**Advisory Committee on Packaging – Minutes**

This meeting was held on **Thursday 23 January 2020** at **13:00** in **TATA Steel**, 30 Millbank, London, SW1P 4WY.

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| Expected Attendees | Dial in attendees | Apologies |
| Phil Conran - ChairMel Foster – DefraMegan Bracken - DefraLinda Crichton – DefraPaul Bradley - DefraIan Atkinson – DefraAdrian Hawkes - ValpakAlison Bramfitt - NestleAndrew Bird – LA (Newcastle)John Dye – Scott PalletsRick Hindley - AluproRoger Walton – LA (Dover)Mike Baxter - RPC-BPIGarvin Freeman – Tata steel Tim Chant - SGStuart Hayward-Higham – SUEZDiane Carlisle - NIEA | Helen Little – EAAlex Hamilton – Welsh GovKate Arnold - Defra Bernard Gaffney - SEPAHelen Bird – WRAP | Lyn McLean – EAJanice Harris – NISimon Weston - CPIKaren Graley – Waitrose |

**Minutes**

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| **Items** | **Agenda Item** | **Actions Arising** |
| **1.** | **Welcome, introductions, confirmation of attendance, previous minutes and actions** It was noted that Roger Walton had not been listed on the minutes from the previous ACP meeting. It was agreed that this would be amended. | Action: Defra to add Roger Walton to previous minutes |
| **2.** | **EPR Developments and upcoming Consultation****T**he following matters were raised and discussed;* Ministers had not yet received a briefing on EPR however, a submission would be going up within the next few months and the team would be seeking steers.
* Ministers had received a briefing on the Environment Bill
* The first meeting of the packaging and collections working group has been organised for 28 February 2020 which would allow industry to discuss cross cutting issues on EPR, DRS and consistent collections.
* EPR policy areas would be discussed at the ACP workshops on 6 February and 5 March 2020 with the intention of using the outputs in 4 subsequent ‘sounding boards’. To note: due to Covid-19 only 3 sounding boards were held.
* Working with INCPEN to organise 5 Stakeholder events to take place in June 2020 with the intention of these being held across the UK. To note: these have since been delayed due to Covid-19.
* Defra had been working extensively with DA colleagues which included monthly review meetings and was looking to increase engagement with Local Government.
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| **3.** | **PRN Pricing Discussions with Industry and Minister**It was noted that no feedback from Ministers had yet been received but Defra were in the process of consolidating responses and formulating advice to be sent back to the Ministers office. It was hoped that this would be finalised and agreed soon. The further advise sent to Ministers will note the position at end of year but highlighting that the risks will continue into 2020. Advice will also include a recommendation to reschedule the industry round table that was cancelled due to the general election.MF and IA met with trade associations (BSDA, FDF and BRC) and they had agreed to provide Comments on how they considered a compliance fee could function. Proposals for 2021/22 Business Targets and current PRN advice would be submitted together to the minister for review. |  |
| **4.** | **Short Term Regulatory Changes**Defra noted that as part of the advice to the Minister will also seek a steer from the Minister on the possible regulatory short term changes, as well as the potential introduction of a compliance fee. This was being reviewed and agencies have provided more information. If any comments are outstanding on the list of amendments circulated by members, then please provide these to IA as soon as possible. |  |
|  **5.** | **EU/OECD Plastic Exports**Members discussed the proposed ban on the exportation of polluting waste to counties outside the Organisation for Economic Co-operation and Development which was outlined in the Queens Speech in December 2019. The following points were raised;* There was no need for details of the site that waste is being sent to – just need a copy of the site permit.
* The Committee discussed the ACP requesting the EA to request all exporters to OECD sites to request information of where that waste is going to in the hope it will allow the agency to better scrutinise these sites. The view of the ACP was that it should be possible to contact various export waste plants to ensure that waste was being treated as agreed.
* The ACP agreed to formally request the EA to investigate the waste sites outside of the UK
* In relation to the manifesto commitment to not export waste plastics to OECD countries, the Hazardous Waste team would be discussing the TFS regulations with Ministers.
 | Action: The ACP agreed to send a formal request to the EA in order to verify the sites receiving plastic waste. PC agreed to draft and circulate a written proposal and requested that comments be sent to him as soon as possible. |
| **6.** | **2021/22 Targets Update/Recycling Performance**It was clarified that Defra expected recycling targets to be announced at the budget.The Committee noted the recycling performance of 2019 where targets were met with a surplus of recycling across all materials. IA noted that we now have a new paradigm for PRN/PERN prices. |  |
