

## Advisory Committee on Packaging (ACP) – Minutes

<b>Advisory Committee on Packaging Meeting</b>		<i>November 1st 2022, 1pm</i>
In Re-Gen, Newry, Northern Ireland, in person and online		
<i>Attendees</i>		<i>Apologies for absences</i>
<p><u>Members:</u>                  Deep Sagar - Chair                  Adrian Hawkes – Compliance schemes                  Andrew Bird – Local Authorities (UK)                  Andy Barnetson- Paper                  Emma Beal – Local Authorities (England)                  Emma Cook – Filler/Manufacturer                  James Bull – Retailer                  John Dye – Wood                  Joseph Doherty – Waste Management                  Karen Graley -- Retailer                  Matthew Demmon - Glass                  Mike Baxter – Plastic                  Nicola Jones - Steel                  Robbie Staniforth – Compliance schemes                  Sokhna Gueye – Filler/Manufacturer                  Stuart Hayward-Higham – Waste Management</p> <p><u>Officials:</u>                  Ian Atkinson – Defra                  Jack Ambler – Defra                  Linda Crichton – Defra                  Olive McMahon – Defra (Secretariat)                  Louise Clarke – Welsh Government                  Charmaine Beer – NI Department of Agriculture Environment and Rural Affairs (DAERA)                  Lesley Roberts – DAERA                  Philip McMurray - DAERA                  Simon McKergan – DAERA                  Chris Grove – Environment Agency                  Lyn McLean – EA                  Adrian Gregory – Northern Ireland (NI) Environment Agency                  Diane Carlisle – NIEA                  John Davies - Natural Resources Wales                  Bernard Gaffney- Scottish Environment Protection Agency (SEPA)                  Nat Chalamanda – SEPA</p> Keith James -- WRAP		Graham Fox – Filler/Manufacturer Robert Fell -- Aluminium Tim Walker – Local Authorities (NI) Alex Hamilton – Welsh Government (WG) Andrew Thomson -- WG Andy Williams – WG Janice Harris -- DAERA Robert McLaughlin -- DAERA Tirion Rees-Davies – Scottish Government  Helen Little -- Defra
<b>Items</b>	<b>Agenda Item</b>	<b>Actions arising</b>
1.	<b>Welcome, introductions, minutes of July 2022 meeting</b>	

	<p>Chair thanked JD for hosting the meeting at Re-Gen.</p> <p>The Chair also welcomed in particular new attendees and recent member-appointees Sokhna Gueye and Nicola Jones.</p> <p>Apologies were recorded and present members recorded.</p> <p>Minutes of the last meeting were approved, noting that Jack Ambler was present.</p>	
<p><b>2.</b></p> <p><b>2a.</b></p> <p><b>2b.</b></p>	<p><b>Chair's report</b></p> <p>The Chair's written report was noted and accepted, with no comments.</p> <p>Chemical Recycling working group:</p> <ul style="list-style-type: none"> <li>- EC provided an update on the first meeting of the working group and the intention to issue a call for evidence. She requested feedback on the draft document.</li> <li>- There was agreement on developing clear terms of reference for the group,</li> <li>- Members noted fast moving developments in technology on chemical recycling and a need to better understand the carbon footprint of these technologies. Defra/EA provided clarification that chemical recycling processes could potentially be accredited to issue PRNs, however, there has not been a complete application so far.</li> </ul> <p>Reusable and refillable packaging working group</p> <ul style="list-style-type: none"> <li>- KG provided an update on the reusable and refillable working group and noted there is lots of activity and interest in this topic. At present sector is quite fragmented and there is scope to approach more holistically. Capitalising on this approach is challenging as it requires whole business transformation.</li> <li>- IGD has given permission to share some useful papers regarding this agenda</li> <li>- Members referenced again, the need for clear terms of reference with regard to this working group, noting that some clarity is required.</li> <li>- Defra noted appetite to work on this sector from now with a view to develop proposals during 2023.</li> </ul>	<p>KG to follow up with terms of reference and actions from refillable and reusable working group and note on reuse /refill initiatives</p> <p>EC – to develop and circulate terms of reference and call for evidence</p>
<b>3.</b>	<p><b>DAERA update</b></p> <p>Philip McMurray (PM) provided a comprehensive presentation on the policy framework for resource management, resource efficiency and the circular economy in Northern Ireland and the key measures being taken forward.</p>	<p>MB to circulate the McKinsey report on single use plastics greenhouse gas emissions.</p>

