work plan. Working groups on refill/reuse, chemical recycling and EPR/new policies transition were discussed and it was agreed that DS would chair a group on the future of the committee.</p> <p>KG provided update on reuse and refill working group.</p> <p>Defra offered more context for Minister's ask for ideas and clarity around the future of the ACP's role.</p>	<p>KG, EC, AH and DS to chair working groups and report progress.</p>
<p><b>7.</b></p>	<p><b>Updates were discussed by exception. Written updates from members were noted.</b></p> <p>The chair thanked members for their written and oral updates. SHH noted near misses of fires on site due to waste that catches fire.</p> <p>Glass: MD provided update – flagged that glass PRN prices may be higher than expected.</p> <p>Paper: AB provided update and emphasised energy issues and implementation of EPR.</p>	

	AH noted emphasis ought to be placed on immediate questions on EPR rather than a 10-year horizon.	
<b>8.</b>	<b>Any other business</b>  Next ACP meetings: <ul style="list-style-type: none"><li>• 1<sup>st</sup> August 2023 1-4pm</li><li>• 31<sup>st</sup> October 2023 1-4pm</li></ul> Chair requested volunteers to host the next quarterly.	