| **7.** | **Technology and Recycling Definitions**Members discussed the definition of recycling processes and asked whether they are still fit for purpose, questioning whether chemical recycling can be classed as recycling or energy recovery. Defra and the EA were of the view that the definition of recycling processes on the Government website were still relevant. If the process results in a new product, then it constitutes recycling. It was clarified that if Members had queries on this it would be best to contact Helen Little or Lyn McLean at the EA. | Action: IA to confirm implementation date for the point of recycling in relation to article 6a of the CEP. |
| **8.** | **Environment Bill and EU Exit Update**KA updated the Committee on the Northern Ireland protocol (NIP) that will come into effect at the end of the transition period. Once in force, the NIP would require Northern Ireland to align themselves with the EU, therefore meaning that Great Britain would be following a different regime. It was noted that KA was happy to accept further comments and/or questions from Members and explained that it would be best for Defra to reply in writing to allow time for reflection and clarity. Members thanked KA for providing the Committee with an update and agreed to contact MF with any matters to be forwarded on. |  |
| **9.** | **UK PRN Trading Market**AH shared a paper on the impact of market platforms that can drive up the price of PRNs and whether there is anything that can be done to monitor their actions. MF said she had been in touch with HMT officials on the regulation of online market platforms and she would aim to put them in touch with AH to discuss further. | Action: MF to follow up with HMT |
| **10.** | **DRS Update (including Scotland)** TC updated the Committee on the progress of legislation to introduce a DRS in Scotland. The Scottish Government has finished the pre-laying procedure of the Regulations and they were reviewing responses from Stakeholders and making a number of amendments where necessary. Tim Chant noted that the final regulations should be released by April 2020. On implementation, the Scottish Government are working on a number of issues with the industry advisory group. They have set up a number of working groups looking at how the scheme will be implemented. Defra updated on the development of a DRS for England, Wales and NI. As with EPR, we are finalising our policy positions on a number of key areas and reviewing consultation and implementation timelines. Defra will be holding its first DRS working group meeting on 4th February. This will be followed by an event for small businesses and the second WG meeting in March where we should be in the position to have more in-depth discussions on policy development to be presented in our second consultation.  |  |
| **11.** | **ACP Appointment Process**MF announced that all Chair interviews had now been conducted and that the successful candidate would be informed soon. It was hoped that it may be possible to inform Members of the result w/c 3 February 2020 however, a submission was currently being drafted and the appointment would be subject to ministerial agreement. Post meeting note: as notified by MF in email circulated 31 March 2020, Phil Conran agreed to continue in the role of Chair until Autumn 2020. |  |
| **12.** | **Accreditations and Priorities for 2020**The Agencies updated on Accreditations and Priorities for 2020. EA conveyed the message that there will be more audits carried out in 2020 – both announced and unannounced. The EA also provided an update on the Annex VII trial.The following application updates were provided;* 52 were still to be determined
* As of 23 January 2020, 331 duly made applications had been accredited for 2020 compared to 244 by 23 January 2019

The following accreditation updates were provided;* Refusals/ withdrawals (this is for the calendar year of 2019 - From 01 January to 31 December 2019 24 applications for accreditation were either rejected or withdrawn on NPWD, 13 reprocesses & 11 exporters.
* 19 of these were applications for 2019 & 5 were applications for 2020
* 14 applications for accreditation were refused by the Agency & 10 were withdrawn by the applicant as a result of our assessment highlighting they were currently unable to meet the conditions of accreditation, for several reasons.

In response to a question it was noted that many inspections continued to take place at exports and items were steadily rejected and sent back. |  |
| **13.** | **Key Updates from: other Agencies; WRAP; DA’s and OGD’s**It was announced that the WRAP UK Global branch was growing and would be opening in South Africa very soon. |  |
| **14.** | **AOB**PC updated on the outcome of the Technical Liaison Group meeting, where a number of actions were agreed in relation to guidance on fire prevention plans, monitoring and increasing the number of staff trained. | Action: PC agreed to circulate the minutes of the TLG meeting once available**.**  |