	<p>A number of strategy documents are due to published within the next few months including:</p> <ul style="list-style-type: none"> <li>• Draft Circular Economy Strategy published for consultation by end of 2022 Environment Strategy has been consulted on and awaiting approval by the NI Executive. This will inform the first NI Improvement Plan which is expected mid-2023</li> <li>• Draft Waste Management Strategy to be published for consultation in first quarter (Q1) of 2023</li> </ul> <p>PM provided an update on the carrier bag levy. Statistics are released each August, with funds from the levy ringfenced for environmental projects and causes such as initiatives led by Keep Northern Ireland Beautiful. DAERA noted that from August 2021 – August 2022, 5 million fewer plastic bags were disposed of. Levy has been increased to 25p and applies to all bags costing less than £5.</p> <p>PM noted a recent initiative to show consumers where their recycling goes after it has been collected with the launch of a new website ‘myrecyclingni’. This is an educational initiative to promote understanding of the waste/recycling journey/cycle.</p> <p>PM clarified the articles within the EU directive on reduction of impact of certain plastic products, noting which articles apply in NI and the action being taken in NI e.g. ban on 10 most disposed single use items, substantial reduction in cups and food containers, and technical requirements such as attached caps and lids and the marking of certain products (e.g. wet wipes).</p> <p>Members noted the different approaches being taken across the 4 nations in response to dealing with problematic single use plastic (SUP) items and expressed a strong preference for a common approach across the UK.</p> <p>Members raised the impact of climate change and asked if it was considered in developing proposals for consultation. A recent McKinsey report noted that greenhouse gas (GHG) emissions can be lower for single use plastics.</p> <p>Members asked about the amount of engagement that has featured in compiling the strategy. DAERA noted that due to the smaller number of councils in NI, that plenty of engagement has occurred.</p>	
4.	<b>Compliance and recycling obligations update for 2022</b>	Action: Regulators or ACP to consider preparing and

<p>4.a</p>	<p>Defra presented the dynamic quarter 3 data that had been uploaded onto National Packaging Waste Database (NPWD), noting that the data was not verified and the UK obligation data was dated from August. This showed that across all materials it appeared that producers were on track to achieve full compliance. Based on the dynamic data, there was between 20% and 26% of the total evidence required by material for compliance to be obtained in Q4. This is generally in line with previous years, though it was recognised that this compliance position has been achieved by high Packaging Recycling and Export Notes (PRN/PERN) prices during 2022.</p> <p>There were some questions regarding the compliance position for glass. Data showed that around 24-25% of the total obligation (approximately 480,000T) was needed in Q4 for all producers and schemes to achieve full compliance. It was noted that this was relatively high for Q4 but that similar levels had been achieved in recent years. It was noted that high PRN prices did appear to be having the intended effect of increasing the supply of evidence (notably in the non re-melt sector).</p> <p>There was some concern expressed about the number of late registrations and potential missing tonnage in the reported figures. This leads to an inaccurate picture of the total obligation required.</p> <p><b>Regulator updates:</b></p>	<p>publishing statements in relation to compliance for 2022</p>
<p>4b.</p>	<p>EA presented the year-to-date figures as at 31/10/22. Currently there are 157 'drop-offs' (producers who have not registered in 2022, who were registered in 2021) which equates to an estimated 150,000 tonnes obligation. Since the last update (ACP meeting July), EA has taken further action to bring these producers into compliance. One significant producer has now registered (via a compliance scheme); a second has transferred their obligation and third was still to register at the time of the meeting (and now has). EA is continuing to follow up on the outstanding drop-offs to establish if they are genuine drop offs or late registrants. NRW: 2023 accreditation process is the current focus.</p> <p>SEPA: 3 producer drop offs being investigated; two of which are based in England. 2023 accreditation process starting.</p> <p>NIEA: 7 businesses not yet registered (all local and handle small tonnages); accreditation process for 2023 starting. 3 new producer compliance schemes have been approved in 2022. Packaging monitoring plan has been published and is now live on the NIEA website. DC also announced the retirement of Allison Townley. Members conveyed their appreciation for AT's contribution to the ACP.</p> <p>Members conveyed their thanks to the regulators for their work on following up compliance issues and for the comprehensive report provided at the meeting.</p>	

<p><b>4c</b></p>	<p><b>Glass compliance working group</b></p> <p>RS provided an update on the group’s discussions noting that it had been difficult to assess the issues that are leading to reduced availability/ high prices of PRN/PERNs. Some concern was expressed over the reasons for the reduction in glass ‘other’ (aggregate) being hard to discern.</p> <p>Members concluded that there was not a clear case for proposing specific interventions, rather it was felt that the Group should keep the compliance position and PRN market under review. Recognition that numbers relating to the supply of glass (other) PRNs (i.e. aggregates) had slightly improved in Q3. Members and DEFRA officials provided some theories as to why glass aggregate availability levels are low; this is believed to be related to changes in the amount of waste being generated, as well as a downturn in construction activity (and a drop in demand for aggregates) combined with higher processing costs (due to higher energy prices)</p> <p>The EA responded to concerns, reporting work being done to look at outputs and tonnage that has been evidenced, as well as looking at trends across quarterly data, to investigate significant discrepancies.</p> <p>Defra noted precedent of ACP to issue a statement regarding the compliance position. It was agreed that no announcement of a departure from current requirements in the regulations was required and that all producers/schemes are expected to take all reasonable endeavours to achieve compliance.</p>	
<p><b>5.</b></p>	<p><b>Defra’s update</b></p> <p>New ministerial appointments were noted, and current priorities in terms of outstanding consultation responses for Deposit Return Scheme (DRS) and Collection consistency being pushed to publish.</p> <p>The timelines for the Extended Producer Responsibility (EPR) and Data statutory instruments (SI) were highlighted, including the points at which they are anticipated to come into force.</p> <p>The outcomes of the PRN consultation were summarised, including interaction with the DRS and an update on the upcoming guidance for EPR and what it means for industry, as well as expectations around data to be collated and reported for 2023. Webinars have been arranged as a way of running through future data requirements, submissions and forms. Members raised concern over how the guidance might reach those smaller producers who are not members of large trade bodies or schemes and may know less about EPR and advised with some suggestions.</p> <p>Concerns were also raised by members over the need to publish the guidance as soon as possible for the benefit of producers.</p>	

	<p>Discussion around the interaction between DRS and PRN obligations across nations – Defra provided clarity on the obligations in respect of EPR once operational. Defra agreed to follow up with SG who were not on the call and update members with regard to clarifying obligations on Scottish DRS producers under the Packaging Waste regulations in 2023.</p> <p>Defra provided clarification on the sequencing of the four SIs.</p> <p>POST MEETING – the statutory instrument for targets in England and Wales was laid on 23 November</p>	
<p><b>6.</b></p>	<p><b>Work plan</b></p> <p><b>Members noted and endorsed the present work plan.</b></p>	
<p><b>7.</b></p>	<p><b>Updates were discussed by exception. Written updates from members were noted.</b></p> <p>SG: No update</p> <p>WG: Louise Clarke provided an update on current proposals for bans in SUP.</p> <p>WRAP: KJ provided update and mentioned work ongoing regarding business pilots, looking to improve communication ahead of Consistent collection requirements.</p> <p>Plastics: MB provided written update and expressed concerns over Plastic Tax consequences.</p> <p>Glass: MD provided update</p> <p>Paper: AB provided update. Steel: NJ provided update.</p> <p>Manufacturers/Retailers: Sokhna Gueye: provided update, in particular citing the implications of further delays to publication of the DRS response . EC: provided update – same concerns as raised in last update.</p> <p>Local authorities: AB: provided update, citing concerns from Scottish local authorities around the impending implication of DRS and impact on targets.</p> <p>Waste companies: JD: provided update, citing a drop in material prices forecast linked to higher processing costs due to increased energy costs.</p> <p>Compliance schemes: RS: cited concerns that the response to the PRN consultation should have gone further in the changes put forward.</p> <p>Chair thanked all for sending their written reports.</p>	<p><b>WRAP:</b> to provide an update on the business pilots at the next quarterly as well as volumes by participating manufacturers, at start and last end date of period, for the Plastics Pact.</p>

<p><b>8.</b></p>	<p><b>Any other business</b></p> <p>Next ACP meetings:</p> <ul style="list-style-type: none"> <li>• 1<sup>st</sup> February 2023 1-4pm</li> <li>• 2<sup>nd</sup> May 2023 1-4pm</li> <li>• 1<sup>st</sup> August 2023 1-4pm</li> <li>• 31<sup>st</sup> October 2023 1-4pm</li> </ul> <p>Chair requested volunteers to host the next quarterly particularly in Scotland with Scottish Government presenting.</p>	<p>NB: Please note October 2023 date and revert if unsuitable</p>
<p>To note post meeting</p>	<p>2023 targets SI for England and the Data SI for England have now been laid.</p>	